

VIA POSTAL AND E-MAIL

November 25, 2013

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RE: Comments for St. Johns Bayou and New Madrid Floodway Project Draft EIS

Dear Mr. Koontz and Mr. Ward,

I would like to thank you for the opportunity to submit the following comments on behalf of the Kentucky Waterways Alliance, Inc. ("KWA", "the Alliance") regarding the Draft Environmental Impact Statement for St. Johns Bayou and New Madrid Floodway project that has been proposed again by the Army Corps of Engineers. These are brief comments that provide our general thoughts on the project and the DEIS, but for a more complete analysis of the DEIS and the project, KWA supports the comments submitted by the National Wildlife Federation and other organizations that have very significant concerns about the project.

KWA is a statewide nonprofit organization dedicated to protecting and restoring the waters of the Commonwealth. KWA represents over 900 members and affiliate organizations united to insure high quality water resources in Kentucky for diverse recreational activities such as swimming, boating, and fishing as well as reliable drinking water supplies and biological habitat.

KWA submits that this project violates federal law and policy, and goes entirely against modern science. This project will cut off the last connection between the Mississippi River and its floodplain in Missouri, eliminating tens of thousands of acres of now-productive fish and wildlife habitat. The Fish and Wildlife Service says it will cause significant losses of nationally important fish and wildlife resources and could collapse the entire fishery in this portion of the river. Even worse, the amount of impacts to important wetlands and floodplain will be nearly impossible for the Corps to provide full compensation and replacement.

The Draft EIS provides a fundamentally flawed analysis of the impacts of the Project and fails to comply with the requirements of the National Environmental Policy Act (NEPA). The DEIS relies on outdated model and data and lacks scientific integrity; fails to demonstrate project need; fails to properly consider reasonable, less damaging alternatives, and fails to examine the full suite of adverse impacts from the Project. The Draft EIS draws conclusions on the value of the proposed mitigation that are fundamentally at odds with modern science and ignores important statutory and regulatory mitigation requirements.

The Project is prohibited under the Clean Water Act 404(b)(1) Guidelines and is appropriate for a Clean Water Act Section 404(c) veto due to the severity of the harm it will cause to fishery areas and wildlife. The proposed mitigation and the mitigation plan are both scientifically unsound and legally inadequate. And, as noted above, the project is at odds with longstanding federal policy.

The Department of Interior says this project is not in the public interest. Independent scientific experts agree this will be a destructive project.

The project will also make it harder to use the New Madrid Floodway to protect communities from major Mississippi River floods. The best way to reduce damages from smaller floods is to use low impact solutions that work with nature, not against it.

Additionally, this project worries KWA in terms of the impacts it may have to the Kentucky side of both the Mississippi and Ohio Rivers. Closing of the levee at New Madrid suggests higher possible crests up stream of New Madrid. Further, if completed and opposition to use of the Birds Point levee breach for flood reduction increases, that is likewise expected to increase the flood heights for cities downstream from Birds Point.

But maybe the most preposterous of all is that the federal government made one-time payments to landowners in this area over 70 years ago to acquire the rights to use the land there as a flood-reducing measure for the Mississippi River. Why would the government now waste millions of taxpayer dollars to prevent that land from functioning as it was intended, and as paid for, many years ago? Why would the government and the Corps fail to utilize modern science and understanding of the value of natural floodplain connections and wetlands?

This project is bad for wildlife, people and taxpayers and should be abandoned by the Corps. If the Corps does not abandon this destructive project, the Environmental Protection Agency should stop it once and for all by using its Clean Water Act section 404(c) authority to veto the project.

Thank you for an opportunity to comment.

Sincerely,

A handwritten signature in black ink, appearing to read "Tim Joice". The signature is stylized with a large, sweeping initial "T" and a cursive "Joice".

Tim Joice
Water Policy Director