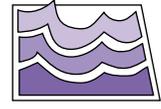




U.S. Army
Corps of
Engineers
St. Paul District

DEVILS LAKE STUDY NEWSLETTER



North Dakota
State Water
Commission

Issue #5, September 2001

Corps Considers Outlet Plans for Preliminary Design; Environmental Study Continues

Public Meetings Scheduled for October

The U.S. Army Corps of Engineers (Corps) is preparing a Preliminary Planning Report for Devils Lake, which will serve as the basis for moving ahead with the design of a "preliminarily selected outlet plan" concurrent with the preparation of the Devils Lake Study Environmental Impact Statement (EIS). In cooperation with the North Dakota State Water Commission (NDSWC), the Corps will conduct five public meetings in the Devils Lake and downstream areas from October 2-4, 2001 (see specific meeting dates, times, and locations below). The purpose of these meetings will be to update the public on the initial findings identified in preparation of the Preliminary Planning Report.

Summary information about the Preliminary Planning Report is given on page 2, with information on alternatives and the current project schedule presented on page 3. When completed, the Preliminary Planning Report will be available for review on the Corps' web site and at the information repositories as indicated on the back page. A summary of the report will then be provided to those receiving this newsletter. The back page also lists who to contact for more information.

Summary of April 2001 Scoping Meetings

As part of the supplementary scoping process for the EIS, the Corps, in cooperation with NDSWC, conducted six public meetings on April 2-5, 2001 in Devils Lake and downstream areas. Nearly 270 people attended the meetings; attendance by meeting location was as follows:

Pembina	21
Spirit Lake Reservation	39
Devils Lake	80
Cooperstown	19
Valley City	82
Moorhead	28

A Supplemental Scoping Document, summarizing the results of the meetings, was distributed to everyone on the Devils Lake mailing list in July 2001. Included in the document are copies of all written comments received and a summary of the issues raised at the meetings. That input is being used to help define the environmental studies needed for the EIS.

Planning Report Information Meetings

Location	Date	Time	Meeting Place
Valley City, ND	Tuesday, October 2, 2001	7:00 p.m.	Eagles Club 345 12th Avenue NE, Valley City
Cooperstown, ND	Wednesday, October 3, 2001	10:00 a.m.	Community First National Bank 901 Burrel Avenue, Cooperstown
Devils Lake, ND	Wednesday, October 3, 2001	7:00 p.m.	Ramsey County Courthouse 524 4th Avenue, Devils Lake
Spirit Lake Reservation	Thursday, October 4, 2001	10:00 a.m.	Tribal Community Building Fort Totten
Grand Forks, ND	Thursday, October 4, 2001	7:00 p.m.	Grand Forks City Hall 255 N. 4th Street, Grand Forks

Each meeting is expected to last 2 hours. For directions on how to get to a meeting location, or if you require an auxiliary aid or service, please contact Kevin Bluhm with the Corps of Engineers in St. Paul, MN, at 651-290-5247 by September 28.

Preliminary Planning Report

Congress has provided funds to the Corps for “preconstruction engineering and design of an emergency outlet from Devils Lake, North Dakota, to the Sheyenne River.” Although clear economic justification for an outlet is lacking using the probability approach traditionally used to predict lake levels, it is shown to be cost-effective when a continued wet-future scenario is assumed. In order to comply with Congressional appropriation language and because of the uncertainty of future lake conditions and the risks associated with rising lake levels, the Corps concludes that it is appropriate for design work to be accomplished on an outlet plan. The EIS will further address feasible alternatives. It is understood that if a different plan is eventually recommended in the Record of Decision (ROD), this design work would have to be redone.

A Preliminary Planning Report is being prepared to document the study methodology, alternatives evaluated, and the identification of a “preliminarily selected outlet plan” to carry forward into the design phase. A draft of this document was provided to technical representatives of Federal, State, Provincial, and local agencies for review and comment. The report is now being revised, including evaluation of additional alternatives, as a result

of comments received. It is necessary to move forward with this design concurrent with the preparation of the EIS in order to comply with Congressional requirements in the Energy and Water Development Appropriations Acts (Fiscal Years 2000 and 2001). Before any construction funding for an emergency outlet is made available, Congress has directed the Corps to verify that the construction is (1) technically sound, (2) economically justified in accordance with the principles and guidelines (P&G) established by the Council on Environmental Quality, (3) environmentally acceptable and in compliance with the National Environmental Policy Act (NEPA) of 1969, and (4) will not violate the requirements or intent of the Boundary Waters Treaty of 1909.

The Preliminary Planning Report is considering two basic outlet operating plans—a 300 cfs (cubic feet per second) constrained release plan and a 480 cfs unconstrained release plan. Operation of the outlet under either plan would be limited to the months of May through November. The constrained operation would limit discharges into the Sheyenne River so that channel capacities and water quality standards are not exceeded at the insertion point. The unconstrained operation would not be limited by these criteria. Impacts from these two operating plans are under study as part of the EIS.

Two kinds of evaluation methodologies are being used in the Preliminary Planning Report: (1) evaluations in accordance with the Council on Environmental Quality’s P&G, and (2) cost-effectiveness evaluations related to scenarios of future lake levels. Although the outlet plans are not shown to be economically justified in accordance with the probability approach traditionally used to predict lake levels, they are shown to be cost-effective when a continued wet-future scenario is assumed. The cost-effectiveness analysis of alternatives compared against various scenarios of “future-without-project” conditions are being used in conjunction with the P&G evaluations to identify a preliminarily selected outlet plan to move forward into design.

Numerous scientific evaluations have been conducted as part of the Devils Lake Study. Many efforts are currently underway to better define impacts of the various alternatives. Ongoing studies—such as mapping of the Sheyenne River valley, evaluation of stream bank erosion on the Sheyenne River, groundwater investigations, cultural investigations, aquatic impact analyses, soil salinity analyses, biota transfer analyses, and social/economic evaluations—are not yet completed. Thus, they are not part of the analysis of this report, but are being addressed in the EIS.

Project Alternatives

Alternatives Being Evaluated in the EIS

Studies associated with the EIS will continue concurrently with the design of the preliminary selected outlet plan. The alternatives, plus combinations of these alternatives, being evaluated in the EIS include:

Future Without the Proposed Project

This is the base condition upon which other alternatives are to be compared for impact assessment under NEPA. This alternative assumes that the types of emergency measures currently being pursued in the project area would continue to be implemented as necessary due to rising lake levels.

Upper Basin Management

This alternative would examine taking further measures in the upper basin to reduce inflow into the lake, such as providing storage through retention structures and wetland restoration.

Expanded Infrastructure Measures

This alternative will examine additional measures beyond those described in the “without project” alternative to ensure a safe level of flood protection within the basin.

Outlets

An outlet from the west end of Devils Lake appears to have the greatest potential for effectively controlling lake levels, while meeting objectives for downstream channel capacities, water quality criteria, and ability to implement. Therefore, outlet alignments from the West Bay and Pelican Lake areas, are being evaluated in more detail. Further consideration is also needed to define the recommended operation plan, with operating plans ranging from a constrained discharge of 300 cfs to an unconstrained discharge of 480 cfs.

Current Schedule

Public Meetings	October 2001
Preliminary Planning Report	October 2001
Initiate Design of Preliminarily Selected Alternative	October 2001
Draft EIS and Draft Planning Report	February 2002
Public Meetings	March 2002
Final EIS and Final Planning Report	July 2002
Record of Decision (ROD)	September 2002
Initiate Construction	October 2002*

* The proposed schedule and timeline assume that construction will proceed only if flood conditions continue to exist, all legal requirements have been met, and the ROD supports construction and operation. This schedule also assumes the selected plan is an outlet from the West Bay along the Peterson Coulee route since most work has been accomplished for this plan. If another plan is selected, the schedule may need to be revised.

How to Get More Information



Write, call, or e-mail

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Bruce Engelhardt
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bengel@swc.state.nd.us

North Dakota State Water Commission
900 East Boulevard
Bismarck, ND 58505-0850



Internet Web Sites

U.S. Army Corps of Engineers, St. Paul District
www.mvp.usace.army.mil

North Dakota State Water Commission
www.water.swc.state.nd.us

Technical reports

All technical reports associated with the Devils Lake Study, including the Draft Preliminary Planning Report are available for review at:

- U.S. Army Corps of Engineers, St. Paul District*
(see left column)
- North Dakota State Water Commission*
(see left column)

When completed, the Preliminary Planning Report will be available on the Corps web site (see left column) and from the information repositories listed below. In addition, a limited number of hard copies of the report will be available upon request from the St. Paul District Corps of Engineers (see left column).

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| Devils Lake Carnegie Library
701-662-2220 | Valley City Public Library
701-845-3821 |
| Fargo Public Library
701-241-1492 | Grand Forks Library
701-772-8116 |
| Griggs County Library
(Cooperstown)
701-797-2214 | Lisbon Public Library
701-683-5174 |
| Tribal Community Center
701-766-4221 | Pembina State Museum
701-825-6840 |

Also available on the web site and at the repositories are the February 1999 Scoping Document, July 2001 Supplementary Scoping Document, and all project newsletters.

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