



# United States Department of the Interior

OFFICE OF THE SECRETARY  
Washington, D.C. 20240



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Colonel Daniel W. Krueger  
Memphis District  
U.S. Army Corps of Engineers  
ATTN: CEMVM-PM-E  
167 North Main Street, Room B-202  
Memphis, TN 38103-1894

Dear Colonel Krueger:

The U.S. Department of the Interior has reviewed the Final Environmental Statement and Main Report for the Eastern Arkansas Region Comprehensive Study, Grand Prairie Area Demonstration Project, Bayou Meto Basin, Arkansas, Prairie, Lonoke and Monroe Counties, Arkansas. We offer the following comments for your consideration.

## General Comments

Our Fish and Wildlife Service (Service) provided recommendations for avoiding, minimizing, and compensating for adverse impacts to natural resources from the Grand Prairie Area Demonstration Project in its Fish and Wildlife Coordination Act Report, dated May 1988. Subsequent correspondence dated October 5, 1998, provided comments on the Eastern Arkansas Region Comprehensive Study, Grand Prairie Area Demonstration Project General Reevaluation Report (GRR) and draft Environmental Impact Statement detailing concerns over project features and potential impacts to fish and wildlife resources. Later correspondence (November 18, 1999), from Sam D. Hamilton, Fish and Wildlife Service Regional Director, reiterated the importance of the White River Basin, the Service's responsibilities and commitment to protecting the natural resources in the basin, and the need for a conducting a cumulative impact assessment because of the numerous existing and planned water development projects affecting the White River. Furthermore, Mr. Hamilton advised that referral to the Council on Environmental Quality may be required if acceptable resolution of all issues could not be reached.

The Final Main Report and Environmental Statement respond to Service comments. The Service is satisfied that our concerns regarding public recreational opportunities and water quality monitoring have been adequately addressed. However, we continue to have concerns over several aspects of the project, specifically those related to the voluntary nature of conservation and on-farm features, winter flooding for waterfowl, and mitigation. While the Corps' responses to Service comments indicate that the project sponsor would be required to provide certain project features, and that they would be addressed in the Project Cooperation Agreement (PCA), the narrative in the Final Main Report and Environmental Impact Statement does not support

these responses. Consequently, we question whether these responses impose legally binding requirements on the project sponsor or whether they will become enforceable conditions of the PCA.

### Specific Comments

*Page 43, Comment and Response 1.* The Service's October 5, 1999, letter stated that "...the draft GRR states that the building and management of tailwater recovery systems, reservoir, and/or reduced aquifer pumping is voluntary. Some form of water conservation should be made a mandatory part of the project requirement for participants." The Corps response states, "The PCA will include provisions to insure that the on-farm features...are constructed. The operational plan for the project will also include the seasonal flooding for waterfowl. The sponsor will be contractually bound to operate and maintain the project according to the operations plan before construction is initiated. The sponsor must ensure that the goals for efficiency, increased storage, and waterfowl flooding are reached over the project area." The Project Cooperation Agreement and Operation Plan sections in the GRR Main Report do not explicitly address these areas of concern. Because these issues are not addressed in the GRR, the content and wording of the PCA becomes critical to the successful implementation of important project features. The Service would like to either be a party to the PCA or have review and approval status to ensure that this and other concerns are satisfactorily addressed.

*Page 44, Comment and Response 4.* The Service commented that "...for the project to be successful that water conservation measures such as tailwater recovery systems, reservoirs, and/or reduced aquifer pumping must be made a mandatory part of the project for all participants." The Corps' response states, "These features are not voluntary for the project area. They will be included in the PCA agreement between the federal government and the project sponsor." The GRR Final Report does not state that these features are mandatory for the project area, nor are they addressed in the section on the Project Cooperation Agreement. The Service would like to either be a party to the PCA or have review and approval status to ensure that this concern is satisfactorily addressed.

*Page 45, Comment and Response 6.* The Service expressed concern over the height and placement of some of the 120 weirs that would be constructed in existing tributaries as part of this project. The Corps responded that "the weirs in these areas will need to be examined on a site by site basis. Once the locations are identified, hydraulic design modifications will be made or weirs relocated to avoid or minimize impacts to sensitive riparian plant communities." The Service wishes to be included in the team that evaluates these weir locations and specifications.

*Page 45, Comment and Response 7.* The Service commented that winter flooding of 38,529 acres of harvested rice fields annually should be a mandatory component of the project. The Corps response states, "This feature is contained in the project operation and maintenance plan,

and the irrigation district is responsible for its implementation under the project cooperation agreement." Winter flooding for waterfowl is referenced in the Waterfowl portion of the Environmental Features section (pg. 77, Main Report), but is not referenced in the Operation Plan section (pp 82-85, Main Report). However, in the Economic Analysis portion of the Summary of Economic, Environmental, and Other Social Effects (pp 85-86, Main Report), it states, "An unmet need or shortage of 59,791 acre-feet remains which means that a portion of the area will convert to dryland practices and some of the desired winter waterfowl acreage cannot be flooded." This apparently conflicting statement on flooding for waterfowl needs to be reconciled. If this is not possible, it will be necessary to recalculate mitigation requirements for the project. The Service would like to either be a party to the PCA or have review and approval status to ensure that this concern is satisfactorily addressed.

*Page 46, Comment and Response 8.* The Service expressed concern that "there must be some assurance that the values projected for the project mitigation will be achieved." The Corps' response states, "Operation and maintenance of the mitigation lands is also a responsibility of the project sponsor." Neither the Operations and Maintenance Plan nor the Project Cooperation Agreement addresses maintenance or management of mitigation lands. The Service, again, requests to be a party to or have review and approval status for the PCA and long term contract and management agreements that will be developed.

*Page 47, Comment and Response 10.* The Service "...recommended that irrigation canals and on-farm reservoirs be located away from wetlands and natural heritage sites." We expressed concern that language in the GRR and draft EIS indicated that it was "assumed that on-farm features would be constructed on non-wetland agriculture lands." We stated that "Without a mandatory requirement for the on-farm storage to be placed in non-wetland areas there would be significantly greater wetland impacts associated with the project." The Corps response stated that "economic and environmental analyses were conducted assuming on-farm storage would be placed on existing cropland acres," and cited NRCS estimates of the amount of farmed wetlands that would be lost. Furthermore, the Corps response stated that "Mitigation will be acquired in manageable tracts for the on-farm wetland losses by the project sponsor. The mitigation will be acquired at the same rate as the on-farm features are constructed." The final main report, however, still states that "The new reservoirs are assumed to be located on lands identified for soybean production... Reservoir sites will be identified in the water management plans developed by the NRCS." This provides no assurance that reservoirs will be located in non-wetland areas. The NRCS is under constant pressure to locate reservoirs on land generally considered unsuitable for farming, such as sloughs and wetlands. For example, the NRCS recently designed and located a reservoir to be constructed with cost-share funding through the Environmental Quality Incentive Program in a 50 acre wetland (Section 404 Permit Application Public Notice No. 99-093, December 2, 1999). It is very likely that the NRCS will continue to experience pressure to locate on-farm storage reservoirs constructed for this project in wetlands.

The Service understands there may be circumstances whereby some reservoirs will have to be placed in wetlands. However, placing these reservoirs in wetlands should be the exception. The selected plan should require any reservoirs located in wetlands to be approved by a multi-agency team comprised of state and federal natural resource agencies to include, at a minimum, the Fish and Wildlife Service, Arkansas Game and Fish Commission, and Arkansas Natural Heritage Commission.

*Pages 47-48, Comment and Response 11.* The Service recommended that the Corps conduct a cumulative impact assessment of all five irrigation projects proposed for the Eastern Arkansas project. Furthermore, we stated, "We feel strongly that the cumulative impacts for all projects involving the White River should be addressed in detail." The Corps responded by adding a section on cumulative impacts to the FEIS. The Cumulative Impacts section in the FEIS listed and described four existing projects, six authorized unconstructed projects, and five actions by others in the basin. With the exception of specifying the total quantity of water, all proposed irrigation projects would withdraw if they were all were constructed and operating. The narrative provided little to no information on how all of the projects interact nor did it estimate impacts in a cumulative manner .

Typically, the narrative for the listed projects addresses whether that project would affect the Grand Prairie Area Demonstration Project and if the GPADP would affect the described project, but provides little information on the biological consequences of these interactions. For example, paragraph 6.107 states, "No changes in the operation of the existing White River Navigation Project are anticipated. The project authorizes a level of navigation at a prescribed gage reading. Therefore, any changes in flows or use of the river would not effect the current level of maintenance on the White River. Future increases in navigation traffic are anticipated under the current level of maintenance with or without the Grand Prairie Area Demonstration Project (GPADP)." Conversely, the Navigation portion of the Summary of Economic, Environmental, and Other Social Effects (pg. 86, Main Report) has the statement, "With implementation of the selected plan the availability of a 9-foot or greater depth navigation channel on the White River would be reduced from 62.5 percent of the time to 60.8 percent of the time, a reduction of approximately 6 days per year." This clearly shows the impact of one project on the other and an indication that increased impacts would occur if all the proposed irrigation projects were constructed and operating.

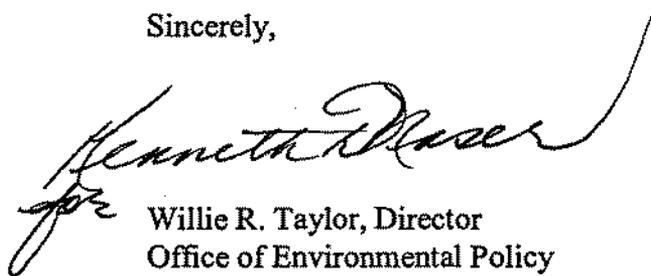
This section of the EIS does not provide an assessment of cumulative impacts of all existing and proposed projects in the White River basin. For example, information on the amount of water that would potentially be withdrawn by all of the proposed irrigation projects, and their effect on stage and flow, would have to be related to stage and flow required for navigation. Any changes in stage and flow should then be analyzed for affects on flooding, wetlands, wildlife, and other natural resources in the basin. With the Corps' mandate to maintain navigation, we would also need to know how much water would be available for irrigation at varying river stages, and how

much that withdrawal would affect river stage. The Service has proposed a comprehensive study of the White River basin which would assess the impacts of all ongoing and proposed projects on the economic, environmental, and human resources of the basin.

The responses to Service comments, recommendations, and concerns attempted to address the issues; however, the commitments made in these responses are not supported by the GRR Main Report, or EIS. Without supporting narrative in the GRR, it is questionable whether the Corps or project sponsor could be required to adhere to commitments made in the Response to Comments section of the report. The Corps has indicated that the project sponsor will be responsible for ensuring that conservation practices will be installed, groundwater use reduced, mitigation provided, on-farm storage reservoirs located in non-wetlands, and that the specified acreage will be flooded with winter water for waterfowl; and that the project sponsor's responsibilities to adhere to these criteria will be specified in the PCA. However, these statements provide no real assurance that the Service's concerns will be adequately addressed, which make the details of the PCA very important. Consequently, the Service would like to become a party to the PCA and operational plan to ensure that the natural resources of the project area are preserved and enhanced. Because of the extremely high value of the resources of the lower White River Basin and the enormity of the proposed project and its potential impacts, the Service would like to establish a relationship that would allow the completion of the project while protecting the natural resources of the basin.

Thank you for the opportunity to provide these comments.

Sincerely,

A handwritten signature in cursive script, appearing to read "Willie R. Taylor".

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