

Final

**Eastern Arkansas Region Comprehensive Study
Grand Prairie Area Demonstration Project**

**COMMENTS ON FINAL ENVIRONMENTAL IMPACT STATEMENT
REVIEW ASSESSMENT FOR DECISION MAKER**

February 23, 2000

Comment letters on the final environmental impact statement (FEIS) were received from two federal agencies and five private organizations. Summaries and analyses of these comments are provided below.

1. U.S. Environmental Protection Agency, Region 6, January 17, 2000 – EPA had no comment other than a recommendation to conduct a comprehensive study of the White River basin. Funding for the Memphis District to conduct a comprehensive study of the White River basin was included in the President's budget for fiscal year 2001.
2. U.S. Department of the Interior (DOI), February 2, 2000 – The main concerns expressed by the DOI were on the cumulative impacts assessment on the White River and on ensuring that the project will be constructed, operated, and maintained as presented in the GRR and FEIS. The cumulative impacts assessment in the FEIS meets the requirements of the National Environmental Policy Act (NEPA). The DOI commented on the comprehensive study proposed by the U.S. Fish and Wildlife Service (USFWS) as being needed to address cumulative impacts. The DOI requested to be a party to the PCA and Natural Resources Conservation Service (NRCS) contracts for the on-farm work, or to have review and approval authority on the PCA because so many project features are dependent on the project operation and maintenance, which is a non-federal responsibility. Many of the comments on the draft EIS were on ensuring the non-federal participation, operation, and maintenance with the responses being that the PCA would include provisions to ensure the project is implemented as described. In accordance with Section 221 of the Rivers and Harbors Act of 1970 and with the Water Resources Development Act of 1986, the PCA is a legally binding agreement that is enforceable in U. S. District Court. The parties to the PCA are the Department of the Army and the sponsor, the State of Arkansas. The parties to the Economy Act MOA are the U.S. Army Corps of Engineers (USACE) and the NRCS. It is contrary to USACE policy to include non-project sponsors as parties to the PCA. Further, there is no authority to include DOI as a party to the Economy Act MOA. The USFWS does not believe that the responses to the comments would be enforceable as part of the EIS. However, the responses state the means of ensuring implementation. This would not alter the project or project outputs in any way. The comments expressed concern over the possible location of the on-farm storage in wetlands. The Corps and NRCS are working with resource

agencies to develop site-selection criteria for on-farm features in order to avoid or minimize impacts to wetlands. Also, mitigation land will be acquired in manageable tracts to offset unavoidable on-farm wetland impacts.

3. Bunge Corporation, January 28, 2000 -- The Bunge Corporation's primary concern was ensuring that navigation on the White River was not adversely affected. Their chief concerns were centered on operation and that the GRR did not clearly state that the operating plan would reflect the cut-off levels as analyzed. Since this was a concern that appeared several times, we have clarified it in the record of decision. Bunge's other comments included a misconception about the acre-feet of water withdrawal listing the average annual demand and comparing it to the amount requested by the irrigation district in permit requests to the state, questions about the navigation analyses, and a question about possible low-flow augmentation from the White River Reservoirs. The Corps worked with navigation interests (including Bunge) to model navigation availability at various river stages. Low-flow augmentation was outside the scope of this general reevaluation. Low-flow augmentation will likely be considered during the White River Comprehensive Study.
4. The Nature Conservancy (TNC), Arkansas Field Office, January 31, 2000 -- The letter from TNC suggests that the cumulative impacts section of the FEIS is inadequate. The cumulative impacts section is adequate and in full compliance with the NEPA. They also urge the Corps to conduct a comprehensive study of the White River basin. It is not suggested that the Corps delay construction of the Grand Prairie Area Demonstration Project (GPADP) until the comprehensive study is completed.
5. National Wildlife Federation (NWF), Gulf States Natural Resources Center, January 31, 2000 -- The NWF states that the project will alter project area hydrology. The primary change in hydrology will be to provide year-round minimum pools in existing streams, thereby benefiting fish and other aquatic life. Under current conditions, these streams are heavily utilized as sources of irrigation water, and many sections of these streams are pumped to extremely low levels during dry summer months.

The NWF claims that the project fails to protect and preserve the alluvial aquifer because it does not restrict groundwater pumping. The Arkansas Soil and Water Conservation Commission (ASWCC) is responsible for protecting the groundwater. The project will provide the water necessary to protect and preserve the aquifer.

The NWF also raises concerns that the project would contaminate water within the project area streams and streams within the White River National Wildlife Refuge and concentrate contaminants in on-farm reservoirs. However, farmers are already applying agricultural chemicals to their land and no increase in chemical applications is anticipated over existing

conditions. Contaminants should "fall out" in the new on-farm reservoirs and bind with the bottom sediments, but this should improve water quality in the project area. Water quality sampling during the general reevaluation revealed that water quality in existing reservoirs is relatively good. Also, moderate to excellent fisheries exist in the older multi-purpose (irrigation/sport fishing) reservoirs. This dispels the NWF assertion that the new reservoirs will lose their ability to support productive fisheries because of contamination from agricultural chemicals.

The NWF also makes assertions that various impact analyses were inadequate and that some project benefits were overstated. However, project effects were adequately analyzed and subsequent results were documented in the FEIS.

The NWF voiced concern that the project's on-farm conservation and waterfowl features will not be fully implemented. The local sponsor will be required to provide these features through the project cooperation agreement (PCA).

The NWF is also concerned with the lack of detail regarding environmental monitoring. The details of the environmental monitoring program will be determined through thorough coordination with an inter-agency resource team. The various environmental monitoring plans will be implemented once they are formulated and approved by the inter-agency team.

A complaint was made that it is not possible to determine if the "non-selected" alternatives were fully considered, due to insufficient information. Alternative descriptions and evaluations were adequately described in the FEIS and described in-depth in the main report. Another complaint is that the Corps did not analyze a "widely publicized and credible" project alternative proposed by area farmers and International Paper Company. However, a detailed plan description of this alternative does not exist. Proponents of this alternative have stated in newspapers that their plan would rely heavily on on-farm storage and conservation. On-farm storage and conservation were analyzed independently and in combination with other measures during the general reevaluation, and on-farm storage and conservation are integral components of the selected plan. However, these two components, alone or in combination with each other, will not provide the necessary benefits. An alternative source of irrigation water must be provided. In fact, proponents of this International Paper/farmers plan have stated in some newspaper articles that an alternate source of surface water may be necessary, along with the storage and conservation measures.

The NWF asserts that the cumulative impacts assessment in the FEIS is inadequate, and they recommend that a White River basin comprehensive study be conducted before any projects affecting the basin are constructed. Although funding for a White River basin comprehensive study is contained

in the President's Fiscal Year 2001 budget, it would not be prudent to delay construction of the GPADP until this lengthy comprehensive study is completed. Declines in the alluvial and Sparta aquifers are severe and need to be addressed immediately.

The NWF also questions the capability of the named sponsors to sponsor and fund the project. The ASWCC is legally and financially capable of sponsoring the project.

6. Arkansas Wildlife Federation (AWF), January 31, 2000 – The AWF believes that the GPADP is too expensive and does not have the support of the majority of project area farmers. Although the project will cost approximately \$270 million to build, the benefit-to-cost ratio is 1.2 to 1; and the project would prevent devastating adverse impacts to the regional economy. The project is justified based on National Economic Development benefits. The ASWCC has committed to sponsor the project.

The AWF states that they are opposed to the GPADP because the Corps has never constructed an irrigation project and because many (on-farm) features are voluntary. The Corps' has the engineering expertise to design and construct the GPADP. Although individual farmers will have flexibility in the design of their on-farm plans, the local sponsor will be responsible for providing the level of water conservation and irrigation efficiencies, waterfowl management, and other on-farm features described in the main report and FEIS.

The AWF states that cumulative impacts of all projects affecting the White River should be evaluated in detail and that a comprehensive study is needed prior to implementing the GPADP or any other project affecting the White River. The cumulative impacts section of the FEIS complies with the requirements of the NEPA. The GPADP should not be delayed until a comprehensive study is completed.

The AWF states that on-farm reservoirs and irrigation canals "... must not be located in wetlands and natural heritage sites." Canal alignments were coordinated with an inter-agency resource team and impacts to wetlands were avoided or minimized to the extent practicable. The Corps and NRCS are working with resource agencies to develop site-selection criteria for on-farm features. The primary focus is to avoid or minimize adverse environmental impacts.

Concern was expressed that the project would induce the clearing of bottomland hardwood forests and other wetlands. No clearing of wetlands is anticipated to result from this project. This project meets only 87% of the area's irrigation demand; therefore, it would not be practical for farmers to clear additional lands.

The AWF also would like the project to expand public recreation within the project area. The Corps is working with the local sponsor to identify potential opportunities to provide public recreation. The Corps is also conducting a study to identify and evaluate additional environmental and aquifer protection features that could be incorporated into the GPADP. Additional recreational opportunities will be examined during this study.

7. Wildlife Management Institute (WMI), February 2, 2000 – The WMI feels that the farmers should bear the majority of the burden and costs associated with solving the groundwater shortage problem without additional impacts to natural resources. They also state that pumping from the White River should not be considered until all non-structural options have been exhausted; however, this not realistic. Without a supplemental source of surface water for irrigation, serious impacts to the agricultural community and the regional economy will occur.

The WMI believes that it is unsound policy to spend public funds, via this project, to subsidize surplus commodity production. Modification of the government's agricultural policies is outside of the Corps of Engineers purview.

The WMI also recommends that the ASWCC and other public stakeholders reduce groundwater pumping to sustainable levels. The Corps has no authority to regulate groundwater pumping. Only the ASWCC could potentially impose restrictions on groundwater withdrawals.

The WMI will not recognize benefits associated with the waterfowl management component of the project unless the rice field flooding is made mandatory. The annual flooding of rice fields is mandatory. The local sponsor is bound by the PCA to provide approximately 38,000 acres of harvested, rolled and flooded rice fields on an average annual basis.

The WMI wants a firm guarantee that no on-farm structural features will be constructed in wetlands. While some impacts to wetlands will occur from the construction of on-farm features, the Corps and NRCS are working with resource agencies and organizations to develop site-selection criteria to avoid or minimize wetland impacts associated with on-farm features. Any unavoidable wetland impacts will be mitigated as part of the project in manageable tracts.

The WMI recommends legal guarantees, administered by an uninterested third party, to assure protection of White River minimum flows. A contractual agreement is currently being developed between the local sponsor and key representatives of the environmental community to provide this assurance.

In addition, the WMI wants the prairie grass restoration feature and water conservation features made mandatory project components. The prairie grass restoration is experimental, and the amount of prairie grass that will be restored will be dependent on costs and degree of restoration success. Experimental plantings of prairie grasses are being made to determine the best planting methodology and associated costs. Water conservation is mandatory and included in the PCA.

The WMI states that the cumulative impacts assessment is "grossly inadequate," and they urge the Corps to conduct a thorough cumulative impacts assessment before the GPADP or any other project is implemented in the White River basin. However, the cumulative impacts assessment is adequate and in compliance with NEPA.

Conclusion - Comments submitted on the FEIS were fully considered. Comments included concerns over the adequacy of the analyses, the project economics, and the cumulative impacts of the project. However, the main thrust of the comments was on ensuring that the project would be implemented, operated, and maintained according to the GRR and the FEIS. The project economic benefits exceed the costs. The project has significant environmental benefits and minor impacts. The project can successfully be implemented, operated, and maintained in accordance with the GRR and EIS. The studies were conducted in full compliance with the NEPA process. The implementation of the project is in the public interest.