

Revised 11/24/06



# United States Department of the Interior

OFFICE OF THE SECRETARY  
Washington, DC 20240



ER 06/944

OCT 27 2006

Mr. Thomas W. Waters, P.E.  
Chief, Policy and Policy Compliance Division  
Headquarters, U.S. Army Corps of Engineers  
ATTN: CECW-P (SA)  
7701 Telegraph Road  
Alexandria, Virginia 22315-3860

Dear Mr. Waters:

The U.S. Department of the Interior has reviewed the Chief of Engineers' Proposed Report on the Roseau River, Roseau, Minnesota.

The U.S. Fish and Wildlife Service (Service) has been coordinating with the St. Paul District of the U.S. Army Corps of Engineers (Corps) on the Roseau River Flood Damage Reduction project, including providing a Fish and Wildlife Coordination Act Report on the proposed project as well as letters of comment on the Draft Feasibility Report and Environmental Assessment. Because the project has not reached the design phase, many of the issues and concerns raised by the Service regarding fish and wildlife resources have yet to be clearly addressed. The Corps has committed to continued coordination on these issues as planning progresses, and the Service is confident that the outcome will ultimately provide natural resource benefits for the Roseau River and surrounding habitat. Therefore, we believe that the Proposed Report generally addresses the concerns and recommendations expressed in the Service's letters (Appendix J in the Feasibility Report) with respect to fish and wildlife resources and compliance with the Endangered Species Act.

We appreciate the opportunity to review the documents and provide comments. If you have any questions or require further information, please contact Lyn MacLean, Federal Projects and Permits Coordinator, Ecological Services, Fish and Wildlife Service, Region 3, Fort Snelling, Minnesota, 612-713-5330.

Sincerely,

Willie R. Taylor, Director  
Office of Environmental Policy  
and Compliance

cc: Director, Fish and Wildlife Service  
Regional Director, Fish and Wildlife Service, Fort Snelling, MN  
Regional Environmental Officer, Philadelphia

Routed 10/4/06

U.S. Department of Homeland Security  
Region V  
536 South Clark Street, Floor 6  
Chicago, IL 60605



**FEMA**

September 26, 2006

Thomas W. Waters, PE  
Chief, Policy and Policy Compliance Division  
Headquarters  
U.S. Army Corps of Engineers  
CECW-P (SA)  
7701 Telegraph Road  
Alexandria, Virginia 22315-3860

Subject: Roseau, Minnesota-Feasibility Report and Environmental Assessment

Dear Mr. Waters:

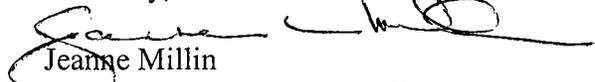
Thank you for the opportunity to review and comment on the above-referenced documents. While we have no objection to the project, we do find the Environmental Assessment (EA) and Finding of No Significant Impact (FONSI) insufficient for the purposes of the National Flood Insurance Program (NFIP) and Executive Order 11988, Floodplain Management (E.O.)

The proposed project will cause a change in the base flood elevation for the city and county of Roseau and therefore require the sponsor to submit the engineering data to this agency for review, per the NFIP's Regulations found at 44 CFR Parts 65 and 70, which have been adopted by the City of Roseau and the County of Roseau. Neither the EA nor the Feasibility Report clearly state that the Flood Insurance Rate Maps (FIRMs) will have to be changed and who is responsible for preparing and submitting the data and the time frames. This should be added.

The EA only states that the project will be fully compliant with the E.O. but fails to describe *how* it will comply. Federal agencies taking actions in floodplains must state why the action must occur there, what alternatives were considered, how the public was involved (the "eight-step process"), and how the Finding of No Practicable Alternative (FONPA) was made. USACE regulations pursuant to the E.O. also require an explicit Finding. We did not find any FONPA either in the EA, the Report, or in the FONSI. The E.O. compels the Responsible Federal Official to make the FONPA and present it similarly to the FONSI. These issues should be addressed.

Our role is to review and comment if appropriate and please accept these as part of the official docket file for this project. If you have any questions, please contact me at [jeanne.millin@dhs.gov](mailto:jeanne.millin@dhs.gov) or at 312-408-5540.

Sincerely,

  
Jeanne Millin  
Regional Environmental Officer



**STATE OF MINNESOTA**  
**Office of Governor Tim Pawlenty**

130 State Capitol • 75 Rev. Dr. Martin Luther King Jr. Boulevard • Saint Paul, MN 55155

November 22, 2006

Mr. Terry J Birkenstock, Chief  
 Environmental and Economic Analysis Branch  
 U.S. Army Corps of Engineers, St. Paul District  
 Sibley Square at Mears Park  
 190 Fifth Street East, Suite 401  
 St. Paul, MN 55101-1638

**Subject: Feasibility Report and Environmental Assessment**

Dear Mr. Birkenstock:

The State of Minnesota has reviewed and commented on the feasibility report and environmental assessment for this project. Concerns raised have been adequately addressed and Minnesota supports a flood control project for the City of Roseau.

Minnesota has supported and will continue to support Roseau in their efforts to provide flood protection for their community.

Sincerely,

Tim Pawlenty  
 Governor

cc: Commissioner Gene Merriam, Minnesota Department of Natural Resources