

SUMMARY OF ISSUES

Mississippi River Commission
Public Meetings held on the MV Mississippi, 13-23 Aug 2001

More than 660 members of the public participated. The Mississippi River Commission (MRC) members and U.S. Army Corps of Engineers staff along with public interests, experienced firsthand the issues, concerns, and challenges facing the citizens and organizations in relation to water resources in their respective regions.

The members of the public and organizations openly expressed their satisfaction with the opportunity and the forum to address and be heard by the MRC. A letter of response was sent to each individual who addressed the MRC to discuss all questions and issues raised by that individual.

The address of various issues that the public presented is listed below.

STATE SPECIFIC ISSUES

East Prairie (MO) The Commission is well aware of the impact flooding has on the lives and livelihood of East Prairie and adjacent rural communities. We recognize the efforts of area residents and organizations to make life better for themselves and the entire community. We also appreciate the Corps' efforts to formulate the best overall project for the area and to comply fully with the requirements of the National Environmental Policy Act.

St. Johns/New Madrid (MO) The Commission acknowledges the concern about the delays on the St. Johns Bayou and New Madrid Floodway project. The Commission also appreciates the need for complete consideration of environmental aspects of proposed work. The Corps continues to work on ways to get its story out as to various projects to provide a more balanced and objective view of projects and prevent misinformation.

Wolf River (TN) The Commission supports new start construction funding for the Wolf River Restoration project. The President's budget request for Fiscal Year 2002 includes \$205,000 to complete Preconstruction Engineering and Design, which will ready the project for construction. This project is an example of environmentally sustainable development.

In regard to new start construction funding, the budget request for the Mississippi River and Tributaries work has not been sufficient in recent years to fund all work, to include the starting of new projects. The budget has

SUMMARY OF ISSUES

Mississippi River Commission
Public Meetings held on the MV Mississippi, 13-23 Aug 2001

focused on continuing and completing ongoing projects rather than starting the construction of new projects.

White River Navigation Project (AR) Studies were performed to address the impacts to fisheries in the White River for the Grand Prairie project. These studies examined the impacts to larval fish and the connectivity of oxbows to the river. The fisheries impacts were found to be insignificant.

The Corps Memphis District staff is currently reviewing the Pennington Report and how it relates to the proposed dikes on the White River. Full disclosure of the proposed project's benefits and impacts will be available when the draft Supplemental Environmental Impact Statement (SEIS) for the White River Navigation project is coordinated for public review and comment. This is currently scheduled for June 2002, subject to funding being made available in Fiscal Year 2002.

Grand Prairie (AR) The Corps of Engineers has worked with the State of Arkansas, the local citizens represented by a locally elected irrigation board, and other interested parties for many years to identify a solution to the problems in the Grand Prairie region. Many alternatives have been considered over the years, and the optimum solution was found to be a combination of efficiency measures, additional water storage, environmental features, and an import water system to maintain irrigated agriculture in the project area. All analyses indicate that the project will accomplish its purpose of providing enough water to reduce the use of the alluvial aquifer to a sustainable amount and reserve the use of the Sparta aquifer for drinking water and industry.

The Corps has met all pre-construction National Environmental Policy Act requirements, including completion of public review of an Environmental Impact Statement (EIS) and signing of the Record of Decision. This EIS was first released to the public in draft form, along with the project report, in August 1998, and a public meeting was held in Stuttgart, Arkansas, on September 15, 1998. The final report and EIS were released in December 1999. The EIS found that the project had no significant negative environmental impacts. These findings were the result of studies conducted by or with the participation of several environmental agencies, including the U.S. Fish and Wildlife Service, Natural Resources Conservation Service, Arkansas Game and Fish Commission, and Arkansas Natural

SUMMARY OF ISSUES

Mississippi River Commission
Public Meetings held on the MV Mississippi, 13-23 Aug 2001

Heritage Commission. Studies included assessments of project impacts to the fisheries and wetlands along the White River. The study reports are available to the public for review. The Environmental Protection Agency had no comments on the final EIS. The findings of the EIS were not challenged by any agency under the normal environmental review process. The project is currently under construction with over \$35 million in on-farm storage and efficiency features to be under contract by the first of October.

An additional review of the water sources was completed and a recommendation to proceed with the project, as designed, was made by an oversight committee appointed by the Governor of Arkansas' Task Force on Water Resources. Representatives from the U.S. Fish and Wildlife Service, Nature Conservancy, Arkansas Game and Fish Commission, Arkansas State Geologist, U.S. Geological Survey, and Arkansas Soil, Water Conservation Commission, and others participated in the review and voted to proceed with the project, as designed. Governor Mike Huckabee endorsed the findings of the oversight committee and urged rapid construction of the project in a letter dated March 6, 2001, to the Memphis District.

St. Francis Basin (AR) The Commission recognizes concerns regarding annual funding levels of the St. Francis Basin Maintenance project. We acknowledge funding levels in the President's budget request are generally not sufficient to effectively maintain this project. As a result, the backlog of maintenance items is increasing. Funding for this project competes with funding for other studies and projects under the Mississippi River and Tributaries appropriation. Funding decisions for specific projects and studies are based on relative need and priority of work in the lower Mississippi River valley. The Commission, its staff, and the staff of the Memphis District will continue to work with all organizations to provide professional and specific information relative to the value of water resources investments to the nation.

In regard to adherence to the St. Francis Basin 5-Year Master Plan, the Memphis District will continue to work this program and execute needed maintenance based on available funding and relative priority of work.

The Memphis District inspects channels each year in the St. Francis Basin project to identify brush kill results and areas that need herbicide application. The

SUMMARY OF ISSUES

Mississippi River Commission
Public Meetings held on the MV Mississippi, 13-23 Aug 2001

District is preparing to award a 5-Year Indefinite Delivery/Indefinite Quantity contract for application of herbicides along ditch banks. A similar contract was initiated 5 years ago and has been completed.

The Memphis District is continuing to investigate the performance of the completed flood control improvements in the vicinity of Lower Belle Fountain and State Line outlet ditches in southeast Missouri and northeast Arkansas as funding and other priorities permit. The investigations also include the effects of the Rivervale Floodway on drainage conditions in the area.

Yazoo Backwater (MS) The Commission appreciates a continued commitment and steadfastness toward the Yazoo Backwater project and acknowledges the project sponsors frustration in the time that has transpired since Congress first authorized the project. The Corps is making progress and is moving forward with resolution of comments on the draft Yazoo Backwater Reformulation Report. A final report is expected early in calendar year 2002. The Corps is committed to making this project a reality while sustaining the environment.

The Commission recognizes the success stakeholders and other Delta citizens have had in working with members of Congress in securing funding for this work. The Corps remains committed to executing all projects fully consistent with the Congressional appropriations.

Big Sunflower (MS) The Commission acknowledges concerns and frustrations regarding the Big Sunflower River Maintenance project and those who are opposed to the project. The Corps is committed to answering these challenges by providing projects dedicated to sustaining the environment while giving equal consideration to flood damage reduction for residents of the Delta. The Vicksburg District has completed the design for clearing and snagging of Dowling Bayou. Following a favorable Mississippi Supreme Court decision on the water quality certificate, the District will be ready to advertise this contract. The next item of work, Item 2, is scheduled for award in April 2002. Work is currently underway to complete the National Environmental Policy Act requirements. This documentation should be ready for public review in November 2001.

Fluff in the Atchafalaya River (Morgan City, LA)

The Corps dredges the channel to a bottom elevation of -24 feet mean low gulf (MLG). This is done by accounting for 2 feet of advance maintenance and by allowing the dredge 2

SUMMARY OF ISSUES

Mississippi River Commission
Public Meetings held on the MV Mississippi, 13-23 Aug 2001

feet of overdepth. Due to the rapid return of light, suspended sediments, or "fluff," into the bar channel, the New Orleans District is considering additional advance maintenance to avoid frequent dredging. Prior to authorization and approval of additional advance maintenance, a cost analysis must be performed to ensure the least overall cost of maintaining the project. To address this, the U.S. Army Corps of Engineers' Engineer Research and Development Center (ERDC) in Vicksburg, Mississippi, is conducting a study to evaluate the effects of fluff on the channel and means of improving the operability of the channel. The 15-month study is designed to determine, among other things, whether dredging deeper will result in keeping the layer of fluff below the authorized channel depth and how rapidly the fluff returns to the channel following maintenance dredging. While awaiting the results of the ERDC study, the Corps has implemented two interim solutions to minimize the fluff problem. First, the number of dredging events in the bar channel was increased this fiscal year from two to three. Second, the Corps is investigating use of an interim disposal site to the west of the navigation channel.

REGIONAL ISSUES

Timely Completion of the MR&T The Commission shares the concern regarding the timely completion of the Mississippi River and Tributaries (MR&T) project, as well as one of its major components, the Mississippi River Levees project. Although the MR&T project is about 87 percent complete and provides significant flood control and navigation benefits, there is still additional work to be completed to ensure that the project functions properly and can accommodate the project design flood.

Upper Miss and IL Rivers Comprehensive Plan

A Comprehensive Plan was authorized by the Water Resources Development Act of 1999 to address systemic flood damage reduction and related water resource problems in the Upper Mississippi and Illinois Rivers. Our hope is that the Comprehensive Plan will help tie the many well-intended efforts together under one umbrella and thus eliminate the appearance of what is sometimes referred to as a "hodge podge" of projects.

SUMMARY OF ISSUES

Mississippi River Commission
Public Meetings held on the MV Mississippi, 13-23 Aug 2001

Flow Frequency Study The Upper Mississippi River System Flow Frequency Study will provide updated flood profiles for the Lower Missouri, Upper Mississippi, and Illinois Rivers. These profiles are fundamental to all aspects of floodplain management. The study made significant progress during Fiscal Year 2001 and is scheduled for completion in March 2003.

Navigation Study

On August 2, 2001, the Director of Civil Works instructed the Corps of Engineers to resume the Upper Mississippi River- Illinois Waterway System Navigation Study. The refocused study will be modified to emphasize environmentally sustainable use of the river. We are presently working to define what these items mean to the region.

The hypoxic conditions in the northern Gulf of Mexico

The Louisiana Universities Marine Consortium, in its press release of July 26, 2001, observed that we have the largest hypoxic zone to date. The Action Plan report for reducing, mitigating, and controlling hypoxia was presented to Congress by the Environmental Protection Agency in January 2001. This plan calls for the Corps to carry out a reconnaissance-level study of potential nutrient reduction actions that could be achieved by modifying Corps projects or project operations. Congressional authorization and funding are necessary to enable the Corps to accomplish the study. Nevertheless, the Corps is increasingly taking the hypoxia problem into account as it makes plans for future work throughout the Mississippi and Atchafalaya River basins and in the central Gulf Coast region.

12-Foot Navigation Channel

The Commission acknowledges the request to seek funding for a comprehensive detailed cost-benefit analysis for a reliable 12-foot navigation channel. The Senate Report accompanying the Fiscal Year 2001 Energy and Water Development Appropriations Act included language which urged the Corps to evaluate the current availability of a 12-foot navigation channel and the feasibility of ensuring a dependable 12-foot navigation channel on the lower Mississippi River below Cairo, Illinois. We have completed an engineering analysis of existing conditions and found that between Baton Rouge and Vicksburg, a channel depth of 12 feet is available 89 percent of the time on an

SUMMARY OF ISSUES

Mississippi River Commission Public Meetings held on the MV Mississippi, 13-23 Aug 2001

annual basis and 66 percent of the time during August, September, and October. From Vicksburg to Memphis a 12-foot channel is available 89 percent of the time annually and 65 percent of the time during the August to October period. From Memphis to Cairo, a 12-foot channel is available 89 percent of the time annually and 67 percent of the time during the August to October period. It is probable that as construction of the Channel Improvement project is completed over the next 19 years, the percentage of time that 12-foot navigation channel depths are available will continue to increase. *For this reason no further studies are planned at this time.*

Missouri River Master Manual With regard to the ongoing revision effort for the Missouri River Master Manual, the Corps of Engineers will be meeting with the State of Missouri and other Mississippi River stakeholders during our continued pursuit of a technical solution. A desired solution avoids jeopardy for endangered species while maintaining current standards of flood protection on the Missouri River and supporting navigation on the Missouri and Mississippi Rivers. Your statement and information submitted to the Commission during the public meeting have been forwarded to the Corps of Engineers Northwestern Division for consideration and use. The following paragraphs provide the current status of Corps consideration of modified Missouri River Reservoir operations and opportunities.

On August 31, 2001, the Corps Northwestern Division published its revised draft environmental impact statement (RDEIS) for public and agency review and comment. During the 6-month comment period, extending from August 31, 2001, to February 28, 2002, workshops and hearings will be conducted from Helena, Montana, to New Orleans, Louisiana, to provide information on the RDEIS and solicit input from individuals, tribes, states, other Federal agencies, and interest groups. Corps of Engineers Mississippi Valley Division staff were available during workshops at the Mississippi River locations. Each meeting followed the same format with a public informational workshop from 2:00 to 5:00 p.m. and a public hearing each evening beginning at 7:00 p.m. Locations along the Mississippi River included:

November 13, 2001	St. Louis, Missouri
November 14, 2001	Memphis, Tennessee
November 15, 2001	New Orleans, Louisiana

SUMMARY OF ISSUES

Mississippi River Commission Public Meetings held on the MV Mississippi, 13-23 Aug 2001

Following language in the Senate version of the Fiscal Year 2002 Appropriations Bill, the RDEIS presents a range of alternative water control plans with and without a spring rise and low summer flows from Gavins Point Dam. The RDEIS does not identify a preferred alternative, which provides an unbiased forum for public comment. It also allows the Corps and the Administration more time to evaluate public comments and the National Academy of Science report prior to making important decisions regarding Missouri River operations. The National Academy of Science report is to be completed this fall.

Specifically, the RDEIS presents the impacts of six alternative flow management plans on a number of important economic uses and environmental resources in the Missouri River Basin. The RDEIS also examines the impacts of these alternatives on Mississippi River navigation economics and shallow water habitat.

After considering all public comments, the results of a study being conducted by the National Academy of Sciences, and other relevant information, the Corps will prepare a final environmental impact statement and a record of decision. These documents will serve as the basis for revising the master water control manual and for developing an annual operating plan. Currently, implementation of the selected plan is scheduled for March 2003.

IN GENERAL

Fuel Tax and IWTF

Towing companies pay a fuel tax of \$0.20 per gallon. This tax makes up the Inland Waterway Trust Fund, which supports 50 percent of the cost of replacing, or rehabilitating locks and dams. Approximately \$100 million is expended per year from this fund.

Regulatory/Nationwide Permits The Corps strives to implement its regulatory program to the regulated public fairly and impartially, while providing protection to the aquatic environment. The Corps' regulatory program considers the public interest in both the protection and use of water resources and also considers the full range of environmental and socio-economic factors during permit evaluation. The Corps solicits public comments and considers them in their decisions. It is important that these comments be specific for appropriate consideration during the permit evaluation process. Other laws,

SUMMARY OF ISSUES

Mississippi River Commission
Public Meetings held on the MV Mississippi, 13-23 Aug 2001

regulations, Executive Orders, guidance letters, and memorandums of agreements with other agencies are considered during the processing of applications for permits. The Corps' policy is to provide applicants with a timely and balanced decision that reflects the public interest and application of pertinent laws and regulations.

The Corps will continue its efforts to meet the flood control, navigation, and environmental needs in the Mississippi Valley. Our success is largely attributable to a strong partnership with local interests and groups. You expressed concern regarding the proposed changes to the Nationwide Permits Program (NWP) and associated general conditions currently available for public comment (Federal Register dated August 9, 2001).

Concerning the belief that the proposed NWP and general conditions would provide too much flexibility to the regulatory program with complete disregard for the importance of wetlands and the need for stringent environmental review. Although a few of the proposed changes to the NWP and/or general conditions provide removing specific references to acreage or linear-foot requirements, it is noted throughout the Federal Register notice that the Corps maintains the importance of protecting all aquatic resource systems (i.e., waters of the United States, including wetlands). The Corps strives to implement its Regulatory Program as fairly and impartially as possible to the regulated public, while providing protection to the aquatic environment.

Use of the MV Mississippi The motor vessel is primarily used (approximately 90 percent of the time) for towing materials and equipment for construction and maintenance of the Mississippi River and Tributaries project on the lower Mississippi River. The vessel is project-owned and funded. The cost of using the vessel in the upper valley for the Commission when not working in actual construction towing is approximately \$15,000 per day, which includes labor and fuel cost. In addition to towing and MRC inspection trips, the vessel serves as an emergency response command center in the event of a natural disaster and has the capacity to provide housing through the use of quarter boat barges for over 200 emergency response workers. The basic costs of the Motor Vessel MISSISSIPPI are borne by the funds appropriated by Congress.

Statutes and regulations require the public meetings of the Mississippi River Commission to be held on the Motor

SUMMARY OF ISSUES

Mississippi River Commission
Public Meetings held on the MV Mississippi, 13-23 Aug 2001

Vessel MISSISSIPPI during the semiannual inspection trips, or at the MRC Headquarters office in Vicksburg, Mississippi (reference 33 U.S.C. Sec. 646 and 33 C.F.R. Sec. 209.50(c)).

The 1879 authorizing legislation for the establishment of the Mississippi River Commission permits the MRC to conduct semiannual inspection trips for the purpose of examining and investigating the Mississippi River and its tributaries (see U.S.C. Sec. 641 et. seq.). The MRC semiannual inspection trips and hearings provide for necessary information gathering for furthering the understanding of the complex needs and issues facing the people living in the Mississippi River Valley region.

The Mississippi River Commission manages implementation of the Mississippi River and Tributaries flood control project on the lower Mississippi River (see 33 U.S.C. Sec. 702h). Since the project was authorized in 1928 (Public Law 70-391, codified at 33 U.S.C. Secs. 702a et. seq.), over \$10 billion has been spent on the project and over \$244 billion has been saved by the nation as a result of project benefits. The results reveal one of the best benefit-cost ratios of any project: \$24 in benefits to \$1 of cost.