

Submitted By: Roger Kay (402-995-2342). Submitted On: 22-Mar-11	
1-0	<p>Evaluation Concurred</p> <p>Yes, a breach in the embankment for Storage Area 1 will be evaluated as part of the breach and loss of life analysis being conducted by the St. Louis District.</p> <p>Submitted By: Aaron Buesing (651-290-5627) Submitted On: 10-Apr-11</p>
1-1	<p>Backcheck Recommendation Close Comment</p> <p>Closed without comment.</p> <p>Submitted By: Roger Kay (402-995-2342) Submitted On: 11-Apr-11</p>
Current Comment Status: Comment Closed	

Id	Discipline	Section/Figure	Page Number	Line Number
3853374	Hydraulics	Tables B-1 and B-2	B-15	n/a

I'm having a little difficulty in justifying an 8-ft (+/-) upstream stage increase to reduce a 1-ft downstream stage increase. Are upstream residents really on board with this? Also, do these stage differences take into account any ice impacts?

Submitted By: [Roger Kay](#) (402-995-2342). Submitted On: 22-Mar-11

1-0	<p>Evaluation Concurred</p> <p>This is a delicate balancing act that is occurring for the Locally Preferred Plan. There are two major issues driving the decision for the upstream staging, the first is that the downstream impacts on the ND35k plan would extend into Canada and that would require coordination with Canada and it would likely violate the Boundary Waters Treaty of 1909 which is a project constraint. The other item is that this is a locally preferred plan and currently it is not acceptable locally to allow downstream impacts to go for hundreds of miles, therefore options to alleviate those impacts needed to be examined. The downstream impacts are a relatively small impact that goes a long way, leaving those downstream at increased risk. The upstream impacts are very large but confined to a smaller area, resulting in buyouts which will reduce the overall risk to the area upstream.</p> <p>Submitted By: Aaron Snyder (651-290-5489) Submitted On: 06-Apr-11</p>
1-1	<p>Backcheck Recommendation Open Comment</p> <p>If downstream impacts extend into Canada and that requires coordination with Canada, what are the prospects of successful coordination? Please elaborate on this item more in the main text to make it clear one way or the other how this may impact the LPP as a constraint on the plan (if you already do, my apologies, I didn't have time to read all the documents). As far as the Boundary Waters Treaty, "likely" won't cut it with higher levels of review, it should be much more "yes" or "no" (with perhaps slight qualifications), so if you need to get Office of Counsel involvement to address this issue, I would strongly recommend it. I do recognize the balancing that's going on, but at face-value, it's tough to justify that much increase with a Federal project.</p> <p>Submitted By: Roger Kay (402-995-2342) Submitted On: 06-Apr-11</p>
2-0	<p>Evaluation Concurred</p> <p>Successful coordination with Canada will be subject to a number of items including other ongoing water resource issues, regardless the coordination would take significant time. St. Paul district OC has completed a review of the Treaty and its applicability. However, none of this is relevant as this is a locally preferred plan, there are no additional federal costs as part of the project, and this is necessary to make the plan palatable to the local sponsors and states. The NED and FCP plans both continue to have downstream impacts, however if implementation of either of them was pursued the local sponsors would likely ask for similar measures be taken as another locally preferred option.</p>