

**Responses To Comments  
On The  
Draft Environmental Impact Statement**

# Advisory Council On Historic Preservation

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The Old Post Office Building  
1100 Pennsylvania Avenue, NW, #809  
Washington, DC 20004

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OCT 16 1998

Lieutenant Colonel William J. Breyfogle  
Acting District Engineer  
U.S. Department of the Army  
St. Paul District, Corps of Engineers  
190 Fifth Street East  
St. Paul, MN 55101-1638

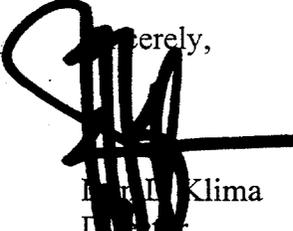
REF: Flood Protection Measures for the Cities of  
Grand Forks, North Dakota and East Grand Forks, Minnesota

Dear Colonel Breyfogle:

The enclosed Programmatic Agreement (PA) for the referenced project has been accepted by the Council. The execution of this PA completes the requirements of Section 106 of the National Historic Preservation Act and the Council's regulations, "Protection of Historic Properties" (36 CFR Part 800). We recommend that you provide copies of the fully-executed PA to the North Dakota and Minnesota State Historic Preservation Offices (SHPOs), the City of Grand Forks, and the City of East Grand Forks for their records.

If we can be of further assistance, please contact Charlene Dwin Vaughn at 202-606-8505.  
Thank you for your continued cooperation.

Sincerely,



Paul Klima  
Director  
Office of Planning and Review

Enclosure

**Response to Advisory Council on Historic Preservation.**

**1. Comment noted.**



# United States Department of the Interior

OFFICE OF THE SECRETARY  
Office of Environmental Policy and Compliance  
Denver Federal Center, Building 56, Room 1003  
P.O. Box 25007 (D-108)  
Denver, Colorado 80225-0007

October 2, 1998

ER 98/533

Lt. Colonel William J. Breyfogle  
District Engineer  
St. Paul District, U.S. Army Corps of Engineers  
Army Corps of Engineers Centre  
190 Fifth Street East  
St. Paul, Minnesota 55101-1638

Dear Colonel Breyfogle:

The Department of the Interior (Department) has reviewed the General Reevaluation Report and Draft Environmental Impact Statement for the Local Flood Reduction Project, Red River of the North, East Grand Forks, Minnesota and Grand Forks, North Dakota, dated August 1998. The documents adequately address the concerns of the Department regarding fish and wildlife resources, as well as species protected by the Endangered Species Act. From the standpoint of these resources, the Department concurs with the selection of the levee/floodway plan with 210-year flood protection as the preferred project plan. We have no comment on the adequacy of other resource discussions presented in the document.

Sincerely,

  
Robert F. Stewart  
Regional Environmental Officer

10-6  
DPC  
DC  
LISA  
①

Response to U.S. Department of Interior

1. Comment noted.



# United States Department of the Interior

FISH AND WILDLIFE SERVICE  
Twin Cities Field Office  
4101 East 80th Street  
Bloomington, Minnesota 55425-1665

Mr. Robert J. Whiting  
Chief, Environmental Resources Section  
Management and Evaluation Branch  
St. Paul District, Corps of Engineers  
Army Corps of Engineers Centre  
190 Fifth Street East  
St. Paul, Minnesota 55101-1638

OCT 08 1998

Dear Mr. Whiting:

As agreed to in our November 5, 1997, Scope of Work, the U.S. Fish and Wildlife Service (Service) has prepared the enclosed Final Fish and Wildlife Coordination Act Report for the Corps of Engineers' flood control study of the Red River of the North at Grand Forks, North Dakota, and East Grand Forks, Minnesota. The report provides a description of the existing resources in the project area; identifies problems, needs, and management objectives for the area's biological resources; provides input into the development of the project design; and makes recommendations to preserve, restore, or enhance environmental resources.

The Service has coordinated with the States of North Dakota and Minnesota in the preparation of this final report. Further, we have incorporated your comments into this final document.

In accordance with the consultation requirements of section 7 of the Endangered Species Act of 1973, as amended, we concur with your determination that the proposed flood abatement project for Grand Forks, North Dakota, is not likely to adversely affect federally-listed threatened and endangered species in the project area. This precludes further action as required under section 7 for the project. However, if new information becomes available that indicates listed species may be affected, consultation must be reinitiated with this office.

If you have questions, please contact either Bill Pearson of the Bismarck, North Dakota, Field Office at (701) 250-4401 or Paul Burke of the Twin Cities, Minnesota, Field Office at (612) 725-3548 x205.

Sincerely,

*Lynn M. Lewis*  
Lynn M. Lewis  
Field Office Supervisor

### Recommendations

1. Remove and properly dispose of all man-made structures such as buildings, roads, sidewalks and utilities within the greenway area.
2. Control streambank erosion caused by floodwater confined between levees using non-structural methods (e.g., vegetation, levee design, land use) where possible. If structural erosion control (e.g., rip-rap, gabion) is used, it should be the minimum required to do the job.
3. Create wetlands with gently sloping sides within the greenway and allow wetland vegetation (e.g., cattail, bulrush) to reclaim the site.
4. Follow appropriate construction practices and safety regulations (including a spill prevention plan) to minimize erosion and prevent environmental contamination during project construction.
5. Restrict development within the floodplain to environmentally sensitive projects that are thoroughly reviewed by the appropriate agencies for environmental impacts and regulated to protect natural resources.
6. Preserve the existing trees and shrubs, to the extent possible, when removing man-made structures.
7. Restore and revegetate disturbed areas with native plants. Coordinate with state and Federal agencies such as National Resource Conservation Service or the Fish and Wildlife Service to develop a native plant species list.
8. Maintain and protect a vegetative buffer strip within the lower and more vulnerable portion of the floodplain.
9. Allow vegetation to grow naturally where possible, with little or no human manipulation such as mowing or pruning. Periodic burning may be permitted to maintain native vegetation.
10. Maintain the water quality of the Red and Red Lake Rivers in the project area. Coordinate with State Health Departments and the Environmental Protection Agency to insure water quality is in compliance with state and Federal standards.
11. Provide for environmental education opportunities for local schools and public organizations as well as visitors to the Grand Forks/East Grand Forks Greenway.
12. Develop a holistic water management strategy for the watershed above the project area that includes structural and non-structural features to help reduce peak flows during flood events.
13. Create a tallgrass prairie preserve in the project area if suitable land is available and the habitat values are compatible with greenway development.
14. Replace unavoidable losses of trees and shrubs with native trees on a 2:1 basis.
15. Replace wetland losses by restoring equal or greater acreage of similar wetland habitat.
16. Design operation and maintenance plans for the greenway that encourage conservation of fish and wildlife resources.
17. Provide upland nesting habitat for waterfowl and other species on the levee alignment

- right-of-way by planting appropriate native vegetation and allowing natural growth.
18. Improve waterfowl nesting habitat by installing nesting boxes (especially wood duck nesting boxes in remaining riparian areas), creating wetlands, and providing nesting cover.

Response to Recommendations of the U.S. Fish and Wildlife Service:

1. Concur. All man-made structures will be cleared from properties acquired for the flood control project. We will encourage the local sponsor to adopt similar practices for the other properties within the greenway that they have acquired.
2. Concur. Disturbed areas will be revegetated, primarily with native species. Structural measures will be limited to the minimum required.
3. Concur. Any wetlands that are created as part of this project will be constructed with gently sloping sides and allowed to revegetate with native species.
4. Concur. We will review the contractor's environmental protection plan and will require that the contractor utilize best management practices for erosion control.
5. Concur. Within the flood plain, development would be restricted to uses compatible with project function. Environmental review of proposed projects would be conducted according to existing federal and state laws and regulations.
6. Concur. Existing woody vegetation would be preserved to the maximum extent possible during removal of structures.
7. Concur. Agency review of the St. Paul District's existing list of native species is welcome.
8. Concur. To the extent possible, it is planned that the riverbanks be allowed to revegetate naturally which would create a vegetative buffer strip of riparian species.
9. Concur. To the extent possible, riparian vegetation would be left in a natural state except for possible periodic burning.
10. Concur. Coordination has been and will continue to be conducted with the North Dakota Department of Health, Minnesota Pollution Control Agency, and the U.S. Environmental Protection Agency. Water quality will likely improve as a result of the implementation of this project.
11. Concur. One of the stated objectives of the greenway is to provide interpretive (environmental education) opportunities.
12. The St. Paul District fully recognizes the need for consideration of basin-wide water management strategies in the Red River of the North Basin. In fact, the Corps of Engineers is actively engaged with the International Red River Basin Task Force to specifically address basin-wide flooding issues following the 1997 floods. Reduction of peak flows could increase the factor of safety in East Grand Forks and Grand Forks but this would not result in a substantial alteration of the proposed alignment.
13. Concur. The local sponsors will be encouraged to develop tall-grass prairie areas if suitable sites and resources are available.
14. The revegetation plan, which specifies native species, is expected to result in a replacement rate for tree and shrub losses equal to, or greater than, 2:1.
15. Concur. There will be no net loss of wetlands.
16. Concur. The operation and maintenance manual provided to the local sponsors will encourage activities for the conservation of fish and wildlife resources.

17. Upland nesting habitat cannot be provided in the levee right-of-way which would be a highly disturbed area. Sufficient area for nesting should be available between the levee right-of-way and the riparian habitat.

18. Concur. The local sponsors will be encouraged to adopt improvements to waterfowl nesting habitat as part of the operation and maintenance of the greenway.



DP  
UNITED STATES DEPARTMENT OF COMMERCE  
Office of the Under Secretary for  
Oceans and Atmosphere  
Washington, D.C. 20230

September 9, 1998

District Engineer  
St. Paul District, Corps of Engineers  
Attn: Environmental Resources Section  
190 Fifth Street East  
St. Paul, MN 55101-1638

Dear Mr. Kasprisin:

Enclosed are comments on the Draft Environmental Impact Statement for Potential Effects of Flood Damage Reduction for the Communities of East Grand Forks, and Grand Forks, North Dakota. We hope our comments will assist you. Thank you for giving us an opportunity to review this document.

Sincerely,

  
(S) Susan B. Fruchter  
Acting NEPA Coordinator

Enclosure



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EIS-173

MEMORANDUM FOR: Susan B. Fruchter  
Acting NEPA Coordinator

FROM: Charles W. Challstrom  
Acting Director, National Geodetic Survey

SUBJECT: DEIS-9808-04-Potential effects of Flood Damage Reduction for  
Communities of East Grand Forks, and Grand Forks, North Dakota

The subject statement has been reviewed within the areas of the National Geodetic Survey's (NGS) responsibility and expertise and in terms of the impact of the proposed actions on NGS activities and projects.

All available geodetic control information about horizontal and vertical geodetic control monuments in the subject area is contained on the NGS home page at the following Internet World Wide Web address: <http://www.ngs.noaa.gov>. After entering the NGS home page, please access the topic "Products and Services" and then access the menu item "Data Sheet." This menu item will allow you to directly access geodetic control monument information from the NGS data base for the subject area project. This information should be reviewed for identifying the location and designation of any geodetic control monuments that may be affected by the proposed project.

If there are any planned activities which will disturb or destroy these monuments, NGS requires not less than 90 days' notification in advance of such activities in order to plan for their relocation. NGS recommends that funding for this project includes the cost of any relocation(s) required.

For further information about these monuments, please contact Rick Yorczyk; SSMC3, NOAA, N/NGS; 1315 East West Highway; Silver Spring, Maryland 20910; telephone: 301-713-3230 x142; fax: 301-713-4175.

**Response to comments from NOAA**

1. Comment noted.

2. Comment noted.

U.S. Department  
of Transportation

United States  
Coast Guard



Commanding Officer  
United States Coast Guard  
Civil Engineering Unit

1240 East 9th Street (Room  
2179)  
Cleveland, OH 44199-2060  
Phone: 216-902-6200  
FAX: 216-902-6277

11000

SEP 16 1998

Colonel Kenneth S. Kasprisin  
District Engineer  
St. Paul District, Corps of Engineers  
Attn.: Environmental Resources Section  
190 Fifth Street East  
St. Paul, Minnesota 55101-1638

Dear Colonel Kasprisin:

We have reviewed your Draft Environmental Impact Statement on Flood Control for the Red and Red Lake Rivers at Grand Forks, North Dakota and East Grand Forks, Minnesota. Your project will have no effects on Coast Guard facilities or operations.

Should you have any questions please contact Mr. Gary Nelson at (216) 902 - 6258.

Sincerely,

A handwritten signature in cursive script that reads "F. A. Blaha".

F. A. BLAHA  
Chief, Environmental and Real Property Section  
By direction of the Commanding Officer

Response to comments from U.S. Coast Guard

1. Comment Noted.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8  
999 18<sup>TH</sup> STREET - SUITE 500  
DENVER, CO 80202-2486

October 8, 1998

Ref: 8EPR-EP

Robert J. Whiting, Chief  
Environmental Resources Section  
Management and Evaluation Branch  
Department of the Army  
St. Paul District, Corp of Engineers  
Army Corps of Engineers Centre  
190 Fifth Street East  
St. Paul, Minnesota 55101-1638

RE: U.S. Environmental Protection Agency (EPA) Draft Environmental Impact Statement (DEIS) Comments On Grand Forks, ND-East Grand Forks, MN Flood Control

Dear Mr. Whiting:

EPA Regions V and VIII have reviewed the above referenced DEIS. EPA appreciates this opportunity and our comments are presented below. EPA would like to complement the Corps of Engineers for its efforts in the document. The Corps has proposed a plan which makes a substantial attempt at removing structures from the most flood prone areas of this project while also providing flood protection to the community.

EPA's review was conducted as required under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act. EPA's rating of this DEIS is EC-2, consisting of two components. The EC represents EPA's rating of the environmental impact of the proposed action. EC means that the review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative, or application of mitigation measures that can reduce the environmental impact. The "2" component of the rating addresses the adequacy of the impact statement. The "2" specifically indicates that the DEIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the reviewer has identified new reasonable available alternatives that are within the spectrum of alternatives analyzed in the DEIS, which could reduce environmental impacts of the action. The identified additional information, data, analyses, or discussion should be included in the final EIS.



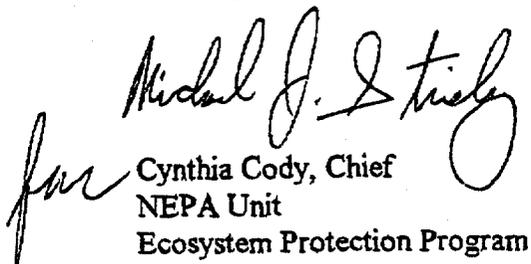
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The following are EPA's specific comments:

1. In terms of foreseeable development, which NEPA directs the lead agency to address in an EIS, the potential Devils Lake outlet and its potential affects on the Red River and the Red River at East Grand Forks and Grand Forks should be incorporated in the analysis.
2. EPA believes the project analyses for this action should be looked at from a basin ecosystem perspective. Because the focus of this EIS is flood control and prevention of flood damage, EPA believes the Corps should examine some of the management specifics that took place during the flood. The purpose for this is to take into account some of the conditions and situations that existed at the time of the flood. Some of these conditions, such as the continued draining of up-basin wetlands while flooding was occurring, should be analyzed.
3. In the preferred alternative, it is mentioned that some sections of the river will be rip-rapped. Rip-rapping appears to be a solution to erosion problems that ends up causing more problems. On the Missouri where rip-rapping has been done to address erosional hot spots, the rip-rapping has resulted in the creation of additional hot spots. The process proceeds until it almost becomes necessary to rip-rap large sections of the river. EPA recommends implementing alternative solutions to these problems and also recommends the Corps consult with its Waterways Experiment Station for creative solutions.
4. Extension of coulees is proposed for this project. It is proposed that these channels will only be used during flood events. What is the flood frequency threshold at which the Corps will use these extensions? (e.g. 100 year, 50 year...) How will the proposed frequency of use compare with the use of the existing structure? EPA asks these questions with a concern that a significant increase in use of the artificial channel may result in negative geomorphic changes to the natural channel section of the coulees.

EPA appreciates the opportunity to provide comments on this EIS. If EPA can provide any clarification or the Corps would like to discuss any of our comments, please contact Jim Berkley at (303) 312-7102.

Sincerely,

*for*    
 Cynthia Cody, Chief  
 NEPA Unit  
 Ecosystem Protection Program



Response to comments from U.S. Environmental Protection Agency

1. The Devils Lake outlet project is in a preliminary stage of analysis so definite statements cannot be made about the potential effects on the Red River of the North. Since it would not be operated during high water periods, the Devils Lake project would not contribute to increased flooding at East Grand Forks and Grand Forks.
2. The St. Paul District of the U.S. Army Corps of Engineers fully recognizes the need for consideration of basin-wide water management strategies in the Red River of the North Basin. In fact, the Corps of Engineers is actively engaged with the International Red River Basin Task Force to specifically address basin-wide flooding issues following the 1997 floods. Since the capacity of most of the existing upper basin storage was greatly exceeded in 1997, there was no opportunity to reduce the flooding at East Grand Forks and Grand Forks by retaining water upstream.
3. The St. Paul District is open to alternative methods of erosion control and works closely with the Waterways Experiment Station. Investigations during the design of the erosion protection will focus on ways to reduce the overall amount required and will explore the use of alternative means of protection including "bioengineering" or the use of vegetation for bank stabilization.
4. The coulee diversions will be operated with gated control structures. They would remain open during non-flood periods and would allow 50-percent (2-year) to 20-percent (5-year) channel-forming flows to continue in the natural coulee to maintain riparian habitat and vegetation. Also, outlets would remain open until the Red River of the North reached flood stage.



# Minnesota Department of Natural Resources

500 Lafayette Road  
St. Paul, Minnesota 55155-40\_\_

October 5, 1998

Colonel Kenneth S. Kasprisin  
District Engineer  
St. Paul District, Corps of Engineers  
Attn: Environmental Resources Section  
190 Fifth Street East  
St. Paul, MN 55101-1638

Dear Colonel Kasprisin:

## Re: East Grand Forks/Grand Forks Flood Control Project Draft EIS

The Minnesota Department of Natural Resources (MDNR) has reviewed the draft document of the Environmental Impact Statement (EIS) for the aforementioned project located in East Grand Forks, Minnesota and Grand Forks, North Dakota. The construction of this much needed flood protection system for the City of East Grand Forks is a high priority for the MDNR. The MDNR has the following comments to offer:

1. The draft EIS discusses plans for an extensive storm water management system for internal drainage. Where possible, storm water should be treated before the water is returned to the river.
2. The borrow sites created by levee construction should be considered as potential sites for wetland creation, or for storm water treatment sites, after the material is removed for levee construction.

Thank you for the opportunity to review and comment on this document. Please direct any questions or requests for additional information to FDR Hydrologist, David Johnson at (651) 215-1954.

Sincerely,  
DNR Waters

A handwritten signature in cursive script, appearing to read "Kent Lokkesmoe".

Kent Lokkesmoe  
Director

cc: Ron Nargang  
Paul Swenson  
Roger Holmes  
Tom Balcom

DNR Information: 612-296-6157, 1-800-766-6000 • TTY: 612-296-5484, 1-800-657-3929

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EIS 182

Response to comments from Minnesota Department of Natural Resources

1. The specific design for the interior flood control will be developed in the near future. It is expected that ponding would be used to reduce the need for pumping. To the extent possible, this ponding would be designed to provide treatment of stormwater.
2. Concur. The borrow sites would be considered for wetland development. The sites closest to the cities would also be evaluated for suitability as stormwater treatment ponds/wetlands.



# Minnesota Pollution Control Agency

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October 5, 1998

Mr. Robert J. Whiting  
Chief, Environmental Resource Section  
Management and Evaluation Branch  
St. Paul District - Us. Army Corps of Engineers  
190 Fifth Street East  
St. Paul, Minnesota 55101-1638

RE: East Grand Forks, Draft EIS and 404(b)(1) Evaluation  
Polk County, Minnesota  
401 Certification

Dear Mr. Whiting:

This letter is submitted by the Minnesota Pollution Control Agency (MPCA) under authority of Section 401 of the Clean Water Act (33 USC 1251 et seq.) and Minn. Stat. chs. 115 and 116. The referenced project involves a proposal to construct a multi-featured flood control project to protect the Cities of East Grand Forks, Minnesota and Grand Forks, North Dakota from floods. The project will require a total of 735 acres of fee title real estate interest; the acquisition of approximately 300 residential structures, 95 apartment or condominium units and 16 businesses.

The project includes a 1.2 mile, new diversion, to carry flows from Hartsville Coulee on the East Grand Forks side, 16 miles of levees and about 1 mile of floodwalls. The construction of the project will result in a large "greenway" being left between the river banks and the new levee system.

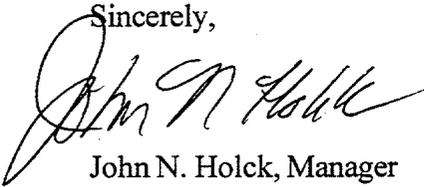
The MPCA certifies the referenced project since the project's individual and cumulative impacts do not appear to be significant as defined by present water quality standards. The project will require a stormwater construction permit. The changes proposed to the lift stations will also require our approval through a permit modification to the East Grand Forks National Pollutant Discharge Elimination System Permit. Please contact our Detroit Lakes office for the necessary permits.

This action does not exempt the applicant from the responsibility of complying with all applicable local, state and federal requirements, nor does it grant any right to violate personal or property rights.

Mr. Robert J. Whiting  
October 5, 1998  
Page 2

If you have any questions on this, please call Jeff Lewis at our Detroit Lakes Office at 218-847-1519.

Sincerely,



John N. Holck, Manager  
Operations/Planning/Major Facilities  
South District

JNH/JRL:sb

cc: Mr. Kevin M. Pierard, U.S. Environmental Protection Agency Chicago  
Ms. Lynn Lewis, Field Supervisor, U.S. Fish and Wildlife Service  
Mr. Kent Lokkesmoe, Director, Division of Waters, MNDNR  
Mr. Steve Colvin, Ecological Services, Environmental Review, MNDNR  
Mr. Mike Sauer, North Dakota Department of Health



Response to comments from Minnesota Pollution Control Agency

1. The Detroit Lakes office will be contacted regarding permits and permit modifications for this project.