DEPARTMENT OF THE ARMY
MEMPHIS DISTRICT, CORPS OF ENGINEERS
167 NORTH MAIN STREET B-202
MEMPHIS, TENNESSEE 38103-1894

Reply to Attention of:

December 11, 2001

Project Management Branch

Mr. Allan Mueller
Field Supervisor, Conway Field Office
U.S. Fish and Wildlife Service
1500 Museum Road, Suite 105
Conway, Arkansas 72032

Dear Mr. Mueller:

This letter is in response to your letter dated October 4, 2001. In this letter, you raise a number of concerns regarding the Grand Prairie Area Demonstration Project. In order to thoroughly answer your concerns, we have prepared a document entitled “Responses to Specific Paragraphs”, which is attached to this letter. I am most concerned about three areas mentioned in the letter. These areas are the continued discussion of increased efficiencies above 70%, the continued discussion of the project's ability to provide for aquifer protection, and the coordination of design changes as the detailed design of the project progresses.

Before we discuss specific project concerns, it is important to remember that this is a cost-shared project supported by two local sponsors, the State of Arkansas acting through the Arkansas Soil and Water Conservation Commission (ASWCC) and the White River Regional Irrigation Water Distribution District (WRRIWDD). The ASWCC is the state agency charged with managing and protecting the land and water resources of the state including the aquifers. The Irrigation District is led by a locally elected board of directors. The local sponsors must contribute 35% of the total project costs and operate and maintain the project. The project has completed all necessary environmental reviews and construction has been initiated for the on-farm features of the project. This project represents a Federal, state, and local partnership to address one of the most critical water resources problems currently facing our country. The project has been planned in an extremely open and inclusive manner.

When you first raised the issues of higher irrigation efficiencies, a meeting was scheduled with your agency to discuss and address this concern. Present at that meeting were experts from Arkansas and they stated in contradiction to your claims that efficiencies above 70% were not actually attainable over the project area of this size. Since this meeting, project opponents have claimed that experts from the Natural Resources Conservation Service (NRCS) in Missouri have stated that higher irrigation efficiencies are possible. When contacted by project team members, these Missouri specialists stated that their remarks were taken out of context and that 70% was appropriate for planning purposes. Consequently all experts, including those cited by you, continue to confirm that 70% is an appropriate percentage to use for the planning of the project. Studies show that even if higher efficiency levels were attainable over the project area, a delivery system for imported water would still be needed to save the aquifers and continue irrigated agriculture.

The issue of aquifer protection is again a topic that we have addressed several times. Aquifer experts from the U.S. Geological Survey, Arkansas Soil and Water Conservation Commission (ASWCC), and the NRCS National Water Management Center have attended special meetings to resolve this issue. This was a major topic at a meeting held at Wattensaw attended by Larry Mallard and Debra Rickeley of the USFWS. When this issue was again raised, we have had another meeting with you on May 15, 2001, to address this same issue. The ASWCC is the state organization charged with protecting the state’s water

resources. Mr. Randy Young, the Executive Director of the ASWCC, has stated his belief that no regulation would be necessary if the project is constructed since the project will provide the water necessary to protect and sustain the Alluvial and Sparta aquifers. No new data or expert opinion has been provided to the contrary.

My staff has coordinated any and all changes of the detailed project design with the USFWS as they have been identified. We have also informed the interagency planning team of our intent to do an environmental assessment at the appropriate time for any changes; and this assessment will be completed before the changes are incorporated into the final designs. You voiced no major concerns at the times when the design changes were disclosed. You have had staff participating on the on-farm environmental team, the mitigation team, and the project monitoring team. We are making every effort to further minimize the project impacts during the detailed design of the project. The most important design change has been eliminating the use of natural streams in the area for delivery of supplemental water. This change was disclosed as soon as it was identified. This change would actually eliminate many of the concerns identified in your letter and will result in less environmental impacts to natural streams. You voiced no concerns when this change was identified. All of the changes in the project have been minor. No changes have been made in the project's purposes or the ability of the project to meet the stated goals. The minor changes will be fully examined in an environmental assessment that is currently being prepared. Based on preliminarily examination, these changes appear to result in less environmental impacts.

Other areas of concerns that your letter mentioned are also very important. Specifically, it should be noted that no on-farm plans requiring off site project mitigation have been constructed. No impacts have actually occurred without proper mitigation. Meetings have been held concerning the monitoring plans with Joe Krystofik of your staff. We will continue to work to develop the monitoring plans with the interagency team. Of the roughly 1,600 acres of on-farm reservoirs under contract, only approximately 16 acres of wetlands will be impacted. This would indicate that the reservoirs are being located in cropland with few wetland acres impacted. The impacts of the on-farm features that were not recognized during the General Reevaluation Report (GRR) were fully disclosed in project coordination and in the environmental assessment for the General Permit for the on-farm construction.

To fully understand the amount of coordination occurring on this project and the explanations given in our responses, we must explain the concept of the environmental teams. It was at your suggestion that we first explored and adopted this idea of a team approach. The local sponsor is also committed to the environmental teams and has agreed to their formation based on the draft Perkins-Yeatman Agreement proposed by concerned conservationists. Four independent environmental teams have been formed to coordinate the on-farm features, the development of project monitoring, project mitigation, and the location of weirs in natural streams (though, it appears, this last team will not be needed). These teams are fully functional and have representatives from the Corps, NRCS, USFWS, U.S. Environmental Protection Agency, WRRIWDD, AGFC, ANHC, Arkansas Department of Environmental Quality, and Arkansas Soil and Water Conservation Commission. The teams have all met and have established charters and operational procedures. While their input cannot ever replace the decision-maker's final authority according to law, the input of these teams is always fully considered. The on-farm team has been meeting regularly and has reviewed every on-farm plan that has had wetland, woodland, or prairie impacts. Plans the team did not approve have been revised accordingly. The team strives to reach consensus for plan approval where possible, but a vote is taken when necessary to approve or disapprove plans. It takes a majority

vote of five to approve an on-farm plan. So far in all cases where a plan was disapproved by vote, the plan has been revised. In all cases where consensus could not be reached and a final on-farm plan has been approved by vote, your agency is the only agency that has ever voted to disapprove the final plan. This remarkable concept of the team working together is unique among projects and the Corps of Engineers is pleased to be a part of this innovative manner to address concerns.

Central to this project is preservation of the area's endangered aquifers. The project will allow the aquifers to be preserved and recharged. Although aquifers are unseen, they are critical resources. The importance of the interaction of aquifers, streams, and wetlands is just beginning to be understood. For many years the importance of wetlands was not understood. Only with the loss of wetlands were we able to realize their importance. The country must not make this same mistake with our ground water resources. The Grand Prairie Area Demonstration Project will provide the water to protect and preserve these aquifers. However, timely construction is needed as water levels in both the Alluvial and Sparta aquifers continue to drastically decline each year. Scientific analyses concluded that the project would have significant benefits and insignificant impacts. Foregoing protection of the aquifers because of unsupported speculation of potential impacts (specially when scientific analyses indicate no significant environmental impacts) would be unwise and environmentally unsound.

My staff is always available to meet and discuss these concerns with you. However, in the future I propose that we attempt to identify methods to improve communication between our agencies to address issues of concerns prior to initiating formal correspondence. As stated at the beginning of this letter, each concern contained in your letter is specifically addressed in the attached document. If you need additional information, please do not hesitate to contact me or members of my staff.

Sincerely,

Jack V. Scherer
Colonel, Corps of Engineers
District Engineer