



Appendix B

Scoping and Comments Summary

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APPENDIX B: SCOPING AND COMMENTS SUMMARY

B.1 Introduction

The USACE invites full public participation in the NEPA process, and promotes both open communication between the public and the USACE and better decision-making. All persons and organizations that have a potential interest in the proposed action, including minority, low-income, disadvantaged, and Native American groups, are urged to participate in the NEPA environmental analysis process. The scoping process is useful in helping the USACE focus the EIS on issues of importance to the public and other interested agencies and organizations.

B.2 Scoping Report

The public scoping process, as discussed previously in this document, included three separate public scoping phases. All the comments received during these phases are included in this appendix. This appendix includes the following sections:

- Introduction;
- Public Scoping Period 1;
- Public Scoping Period 2;
- Public Scoping Period 3;
- Scoping Summary.

Please note that this appendix contains a summary of the scoping process and comments received during scoping. A completed scoping document is on file at USACE Little Rock District.

B.2.1 Introduction

The scoping process was designed to solicit public comment on issues or concerns that should be addressed early in the EIS process. Public comments, from persons thought to be potentially interested or affected by the planned action were solicited through mailings, media advertisements, and both agency and public scoping meetings. These items were developed to

ensure the public was informed and given the opportunity to participate in the decision-making process. While informal comments were welcome at any time throughout the process, the scoping period and scoping meeting provide formal opportunities for public participation in, and comment on, the environmental impact analysis process.

B.2.2 Public Scoping Period 1

B.2.2.1 Introduction

The USACE invites full public participation in the NEPA process, and promotes both open communication between the public and the USACE and better decision making. All persons and organizations that have a potential interest in the proposed action, including minority, low-income, disadvantaged, and Native American groups, are urged to participate in the NEPA environmental analysis process. The scoping process is useful in helping the USACE focus the EIS on issues of importance to the public and other interested agencies and organizations.

Public participation opportunities, with respect to the proposed action that is the subject of the Arkansas River Navigation Project EIS, are guided by the President's Council on Environmental Quality (CEQ) regulations and Engineering Regulation 200-2-2, *Procedures for Implementing NEPA*.

The following is a summary of the scoping process that was conducted in support of the Environmental Impact Statement (EIS) for the Arkansas River Navigation Study. This summary describes the scoping process, comments received from the public, regulatory agencies, and special interest groups/organizations during the scoping period.

B.2.2.2 Agency Coordination Meetings

Agency coordination meetings were held in Tulsa, Oklahoma and Little Rock, Arkansas approximately one week prior to the Public Scoping Meetings.

The intent of these meetings was to address the project with key federal and state agencies early in the EIS process.

The meeting consisted of brief opening remarks, a powerpoint presentation describing the project status and EIS considerations, followed by a questions and answer period. USACE staff was present, representing relevant project disciplines to answer questions.

B.2.2.3 Notification Procedures

Invitations were sent to Federal Agencies in Arkansas and Oklahoma. These notifications were prepared and mailed by USACE Little Rock District staff. The notification announcements were mailed approximately two weeks prior to the meetings.

B.2.2.4 Location, Time, and Date of Meetings

Agency Coordination Meetings were held as follows:

Little Rock, Arkansas Wednesday February 7, 2001
10:00 am
District Engineer's Conference Room
7th floor, Room 7208
Federal Office Building,
700 West Capitol
Little Rock, Arkansas

Tulsa, Oklahoma Thursday February 8, 2001
10:00 am
Conference Room 201A (2nd Floor)
Federal Office Building
1645 S 101st East Ave.
Tulsa, Oklahoma

B.2.2.5 Meeting Attendees

Agency personnel attending the meetings, exclusive of USACE personnel, included the following:

AGENCIES ATTENDING AGENCY COORDINATION MEETINGS

February 7, 2001 – USACE Little Rock District

Steve Drown	Arkansas Department of Environmental Quality
Allen Carter	Arkansas Game and Fish Commission
Mike Coogan	Arkansas Highway and Transportation Department
Bryan Kellar	Arkansas Parks and Tourism
Carolyn Dover	Arkansas Parks and Tourism
Kenneth Colbert	Arkansas Soil and Water Conservation Commission
Paul Revis	Arkansas Water Commission
Tammy Gray	Arkansas Water Commission
Devon Cockrell	Office of Congressman Vic Snyder
LCDR Bruce C. Fisher	U.S. Coast Guard - Memphis
Brain Meyer	U.S. Coast Guard – Memphis
Dennis Casey	U.S. Coast Guard – Memphis
Marge Harney	U.S. Fish and Wildlife Service – Conway
Shane Barks	U.S. Geological Survey

February 8, 2001 – USACE Tulsa District

Bill Blankenship	Choctaw Nation of Oklahoma
Chris Mammoliti	Kansas Wildlife and Parks
Bob Eastham	Oklahoma Department of Wildlife Conservation
Marla Peek	Oklahoma Farm Bureau
Terri Sparks	Oklahoma Water Resources Board
Judi Williams	Oklahoma Wheat Commission
Shelly Thompson	Oklahoma Wheat Commission
David Kannady	Southwestern Power Authority
Marge Harney	U.S. Fish and Wildlife Service – Conway
Steve Arey	U.S. Fish and Wildlife Service - Tulsa
Richard Stark	U.S. Fish and Wildlife Service – Tulsa

B.2.2.6 Public Scoping Meetings

The Public Scoping Meetings utilized a workshop format. The workshop format entailed a 3 hour time period that would provide a flexible schedule to allow the public to learn more about the project and make comments. The workshop format included a series of “stations” focused on key elements of the project:

Station 1	Registration & General Information
Station 2	Short videotape (16 minutes) shown at regularly scheduled intervals providing an introduction to the project and EIS process.
Station 3	EIS Process & Proposed Action and Alternatives (series of informational boards)
Station 4	Major Issues (series of informational boards)
Station 5	Questions/ Clarification / Directions for Comments
Station 6	Written Comments Station
Station 7	Verbal Comments Station (with Court Reporter)
Station 8	Exit / Thank You

Each station was staffed with USACE and/or Parsons ES personnel to facilitate interaction and information exchange with the public.

B.2.2.7 Notification Procedures

The public was notified of the Public Scoping Meetings in the following manner:

- Publication of the NOI in the *Federal Register* (August 23, 2000).
- Publication of the legal notice for a public scoping meeting. This legal notice was published approximately 7 to 10 days prior to the meeting date in the following newspapers.

PAID LEGAL NOTICE PUBLICATION	
NEWSPAPER	PUBLICATION DATE
Tulsa World	Wednesday February 7, 2001
Muskogee Daily Phoenix	Wednesday February 7, 2001
Southwest Times Record	Wednesday February 7, 2001
Courier	Sunday February 4, 2001
Arkansas Democrat Gazette	Wednesday February 7, 2001
Pine Bluff Commercial	Inadvertently not published by newspaper
Dumas Clarion	Wednesday February 7, 2001

- Publication of commercial advertisements for a public scoping meeting. This advertisement was published approximately 7 days prior to the meeting date in the following newspapers.

COMMERCIAL ADVERTISEMENT PUBLICATION	
NEWSPAPER	ADVERTISEMENT DATE
Tulsa World	
Muskogee Daily Phoenix	
Southwest Times Record	Thursday February 8 & Sunday February 11, 2001
Arkansas Democrat Gazette	Friday, February 9, 2001
Pine Bluff Commercial	Friday, February 9, 2001
Dumas Clarion	Wednesday, February 7, 2001

- Press releases inviting the public to express their views at the scoping meetings were distributed to local/regional newspapers, television stations, and radio stations.
- Announcements (“scoping fliers”) were mailed to public agencies, public interest groups and organizations, political representatives, and individuals known, or thought to have, an interest in the Arkansas River Navigation Project. The flyers consisted of a description of the purpose of the meeting including a map to the meeting sites, with an invitation to attend the meeting and/or submit written comments identifying key issues that should be considered as part of the EIS. These notices were mailed approximately two weeks prior to the scheduled scoping meetings.
- Web Page. The USACE maintains a web page that periodically updates the status of the Arkansas River Navigation Study. The web page included information regarding the date, time, and location of the Public Scoping Meetings for approximately 8 weeks prior to the meetings. The web page can be located at:
www.swl.usace.army.mil/projmgmt/arkriverstudy.html

B.2.2.8 Location, Time and Date of Meetings

The Public Scoping Meetings were held from 5:00 pm to 8:00 pm at the following locations:

TULSA Tuesday February 13, 2001

Tulsa Technology Center – Broken Arrow Campus
129 East Ave. & 111 St.
Broken Arrow, Oklahoma

FORT SMITH Wednesday February 14, 2001

Latture Conference Center

Westark College
Grand Ave. & 50th St.
Fort Smith, AR

PINE BLUFF Thursday February 15, 2001

Founders Hall Auditorium (Lyceum)
Southeast Arkansas College
1900 South Hazel Street
Pine Bluff, AR 71603

B.2.2.9 Meeting Attendees

Public citizens attending the Public Scoping Meetings, exclusive of USACE personnel, included the following:

Tuesday February 13, 2001 – Tulsa (TTC Broken Arrow)	
Name	Affiliation
Allen Carter	Arkansas Game & Fish Commission
Deanna Hartly	Chickasaw Nation
Dewayne Laxton	Chickasaw Nation
Chad Morris	City of Ponca City
Richard Smith	Incog
Steve Taylor	Johnstons Port 33
Paschall Eubanks	Johnston Terminal
Manny Salcido	Johnston Terminal
Jeff Jaynes	Office of U.S. Representative Brad Carson
Glen Cheatham	Oklahoma Dept. of Transportation – Waterways Branch
Hutchie Weeks	Oklahoma Dept. of Wildlife Conservation
Kevin Anderson	Self
Jack Dalrymple	Self
Bob Hinton	Self
Ned Sarty	Self
Mr. & Mrs. Claybourn Seward	Self
Jack Thirlon	Self
Dick & Clara Sheffield	Sheffield Farms
David Kannady	Southwestern Power Agency
Ted Coombes	Southwestern Power Resource Association
D.R. Stewart	Tulsa World
Richard Stark	U. S. Fish & Wildlife Service – Tulsa
Jim Hargrove	Wagoner County Commission

Wednesday February 14, 2001 – Fort Smith (Westark)	
Name	Affiliation
Cliff Crowder	Arkansas Bass Association
Randall Bullington	Arkansas Game & Fish Commission
Allen Carter	Arkansas Game & Fish Commission
Bob Limbird	Arkansas Game & Fish Commission
David Wilson	Arkansas Game & Fish Commission
John Urbanic	Arkansas Tech University
Jim Wood	Arkansas Wildlife Federation
Darrel Shanli	Arkaha S & G
Thurman Jordan	Audubon Society
Van Lee	City of Fort Smith
Patrick Horan	Conservation
Buck Shell	Five Rivers District
Tom Buchanan	Self
Howard Carruth	Self
Maureen Didion	Self
Reuben Duane Hill	Self
Jack James	Self
Jane Lowry	Self
Jon Rose	Self
Joe Stoeckel	Self
Joe & Mary Stroub	Self
Sarah Stroub	Self
John Paul Woolsey	Self
Mark Allen Woolsey	Self
Miles Sonstegaard	Univ. of Arkansas, Fayetteville College of Business Administration
Charlie Croan	University of Arkansas Bass Fishing Club
Ellen Tynon	Western Arkansas Planning & Development District
Keith Blakemore	Yell County Wildlife Federation Arkansas Game & Fish Commission

Thursday February 15, 2001 – Pine Bluff (Seark)	
Name	Affiliation
Doug Swann	Arkansas Bass Association
George Burris	Arkansas Bass Federation
Bobby Davenport	Arkansas Bass Federation

Thursday February 15, 2001 – Pine Bluff (Seark)	
Name	Affiliation
Andrew Lachowsky	Arkansas Electric Cooperatives
Allen Carter	Arkansas Game & Fish Commission
Murry Witcher	Entergy
Ronald Blankenship	French Town-Auburn Levee District
Paul Latture	Little Rock Port Authority
Bill Ruck	Little Rock Port Authority Garver Engineers
Susan Margrave	Pine Bluff Commercial
Rhonda Dishner	Pine Bluff - Jefferson County Port Authority
Bill Ferren	Pine Bluff - Jefferson County Port Authority
Phyllis Harden	Pine Bluff Sand & Gravel Company
Scott McGeorge	Pine Bluff Sand & Gravel Company
Ben April	Self
Drew Atkinson	Self
Roy Hunter	Self
Sterling Williams	Self
Marge Harney	U. S. Fish & Wildlife Service - Conway

A combined list of attendees at all three Public Scoping Meetings, organized by affiliation category is provided in the following table:

Combined list of attendees at all 3 Public Scoping Meetings February 13-15, 2001	
Name	Affiliation
Federal Government	
Jeff Jaynes	Office of U.S. Representative Brad Carson
Marge Harney	U. S. Fish & Wildlife Service - Conway
Richard Stark	U. S. Fish & Wildlife Service – Tulsa
State Government	
Randall Bullington	Arkansas Game & Fish Commission
Allen Carter	Arkansas Game & Fish Commission
Bob Limbird	Arkansas Game & Fish Commission
David Wilson	Arkansas Game & Fish Commission
Glen Cheatham	Oklahoma Dept. of Transportation – Waterways Branch
Hutchie Weeks	Oklahoma Dept. of Wildlife Conservation
Local Government	
Van Lee	City of Fort Smith

Combined list of attendees at all 3 Public Scoping Meetings February 13-15, 2001	
Name	Affiliation
Chad Morris	City of Ponca City
Jim Hargrove	Wagoner County Commission
Native Americans	
Deanna Hartly	Chickasaw Nation
Dewayne Laxton	Chickasaw Nation
Regional Planning Organizations	
Ellen Tynon	Western Arkansas Planning & Development District
Levee Districts	
Buck Shell	Five Rivers District
Ronald Blankenship	French Town-Auburn Levee District
Colleges & Universities	
John Urbanic	Arkansas Tech University
Miles Sonstegaard	Univ. of Arkansas, Fayetteville College of Business Administration
Commercial / Industrial Entities	
Darrel Shanli	Arkaha S & G
Richard Smith	Incog
Paschall Eubanks	Johnston Terminal
Manny Salcido	Johnston Terminal
Steve Taylor	Johnstons Port 33
Paul Latture	Little Rock Port Authority
Bill Ruck	Little Rock Port Authority Garver Engineers
Susan Margrave	Pine Bluff Commercial
Rhonda Dishner	Pine Bluff - Jefferson County Port Authority
Bill Ferren	Pine Bluff - Jefferson County Port Authority
Phyllis Harden	Pine Bluff Sand & Gravel Company
Scott McGeorge	Pine Bluff Sand & Gravel Company
Dick & Clara Sheffield	Sheffield Farms
Electric / Hydroelectric Organizations	
Andrew Lachowsky	Arkansas Electric Cooperatives
Murry Witcher	Entergy
David Kannady	Southwestern Power Agency
Ted Coombes	Southwestern Power Resource Association
Newspapers	
D.R. Stewart	Tulsa World

Combined list of attendees at all 3 Public Scoping Meetings February 13-15, 2001

Name	Affiliation
Environmental Organizations	
Cliff Crowder	Arkansas Bass Association
Doug Swann	Arkansas Bass Association
George Burris	Arkansas Bass Federation
Bobby Davenport	Arkansas Bass Federation
Jim Wood	Arkansas Wildlife Federation
Thurman Jordan	Audubon Society
Patrick Horan	Conservationist
Charlie Croan	University of Arkansas Bass Fishing Club
Keith Blakemore	Yell County Wildlife Federation Arkansas Game & Fish Commission
Individual Citizens	
Ben April	Self
Kevin Anderson	Self
Drew Atkinson	Self
Tom Buchanan	Self
Howard Carruth	Self
Jack Dalrymple	Self
Maureen Didion	Self
Reuben Duane Hill	Self
Bob Hinton	Self
Roy Hunter	Self
Jack James	Self
Jane Lowry	Self
Jon Rose	Self
Jack Thirlon	Self
Ned Sarty	Self
Mr. & Mrs. Claybourn Seward	Self
Joe Stoeckel	Self
Joe & Mary Stroub	Self
Sarah Stroub	Self
Sterling Williams	Self
John Paul Woolsey	Self
Mark Allen Woolsey	Self

B.2.2.10 Summary of Scoping Comments

Issues addressed in the public comments associated with the public scoping phase of the EIS can be summarized by the following categories:

- General government regulatory issues.
- Threats to threatened and endangered species and other wildlife / wildlife habitat.
- Wildlife habitat enhancement along the MCKARNS.
- Benefits to recreation activities: fishing, hunting, and boating etc.
- Concern over loss of riverfront parks and camping areas due to flooding or land acquisition.
- Transportation benefits from Increased capacity and navigation days on barges which results in reduced highway congestion and road repairs.
- Economic benefits from Increased capacity on barges; increase in navigation days; increase in jobs and public and private investments; benefits to trade and industry; and reduced fuel consumption.
- Pollution reduction: barges produce lower air emissions and less noise pollution compared with truck and train transportation.
- Concern over current or potential flooding and loss of agricultural land and private and public property.
- Increased flood control on the MCKARNS as a result of the study.
- Hydroelectric power losses: releasing water would have a negative effect on hydroelectric power generation.
- Water supply losses and water treatment plant losses.
- Erosion and bank stabilization
- Increasing the river channel depth from 9' to 12'.

The comments are summarized in the following categories:

- Federal Agencies
- State Agencies
- Local agencies
- Elected Officials
- Interest Groups
- Commercial / Industrial Groups
- Citizens

B.2.2.11 Federal Agencies

Summary of Comments received from Federal Agencies	
Agency	Summary of Comment
U.S. Coast Guard - Memphis	No key issues at this time.
U.S. Department of Agriculture Natural Resources Conservation Service	No key issues at this time.

Summary of Comments received from Federal Agencies	
Agency	Summary of Comment
U.S. Environmental Protection Agency Region 6	Letter with recommendations on the scope of the navigation EIS. Comments cover the following areas: <ol style="list-style-type: none"> 1. Federal Regulatory Programs 2. Scope of Environmental Analysis 3. Cumulative Impact 4. Environmental Justice 5. Pollution Prevention 6. Water Quality – groundwater, wetlands 7. Air Quality – Clean Air Act 8. Pesticides 9. Agricultural Land 10. Mitigation 11. Endangered Species 12. Historic Preservation
U.S. Environmental Protection Agency Region 7	No key issues at this time, but would like to receive a summary of initial scoping meetings.

B.2.2.12 State Agencies

Summary of Comments received from State Agencies	
Agency	Summary of Comment
Arkansas Game & Fish Commission	Comments included specific concerns on the following topics: <ol style="list-style-type: none"> 1. Water Level Controls 2. River Bank Stabilization 3. Freshwater Mussels 4. Aquatic Vegetation 5. Access to Back Water Areas 6. Notching Dikes and Revetments 7. Fish Habitat Placement 8. Spadra Area on Lake Dardenelle 9. Siltation 10. Moist Soil Unit Development and Land Purchases 11. Fish Migration
Arkansas State Highway Commission	Presented two key issues from AHTD perspective: <ol style="list-style-type: none"> 1. Need to maintain riverbed stability at bridge crossings. Increased scour can result in bridge failures. 2. If adjustments to flowage easements are required it maybe necessary to execute revised joint use agreements within existing highway rights of way.

Summary of Comments received from State Agencies	
Agency	Summary of Comment
Arkansas Waterways Commission	Letter supporting the Arkansas River Navigation Study with the following comments. Water transportation is eight times more fuel-efficient than trucks. The importance of this transportation resource will only grow as highways and rail lines become more congested. International trade expected to double in the next 20 years.
Kansas Department of Agriculture	No authorization is required under the Kansas Water Appropriation Act or the Obstructions in Stream Act.
Kansas Department of Wildlife and Parks	Letter addressing concern about how the COE reservoir network in the Neosho, Verdigris, and Walnut river basins in Kansas might be used to regulate flows in the MCKARNS, and thus how natural resources within these basins could be affected by proposed alternatives in the EIS. Expressed concern about state-listed endangered, threatened, and species in need of conservation (SINC) found in these basins and how manipulated water levels could affect parks, campgrounds, and wildlife areas on public lands in these basins. A list of Kansas endangered, threatened and SINC species is enclosed.
Oklahoma Department of Commerce	Letter supported the Arkansas River Navigation Study with the following comments. By increasing the depth of the navigation channel the capacity of a single barge would be increased from 58 to 81 truckloads. This would mean less congestion on the highways, reduced noise, increased safety and reduced emissions.
Oklahoma Department of Commerce, International Trade and Investment Division	Same as previous.
Oklahoma Department of Transportation – Division VIII Waterways Advisory Board	Letter supports the Arkansas River Navigation Study with the following comments: <ol style="list-style-type: none"> 1. By increasing the depth of the navigation channel from 9 to 12 feet, the capacity of a single barge would be increased from 58 to 81 truckloads. 2. If as many as 30 of the average 60 lost navigation days could be recovered, the effective barge carrying capacity would increase by a million tons per year. 3. This would mean less congestion on the highways, reduced noise, increased safety and reduced emissions. 4. Additional benefits to recreation, flood control, fishing and wildlife conservation also would be accrued.

Summary of Comments received from State Agencies	
Agency	Summary of Comment
Oklahoma Department of Transportation – Division VIII Waterways Branch	Same as previous.
Oklahoma Department of Wildlife Conservation Alan Peoples Chief Wildlife Division	Letter identified 4 issues of concern: <ol style="list-style-type: none"> 1. Changes in some Oklahoma reservoirs could negate existing and planned benefit programs to waterfowl, fish, and other wildlife species. 2. Low pool levels during the summer are essential for establishment of vegetation on exposed mudflats, which provide critical habitat during the fall/winter for migrant birds. 3. During the fall/winter it is beneficial to have high enough water levels to inundate established vegetation and provide habitat for waterfowl. 4. The ODWC would like to meet with representatives of the study to be updated on the status of the study and to provide specific concerns.
Oklahoma Department of Wildlife Management Ron Suttles Natural Resources Administrator	Letter identified 8 issues of concern: <ol style="list-style-type: none"> 1. Requested that wetland, stream, mature hardwood, springs, and rock outcrop habitats be avoided. These habitats are limited in quantity and have wildlife value. 2. Recommended that clearing of vegetation be kept to a minimum. 3. Recommend re-vegetation of all disturbed ground. 4. Indicated that all wetland losses be mitigated in accordance with Sections 404 and 401 of the CWA. This includes losses to riparian/bottomland hardwood forests. 5. Recommended that undisturbed habitats be avoided. When a net loss of undisturbed habitat occurs, mitigation for the loss should be planned for. 6. Indicated the need for erosion control and BMP's associated with construction especially in the vicinity of wetlands. 7. Revegetation should only use native grasses and forbs. Exotic species should not be used for revegetation. 8. Structural changes should not impede fish movement.

Summary of Comments received from State Agencies	
Agency	Summary of Comment
Oklahoma Secretary of Transportation-ODOT Director	<p>Letter supports the Arkansas River Navigation Study with the following comments:</p> <ol style="list-style-type: none"> 1. By increasing the depth of the navigation channel from 9 to 12 feet, the capacity of a single barge would be increased from 58 to 81 truckloads. 2. If as many as 30 of the average 60 lost navigation days could be recovered, the effective barge carrying capacity would increase by a million tons per year. 3. This would mean less congestion on the highways, reduced noise, increased safety and reduced emissions. 4. Additional benefits to recreation, flood control, fishing and wildlife conservation also would be accrued.

B.2.2.13 Local Agencies

Summary of Comments received from Local Agencies	
Agency	Summary of Comment
Arkansas Basin Development Association, Inc. (Glen L. Cheatham, Jr.)	<p>Letter supporting the Arkansas River Navigation Study with the following comments:</p> <ol style="list-style-type: none"> 1. By increasing the depth of the navigation channel from 9 to 12 feet, the capacity of a single barge would be increased from 58 to 81 truckloads. 2. If as many as 30 of the average 60 lost navigation days could be recovered, the effective barge carrying capacity would increase by a million tons per year. 3. This would mean less congestion on the highways, reduced noise, increased safety and reduced emissions. 4. Additional benefits to recreation, flood control, fishing and wildlife conservation also would be accrued.

Summary of Comments received from Local Agencies	
Agency	Summary of Comment
Arkansas River Basin Interstate Committee (Wallace A. Gieringer)	<p>Letter supporting the Arkansas River Navigation Study and deepening the navigation channel from 9 to 12'. Comments include:</p> <ol style="list-style-type: none"> 1. If as many as 30 of the average 60 lost navigation days could be recovered, the effective barge carrying capacity would increase by a million tons per year. 2. Barge transportation produces the lowest level of emissions. 3. This would mean less congestion on the highways, reduced noise, increased safety and reduced emissions.
Arkansas State Chamber of Commerce and Associated Industries of Arkansas, Inc.	<p>Letter to Blanche L. Lincoln, U.S. Senate, supporting the Arkansas River Navigation Study and encouraging an increase in the channel depth to 12'. The 9' channel disadvantages users through Arkansas and Oklahoma. The increased depth would increase cargo capacity per barge, which will enhance the economy and the environment.</p>
City of Claremore/Rogers County Planning Commission (Debra Renolds)	<p>Letter supporting the Arkansas River Navigation Study. By increasing the depth of the navigation channel from 9 to 12 feet, the capacity of a single barge would be increased from 58 to 81 truckloads. This would mean less congestion on the highways, reduced noise, increased safety and reduced emissions.</p>
City of Ponca, Kaw Reservoir Authority, Oklahoma Municipal Power Authority	<p>Letter identified 6 issues of concern:</p> <ol style="list-style-type: none"> 1. Water supply at Kaw Lake. 2. Arkansas River water well field. 3. Operation of OMPA 36 Mg Watt Hydroelectric Plant. 4. Flooding 5. Lake & River Recreation 6. Wildlife – fishing (striped bass), bald eagles, & pelicans
Conway County Industrial Development Corporation (Barry McQuin)	<p>Letter to Blanche L. Lincoln, U.S. Senate, supporting the Arkansas River Navigation Study and encouraging an increase in the channel depth to 12' which would allow more cargo to be shipped, enhancing Conway County's economic growth. The increased channel depth would also support a multimodal industrial development site planned for development in a neighboring community.</p>

Summary of Comments received from Local Agencies	
Agency	Summary of Comment
Conway County Industrial Development Corporation (Barry McKuin)	Letter supporting the Arkansas River Navigation Study with the following comments: <ol style="list-style-type: none"> 1. Arkansas ranks near the top of the capacity of inland waterways in the U.S. 2. Barge transportation emits fewer pollutants than trains or trucks, and almost no noise pollution. 3. Barge transportation is more economical than trains or trucks. 4. The locations on the Arkansas River not at 12' should be test deepened as part of this study.
Little Rock Port Authority (Jesse Mason)	Letters supporting the Arkansas River Navigation Study and the possibility of creating a 12-foot channel on the system. This would help job creation, energy conservation, and maintain the environment by increasing the river's capacity.
Little Rock Port Authority (Paul Latture)	Same as previous.
Little Rock Port Authority and Energy Teamwork Arkansas economic development program (Mike Maulden)	Letter strongly supports the study and possibility of obtaining a 12' channel for the Arkansas River, which will increase economic competitiveness and decrease the number of trucks on state and federal highways.
Morrilton Chamber of Commerce, Arkansas	Letter to Blanche L. Lincoln, U.S. Senate, supporting the Arkansas River Navigation Study and encouraging an increase in the channel depth to 12' which would make existing commercial, forestry, and commercial movements out of the port facilities at Marrilton and Eastern Conway County much more competitive and benefit the local economy.
North Star Economic Development Council, Inc. (Robert F. Breuring)	Letter supporting the Arkansas River Navigation Study to improve transportation and flooding problems in communities north of Tulsa.
Office of the County Judge Jack Jones, Jefferson County Judge	Letter supporting the Arkansas River Navigation Study and deepening the navigation channel from 9 to 12'.
Office of the County Judge for Jefferson County Jack Jones, County Judge	Letter to Blanche L. Lincoln, U.S. Senate, supporting the Arkansas River Navigation Study and encouraging an increase in the channel depth to 12' which would allow more cargo to be shipped, enhancing Jefferson County's economic growth.
RedPi, Russellville Economic Development Partnership, Inc.	Letter to Tim Hutchinson urging him to express support for increasing the Arkansas River Channel depth from nine to twelve feet.

Summary of Comments received from Local Agencies	
Agency	Summary of Comment
The Economic Development Alliance of Pine Bluff and Jefferson County	<p>Letter supporting the increase of the MCKARNS river channel to a 12' minimum depth. Comments include:</p> <ol style="list-style-type: none"> 1. A 9' channel disadvantage has contributed to the Navigation Channel tonnage plateau in 1998 and 1999 and decrease in 2000. 2. The 12' channel would make barge transportation competitive with other modes of transportation. Barge transportation produces 10 times less emissions than truck or rail. 3. The MCKARNS has attracted public and private investments and jobs. 4. Volume on the nation's ports is expected to triple by the year 2020.
The State Chamber Oklahoma Association of Business and Industry (Richard P. Rush)	<p>Letter supporting the Arkansas River Navigation Study with the following comments:</p> <ol style="list-style-type: none"> 1. By increasing the depth of the navigation channel from 9 to 12 feet, the capacity of a single barge would be increased to 86 truckloads. 2. This would mean less congestion on the highways, reduced noise, increased safety and reduced emissions. 3. Additional benefits to recreation, flood control, fishing and wildlife conservation also would be accrued.
Tulsa Metro Chamber (Mickey Thompson)	<p>Letter supporting the Arkansas River Navigation Study and deepening the navigation channel from 9 to 12'. Comments include:</p> <ol style="list-style-type: none"> 1. If as many as 30 of the average 60 lost navigation days could be recovered, the effective barge carrying capacity would increase by a million tons per year. 2. Barge transportation produces the lowest level of emissions. 3. This would mean less congestion on the highways, reduced noise, increased safety and reduced emissions.
Tulsa Metro Chamber (T. A. Sembe)	Same as previous.

Summary of Comments received from Local Agencies	
Agency	Summary of Comment
Tulsa Port of Catoosa City of Tulsa-Rogers County Port Authority	Letter supporting the Arkansas River Navigation Study and the possibility of creating a 12-foot channel on the system. Indicated that If as many as 30 of the average 60 lost navigation days could be recovered, the effective barge carrying capacity would increase by a million tons per year. This would mean less congestion on the highways, reduced noise, increased safety and reduced emissions.

B.2.2.14 Elected Officials

Summary of Comments received from Elected Officials	
Name	Summary of Comment
Asa Hutchinson, United States House of Representatives	Letter to Bud Shuster requesting that he include a provision in the Water Resources Development Act of 2000 that would authorize the Arkansas River at the same depth as the adjacent Mississippi River.
James M. Imhofe, United States Senate	Letter encourages the Corps to immediately begin the study of the 12' channel depth starting at the mouth of the river. The study should include test deepening at the few sites in the Arkansas portion that are not 12'. This data is necessary to determine if a deeper channel is feasible as WRDA 2000 mandates. This information will be crucial in order for the study to be expedited to the Oklahoma portion of the river.
Carolyn McGee, Mayor, City of Dardanelle, Arkansas	Letter addressing concerns with increased flows on the Arkansas River. Comments include: <ol style="list-style-type: none"> 1. The City of Dardanelle has a Riverfront Park on the lower elevation of the riverbank which is subject to flooding during high flow. The park features recreational facilities for the entire family. 2. The area between Dardanelle Dam and the City of Dardanelle is used for fishing and camping and would be affected by a higher river flow. 3. The city wastewater treatment plant is also located adjacent to the river at an elevation of 320'.
John A. Riggs, IV State Senator, Arkansas	Letter expresses support for authorization of a 12' channel for the MCKARNS, which would allow businesses to compete more effectively. It would benefit shippers and river transportation users.

Summary of Comments received from Elected Officials	
Name	Summary of Comment
Jerry Taylor, Mayor City of Pine Bluff, Arkansas	Letter expressing support for an increase in the channel depth to 12' because it would increase barge capacity and make river transportation competitive with other modes of bulk transportation.
Dutch King, Mayor City of Pine Bluff, Arkansas	Letter expresses that the stabilized banks and dams of the Arkansas River have brought many benefits to Pine Bluff, including sport fishing and low cost river transportation. The letter expresses support for a 12 foot channel in the river, which would allow 30 percent more cargo in the same barge. Letter encourages the USACOE to regulate flows to below 70,000 cfs.

B.2.2.15 Interest Groups

Summary of Comments received from Interest Groups	
Interest Group	Summary of Comment
Arkansas Bass Federation (George Burris)	Oral comment indicating that backwater areas are filling in quickly in recent years. Indicated that access to backwater areas such as "Coalpile" needs to be created.
Arkansas Wildlife Federation (Jim Wood)	Letter expressing concern over the emphasis on the navigation element of the study when that purpose is underutilized due to a lack of demand. During the past 35 years there has been a noticeable demand increase in water supply, tourism, fish, wildlife and other water related recreation. Comments made on the following issues: <ol style="list-style-type: none"> 1. Lt. Gen. Robert Flowers 2001 White Paper directive. 2. ER 1105-2-100 requirements. 3. Analysis of public demand as a key element of benefits from the MCKARNS. 4. Benefits and losses from high vs. low flows. 5. Flood easements. 6. Alternatives should be analyzed from a "watershed perspective". 7. Holla Bend National Wildlife Refuge. 8. T & E Species.
Conservationist (Patrick Horan)	Written comment indicating opposition to the Pine Mountain Dam / Lees Creek project. Letter also requested continued timely public notification on all planned USACE projects in the Ark-Okla Region.

Summary of Comments received from Interest Groups	
Interest Group	Summary of Comment
Conservationist (Patrick Horan)	Oral comment indicating opposition to the Pine Mountain Dam / Lees Creek project. Oral comment also requested continued timely public notification on all planned USACE projects in the Ark-Okla Region.
National Audubon Society (Thurman Jordan)	Written comment indicating opposition to the Pine Mountain Dam / Lees Creek project. Also indicated opposition to damming any tributaries on the Arkansas River between Oklahoma and the Mississippi River.
Southwestern Power Resources Association (Larry Watson)	Letter which included the following comments: <ol style="list-style-type: none"> 1. Too much emphasis on the alternative of speeding the passage of high flows through the system by increasing releases from upstream storage reservoirs. All alternatives should be equally considered. 2. Consider another alternative of holding high flows longer in the flood pools of upstream reservoirs until they can be released through hydroelectric turbines. 3. Consider another alternative of employing towboats with more horsepower. 4. Identify and quantify all impacts (costs and benefits) to power benefits including impacts to federal revenues, impacts on the power benefits received by power customers, and environmental impacts.

B.2.2.16 Commercial/Industrial Groups

Summary of Comments received from Commercial/ Industrial Groups	
Group	Summary of Comment
Advance Research Chemicals, Inc. (Dr. Dayal T. Meshri)	Letter supporting the Arkansas River Navigation Study. If as many as 30 of the average 60 lost navigation days per year could be recovered, the effective barge carrying capacity would increase by a million tons per year. This would mean less congestion on the highways, less noise and less air pollution. Letter encourages proceeding with the 12' channel study.
Automatic Vending of Arkansas, Inc. (F. Mac Bellingrath)	Letter supporting deepening of the MCKARNS channel to a 12' minimum depth. This is necessary to allow barge transportation on the river to be globally competitive and reduce air pollution.

Summary of Comments received from Commercial/ Industrial Groups	
Group	Summary of Comment
Bruce Oakley, Inc. (Dennis Oakley, David Choate)	Letter to Blanche L. Lincoln, U. S. Senate, supporting an increase in the authorized depth of the navigation channel to 12'. Bruce Oakley, Inc. owns and operates river ports at Dardanelle, Morrilton, and North Little Rock.
Cargill Steel and Wire (Jim Ponton)	Letter supporting the Arkansas River Navigation Study. If as many as 30 of the average 60 lost navigation days per year could be recovered, the effective barge carrying capacity would increase by a million tons per year. This would mean less congestion on the highways, less noise and less air pollution. Letter encourages proceeding with the 12' channel study.
Catoosa Fertilizer Company (Dick Barsness)	Letter supporting the Arkansas River Navigation Study. The 12 million ton per year navigation system has a great potential for growth and can be a major factor in reducing highway volume and saving energy because barges are more fuel efficient than trucks. Letter supports expanding the entire navigation system to a 12' channel.
Cornerstone Farm and Gin Company (W. O. Percy, Jr.)	Letter supporting the Arkansas River Navigation Study. Cornerstone Farm and Gin Co. sells soybeans and corn to grain elevators in Pine Bluff, Arkansas which are shipped down the Arkansas River in barges that have been light-loaded because of the restricted nine-foot channel. As a result prices are reduced to compete with shipments that originate on the Mississippi River where the barges carry much larger loads, and incur less transportation costs on a per bushel basis. Letter strongly supports a 12-foot channel on the Arkansas River.
Cornerstone Farm and Gin Company (Drew Atkinson)	Letters to Vic Snyder, Marion Berry, Asa Hutchinson, Jay Dickey, Blanche Lambert Lincoln, and Tim Hutchinson from the U. S. Senate and House of Representatives. Letters support the proposal to deepen the channel on the Arkansas River from 9' to 12' to make water transportation competitive and promote commerce in Arkansas.
Five Rivers Distribution (N.M. (Buck) Shell II and Henrietta Stewart)	Letter supporting the Arkansas River Navigation Study. If as many as 30 of the average 60 lost navigation days per year could be recovered, the effective barge carrying capacity would increase by a million tons per year. This would mean less congestion on the highways, less noise and less air pollution. Letter encourages proceeding with the 12' channel study.

Summary of Comments received from Commercial/ Industrial Groups	
Group	Summary of Comment
GEA Engine Cooling Systems, Inc. (Robert K. Rothenbucher)	Letter supporting the Arkansas River Navigation Study. States that increasing the channel depth to 12' will enable barges to be loaded higher. This will result in fewer trucks on the highways, which will reduce emissions and noise. Additional benefits will accrue to recreation, flood control, wildlife, and fishing.
Granite Mountain Quarries (Gerald W. Majors)	Letters to Vic Snyder, Marion Berry, Asa Hutchinson, Jay Dickey, Blanche Lambert Lincoln, and Tim Hutchinson from the U. S. Senate and House of Representatives. Letters support the proposal to deepen the channel on the Arkansas River from 9' to 12' to make water transportation competitive and promote commerce in Arkansas.
Intermodal Logistics Group (John Pearson)	Letter supporting the Arkansas River Navigation Study and the deepening of the MCKARNS channel to a 12' minimum depth. If as many as 30 of the average 60 lost navigation days could be recovered, the effective barge carrying capacity would increase by a million tons per year. This would mean less congestion on the highways, reduced noise, and reduced air emissions.
J.A. Riggs Tractor Co.	Letter supporting an increase in the authorized depth of the navigation channel to 12' which will increase efficiency in shipping at a very low cost and help the state remain viable competitors in the world economy.
Jeffrey Sand Company North Little Rock, AR (Joe Wickliffe)	Letter supporting the Arkansas River Navigation Study with the following comments: <ol style="list-style-type: none"> 1. Jeffrey Sand Co. has been working on the river for 43 years and transportation of sand and gravel is very important to the business. 2. The McClellan-Kerr Navigation System has attracted \$3 billion in private and public investments and has provided some fifty thousand jobs. 3. The letter supports a 12' channel to increase barge transportation, which is cleaner than rail transportation.
Jeffrey Sand Company North Little Rock, AR (Brenda Faulkner)	Letters to Vic Snyder, Marion Berry, Asa Hutchinson, Jay Dickey, Blanche Lambert Lincoln, and Tim Hutchinson from the U. S. Senate and House of Representatives supporting the Arkansas River Navigation Study and a 12' navigation channel on the Arkansas River.

Summary of Comments received from Commercial/ Industrial Groups	
Group	Summary of Comment
Johnson, Jones, Dornblaster, Coffman & Shorb Law Offices (John B. Johnson, Jr.)	Letter supporting the Arkansas River Navigation Study with the following comments. By increasing the depth of the navigation channel from 8.5 to 11.5', the capacity of a single barge would be increased from 58 to 81 truckloads. This would mean less congestion on the highways, reduced noise, increased safety and reduced emissions.
Johnston's Port 33, Inc.	Letter supporting the Arkansas River Navigation Study. If as many as 30 of the average 60 lost navigation days per year could be recovered, the effective barge carrying capacity would increase by a million tons per year. This would mean less congestion on the highways, less noise and less air pollution. Letter encourages proceeding with the 12' channel study.
Kevin W. Anderson & Associates (Kevin W. Anderson)	Letter expresses the need to expand the scope of the study to include all of the MCKARNS watersheds and tributaries. Issues include: <ol style="list-style-type: none"> 1. Off-setting economic and environmental Impacts by controlling water flow along the entire MCKARNS system. 2. Insuring National safety and security during floods, winter storms, earthquakes etc. by controlling water flow. 3. Insuring military readiness and a fuel supply by having the ability to move vast quantities of materials and fuel.
Knox Nelson Oil Company, Inc. (Nan Simmons, John Simmons, Dennis Fitzgerald, and Gordon Driskill)	Letters to Vic Snyder, Asa Hutchinson, Blanche Lambert Lincoln, and Tim Hutchinson from the U. S. Senate and House of Representatives supporting an increase in the authorized depth of the navigation channel to 12'. The Arkansas River Ports and terminals are inter-modal hubs that link the waterway to rail, truck and airways, which is important to the petroleum supply business. The current 9' channel depth makes the Arkansas system incompatible with barge capacity used on the Mississippi system.
Logistic Services, Inc. (Jack M. Long, Jr.)	Letter supporting the Arkansas River Navigation Study and the deepening of the MCKARNS channel to a 12' minimum depth. This will increase barge carrying capacity, which will reduce emissions, congestion, and noise by having fewer trucks on the highways. Additional benefits will accrue to recreation, flood control, wildlife conservation, and fishing.

Summary of Comments received from Commercial/ Industrial Groups	
Group	Summary of Comment
Logistics Services, Inc. (Terry Sims)	Letter supporting deepening of the MCKARNS channel to a 12' minimum depth. If as many as 30 of the average 60 lost navigation days could be recovered, the effective barge carrying capacity would increase by a million tons per year. This would mean less congestion on the highways, reduced noise, increased safety and reduced emissions.
Michell Machinery (Jett Michell)	Letters to Vic Snyder, Marion Berry, Asa Hutchinson, Jay Dickey, Blanche Lambert Lincoln, and Tim Hutchinson from the U. S. Senate and House of Representatives. Letters support the proposal to deepen the channel on the Arkansas River from 9' to 12'. This would allow users shipping commodities through Oklahoma and Arkansas to compete with the Mississippi Ship Channel and the Intercoastal Waterway, which are both 12'.
MidAmerica Industrial Park (Sanders Mitchell)	Letter supporting the Arkansas River Navigation Study and the deepening of the MCKARNS channel to a 12' minimum depth. This will increase barge carrying capacity, which will reduce emissions, congestion, and noise by having fewer trucks on the highways.
Mobley Construction Company (Bryce Mobley)	Letters to Vic Snyder, Marion Berry, Asa Hutchinson, Jay Dickey, Blanche Lambert Lincoln, and Tim Hutchinson from the U. S. Senate and House of Representatives. Letters support the proposal to deepen the channel on the Arkansas River to 12'. This will help the barges transport more tonnage of goods on the river and compete with other forms of transportation, which results in more economic growth for the state and region.
Oklahoma Municipal Power Authority	Letter objecting to one alternative: the release of water from upstream storage reservoirs to increase the navigational days on the waterway. Issues of concern include: <ul style="list-style-type: none"> 1. Increased high volume releases from Kaw reservoir could jeopardize and negatively impact this site as a source of power for many Oklahoma citizens and industries. 1. High volume releases would have a negative impact on the Arkansas River, economy in the region, and environment.

Summary of Comments received from Commercial/ Industrial Groups	
Group	Summary of Comment
Pine Bluff Sand & Gravel Co. (W. Scott McGeorge)	Letter supporting the Arkansas River Navigation Study. Comments include: <ol style="list-style-type: none"> 1. Deepening the channel to a 12' minimum would reduce the cost of transporting goods, which could result in cheaper products for consumers. 2. Proceeding with the test deepening in Arkansas would provide the opportunity needed to maximize tonnage shipped in 2001 on the Arkansas River after the recent reductions in tonnage in 2000. 3. Barge transportation would reduce crowded highways, greenhouse gases, fuel consumption, road repair and safety. 4. Wildlife habitat could be enhanced without sacrificing navigation. 5. After a large amount of rain, river flows should be brought down to 60,000 cfs, which would allow recreational users, towboats, and others to use the river for more days.
Riceland Foods, Inc. (Richard E. Bell)	Letters to Marion Berry, Asa Hutchinson, Jay Dickey, Blanche Lambert Lincoln, and Tim Hutchinson from the U. S. Senate and House of Representatives. Letters support the proposal to deepen the channel on the Arkansas River to 12'. Deepening the channel would substantially improve service on the river and enhance marketing.
River Mountain Quarries (Ronald M. Madlen)	Letter supporting the Arkansas Navigation Study and encouraging an increase in the channel depth to 12'. This will improve river commerce competition with the Mississippi and Gulf Intracoastal Waterway. Barge transportation is also cheaper than rail or truck.
Sellers' Enterprises (Larry Sellers)	Letter supporting the Arkansas River Navigation Study and the deepening of the MCKARNS channel to a 12' minimum depth. If as many as 30 of the average 60 lost navigation days could be recovered, the effective barge carrying capacity would increase by a million tons per year. This would mean less congestion on the highways, reduced noise, and reduced air emissions.

Summary of Comments received from Commercial/ Industrial Groups	
Group	Summary of Comment
Sheffield Farms (Dick Sheffield)	<p>Written comment on potential changes in flow rates and river elevations. Indicates that increased flow rates probably would not be too detrimental to agriculture, but an increase in the river elevation would have several negative impacts:</p> <ol style="list-style-type: none"> 1. The Grand River just upstream from the influx with the Arkansas will spill over into the old Horseshoe and Ross Lake areas during high flows and several hundred acres of good farmland will go under water. Diking along the Grand River would be necessary. 2. Soils will not dry down for planting or harvesting in several areas in the river bottom. 3. Erosion has increased dramatically since the river was raised to the present level and the banks have decreased in elevation 2 to 3' in some locations, allowing the river to cut across good farm land during high flows.
Simmons First National Corporation. (J. Thomas May)	<p>Letters to Vic Snyder, Marion Berry, Asa Hutchinson, Jay Dickey, Blanche Lambert Lincoln, and Tim Hutchinson from the U. S. Senate and House of Representatives. Letters support the proposal to deepen the channel on the Arkansas River to 12'. This will help the state remain viable competitors in the world economy and take advantage of larger and more efficient barges. The Port of Pine Bluff has been a deciding factor in enabling Pine Bluff to attract and retain industry.</p>
Sol Alman Company (Larry Alman, member Little Rock Port Authority)	<p>Letter supporting an increase in the authorized depth of the navigation channel to 12' which would allow barges to be loaded to a greater capacity. This would lower the number of trucks on the highways, reducing emissions, congestion, and noise.</p>
Souter Construction Company, Inc. (Billy Duffield)	<p>Letters to Vic Snyder, Marion Berry, Asa Hutchinson, Jay Dickey, Blanche Lambert Lincoln, and Tim Hutchinson from the U. S. Senate and House of Representatives. Letters support the proposal to deepen the channel on the Arkansas River to 12'. Souter Construction Co. is a lifetime builder and user of the Arkansas River Navigation System.</p>
SSA Mobile (Carlton J. Melton)	<p>Letter supporting deepening of the MCKARNS channel to a 12' minimum depth. If as many as 30 of the average 60 lost navigation days could be recovered, the effective barge carrying capacity would increase by a million tons per year. This would mean less congestion on the highways, reduced noise, increased safety and reduced emissions.</p>

Summary of Comments received from Commercial/ Industrial Groups	
Group	Summary of Comment
Terra Nitrogen, Verdigris Plant (Richard S. Sanders)	Letter supporting the Arkansas River Navigation Study and the deepening of the MCKARNS channel to a 12' minimum depth. This will increase barge carrying capacity, which will reduce emissions, congestion, and noise by having fewer trucks on the highways. Additional benefits will accrue to recreation, flood control, wildlife conservation, and fishing.
Thermal Technologies International L. L. C. (Wolfgang Becker)	Letter supporting the Arkansas River Navigation Study with the following comments. By increasing the depth of the navigation channel from 8.5 to 11.5', the capacity of a single barge would be increased from 58 to 81 truckloads. This would mean less congestion on the highways, reduced noise, increased safety and reduced emissions.
Tuloma Stevedoring, Inc. (Terrence L. McDonald)	Letter supporting the deepening of the MCKARNS channel to a 12' minimum depth. This would allow more barge transportation on the river, reducing hydrocarbon emissions and wear and tear on highways from trucks.
Valmont Coatings (Richard S. Cornish)	Letter supporting the Arkansas River Navigation Study with the following comments: <ol style="list-style-type: none"> 1. By increasing the depth of the navigation channel from 9 to 12 feet, the capacity of a single barge would be increased to 86 truckloads. 2. This would mean less congestion on the highways, reduced noise, increased safety and reduced emissions. 3. Additional benefits to recreation, flood control, fishing and wildlife conservation also would be accrued.

B.2.2.17 Citizens

Summary of Comments received from Individual Citizens	
Name	Summary of Comment
Drew Atkinson	Letter supporting the Arkansas River Navigation Study. Comments include: <ol style="list-style-type: none"> 1. Barge transportation is the cleanest mode of transportation. 2. Authorization for a 12' channel is essential in order to realize the maximum growth potential of this river.

Summary of Comments received from Individual Citizens	
Name	Summary of Comment
Lloyd Baker	Letter supporting the Arkansas River Navigation Study. Comments include: <ol style="list-style-type: none"> 1. Waterways infrastructure helps keep the United States globally competitive and enhances regional economies and quality of life. 2. More than 1000 miles of navigable rivers reach into all sections of Arkansas. 3. Strongly support and encourage the development of a 12' channel.
Jane Bettison	Letter supporting the Arkansas River Navigation Study. Barge transportation is the most economical and efficient mode of transportation compared with truck and rail transportation.
Kenneth Bolton	Letter supporting the Arkansas River Navigation Study and emphasizing the need for a 12' navigation channel on the river. Barge transportation produces less air and noise pollution compared to trains and trucks.
Shirley Brock	Letter supporting the Arkansas River Navigation Study. Comments include: <ol style="list-style-type: none"> 1. Water transportation moves commerce more cost effectively with less fuel and less pollution. 2. Barge transportation provides an environmentally attractive shipping option because of its high-volume capacity, minimum cargo handling, and safety record. 3. Strongly support and encourage the development of a 12' channel.
Howard L. Carruth	Letter expressing concern about flooding and the loss of farmland. His property is north of Lavaca in Patterson Bottoms. Says it used to flood about every three years and it now floods almost every year, even in drought years. He is concerned that the focus of the study is mostly on recreation and barge traffic.
Ted N. Drake	Letter supporting the increase of the MCKARNS river channel to a 12' minimum depth. This is necessary to allow barge transportation on the river to be competitive with other modes of transportation.

Summary of Comments received from Individual Citizens	
Name	Summary of Comment
Brenda Faulkner	Letter supporting the Arkansas River Navigation Study and encouraging an increase in the channel depth to 12' in order to maximize growth potential of the River and enable shippers to be more competitive.
Roy W. Ferrell	Letter supporting the Arkansas River Navigation Study and the deepening of the MCKARNS channel to a 12' minimum depth. This is necessary to allow barge transportation on the river to be competitive with other modes of transportation and support economic development in Pine Bluff and southeast Arkansas.
Vaughn Harden	Letter supporting the Arkansas River Navigation Study. Comments include: <ol style="list-style-type: none"> 1. Barge transportation is the cleanest mode of transportation. 2. Authorization for a 12' channel is essential in order to realize the maximum growth potential of this river.
Roy Hunter	Written comment inquiring which state agency monitors water quality in the river. Also inquired as to the ability of water treatment systems to relieve water demand on aquifers.
Connie H. Johnson	Letter supporting the Arkansas River Navigation Study. Comments include: <ol style="list-style-type: none"> 1. River provides jobs and investments. 2. Future increases in volume of cargo moving through the nation's ports. 3. Support of 12' channel to maximize foreign and domestic trade.
Kathy Kenter	Letter supporting of the Arkansas River Navigation Study. Comments include: <ol style="list-style-type: none"> 1. The McClellan-Kerr Arkansas River Navigation System is used to export products to the nation's ports and international ports. The 9' channel hinders transportation. 2. America's waterways infrastructure and barge transportation help farmers compete in the global marketplace.
Tammara LaGrant	Letter supporting the Arkansas River Navigation Study. Encourages adding an increase of 3' to the channel depth, which would reduce congestion on highways, greenhouse gases, fuel consumption, and road repairs.

Summary of Comments received from Individual Citizens	
Name	Summary of Comment
Sharon Lawson	Letter supporting the Arkansas River Navigation Study and the deepening of the MCKARNS channel to a 12' minimum depth. This will increase barge carrying capacity, which will reduce emissions, congestion, and noise by having fewer trucks on the highways. Additional benefits will accrue to recreation, flood control, wildlife conservation, and fishing.
Gerald W. Majors	Letter supporting the Arkansas River Navigation Study. <ol style="list-style-type: none"> 1. Arkansas ranks near the top of states with navigable inland waterways capacity. 2. Waterways infrastructure helps keep the United States globally and regionally competitive.
Laure May	Letter supporting the Arkansas River Navigation Study. Comments include: <ol style="list-style-type: none"> 1. The Tulsa port of Catoosa is the largest, most inland port in the nation and serves every state west of the Mississippi. 2. Barge transportation is the cleanest mode of transportation.
Clay McGeorge	Letter supporting the Arkansas River Navigation Study. Comments include: <ol style="list-style-type: none"> 1. Water transportation moves commerce more cost effectively with less fuel and less pollution. 2. Barge transportation provides an environmentally attractive shipping option because of its high-volume capacity, minimum cargo handling, and safety record. 3. Strongly support and encourage the development of a 12' channel.
Joann D. McGeorge	Letter supporting the Arkansas River Navigation Study. Comments include: <ol style="list-style-type: none"> 1. The Arkansas River is the most economical way to move our farm products out of Jefferson County and to bring in necessary fertilizer for productive crops. 2. The 9' channel gives us a disadvantage compared to those using the Mississippi River. 3. Encourage the development of a 12' channel. 4. The stabilized banks produce cleaner water, which benefits fisherman and recreation on the river.

Summary of Comments received from Individual Citizens	
Name	Summary of Comment
Marie McGriff	<p>Letter supporting of the Arkansas River Navigation Study. Comments include:</p> <ol style="list-style-type: none"> 1. The McClellan-Kerr Arkansas River Navigation System is used to export products to the nation's ports and international ports. The 9' channel hinders transportation. 2. America's waterways infrastructure and barge transportation help farmers compete in the global marketplace.
Margaret Murray	<p>Letter supporting the Arkansas River Navigation Study. Comments include:</p> <ol style="list-style-type: none"> 1. Locations of the McClellan-Kerr Navigation System that do not have a 12' channel should be test deepened to see how a 12' depth holds. 2. The importance of river commerce to Arkansas and Oklahoma can be seen by the volume and value of trade with Louisiana. 3. Strongly support and encourage the development of a 12' channel.
Mr. and Mrs. Don Mattix	<p>Letter expressing concern over the status of water release from Copan Dam south along the Caney River. They live south of Bartlesville, OK and have seen much erosion. The Caney River bank is only 113' from the foundation of their home. High water and flooding of the county roads isolates their family. They would appreciate any information from this study that could affect their home.</p>
Mitchell C. Maurer	<p>Letter from avid fisherman and boater supporting the Arkansas River Navigation Study and the deepening of the MCKARNS channel to a 12' minimum depth. This will increase barge carrying capacity, which will reduce emissions, congestion, and noise by having fewer trucks on the highways. The study will also address better methods to control high river flows, reducing navigation restrictions and enhancing wildlife and recreation activities on the MCKARNS.</p>
Dennis Phillips	<p>Letter supporting the Arkansas River Navigation Study. Comments include:</p> <ol style="list-style-type: none"> 1. River provides jobs and investments. 2. Future increases in volume of cargo moving through the nation's ports. 3. Support of 12' channel to maximize foreign and domestic trade.

Summary of Comments received from Individual Citizens	
Name	Summary of Comment
Carol Roland	Written comment criticizing flow management and dams on the Arkansas River. Discussed how her property, located between Kibler and Alma on Highway 162, was damaged due to flooding from a stream backing up in June 2000. Letter questions putting recreation before farming and peoples' property.
Marty Shell III	Letter supporting the Arkansas River Navigation Study and the deepening of the MCKARNS channel to a 12' minimum depth. This will increase barge carrying capacity, which will reduce emissions, congestion, and noise by having fewer trucks on the highways. Additional benefits will accrue to recreation, flood control, wildlife conservation, and fishing.
Dwight D. Skaggs	Letter supporting the Arkansas River Navigation Study and the deepening of the MCKARNS channel to a 12' minimum depth. This will increase barge carrying capacity, which will reduce emissions, congestion, and noise by having fewer trucks on the highways.
Karen I. Skaggs	Letter supporting the Arkansas River Navigation Study with the following comments. By increasing the depth of the navigation channel from 8.5 to 11.5', the capacity of a single barge would be increased from 58 to 81 truckloads. This would mean less congestion on the highways, reduced noise, increased safety and reduced emissions.
Karen Smith	Letter supporting the Arkansas River Navigation Study. Comments include: <ol style="list-style-type: none"> 1. Locations of the McClellan-Kerr Navigation System that do not have a 12' channel should be test deepened to see how a 12' depth holds. 2. The importance of river commerce to Arkansas and Oklahoma can be seen by the volume and value of trade with Louisiana. 3. Strongly support and encourage the development of a 12' channel.
Malinda Smith	Letter supporting the Arkansas River Navigation Study. Comments include: <ol style="list-style-type: none"> 1. River transportation has a direct impact on the prices consumers pay for the things they buy. 2. A 12' channel is necessary if barge transportation is to be competitive with other modes of transportation.

Summary of Comments received from Individual Citizens	
Name	Summary of Comment
Jack Story	Letter expressing an urgent need to proceed with the 12' channel depth study because the original locks of the MCKARNS were built to be utilized with the 12' draft design. The nation and region loses money and resources every day that this facility is under-utilized.
Donna Ward	Letter supporting the Arkansas River Navigation Study. Comments include: 1. The Tulsa port of Catoosa is the largest, most inland port in the nation and serves every state west of the Mississippi. 2. Barge transportation is the cleanest mode of transportation.
Mark Woolsey	Oral comment indicating concern for the frequency and duration of flooding of agricultural lands in Crawford County (Ozark Pool). Indicated that levees are located upstream and downstream of his land and that the construction of levees to protect Crawford County agricultural lands should be considered.

B.2.2.18 Comment Summary

Issues addressed in the public comments received during the public scoping phase of the MCKARNS-EIS can be grouped into the following categories:

1. General government regulatory issues.
2. Threats to threatened and endangered species and other wildlife / wildlife habitat.
3. Wildlife habitat enhancement along the MCKARNS.
4. Benefits to recreation activities: fishing, hunting, and boating etc.
5. Concern over loss of riverfront parks and camping areas due to flooding or land acquisition.
6. Transportation benefits from increased capacity and navigation days on barges which results in reduced highway congestion and road repairs.
7. Economic benefits from increased capacity on barges; increase in navigation days; increase in jobs and public and private investments; benefits to trade and industry; and reduced fuel consumption.
8. Pollution reduction: barges produce lower air emissions and less noise pollution compared with truck and train transportation.
9. Concern over current or potential flooding and loss of agricultural land and private and public property.
10. Increased flood control on the MCKARNS as a result of the study.

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11. Hydroelectric power losses: releasing water would have a negative effect on hydroelectric power generation.
 12. Water supply losses and water treatment plant losses.
 13. Erosion and bank stabilization
 14. Increasing the river channel depth from 9' to 12'.

A total of 119 comments were received during the public scoping phase of the Arkansas River Navigation Study – Phase I EIS. The following table shows the number of comments received in each category.

Number of Comments received by Category*															
	1. General Regulatory Issues	2. Threats to T & E species and other wildlife/habitat	3. Wildlife habitat enhancement along the MCKARNS	4. Benefits to recreation activities.	5. Concern over loss of riverfront parks and camping areas due to flooding or land acquisition.	6. Transportation benefits from Increased capacity and navigation days on barges which results in reduced highway congestion and road repairs.	7. Economic benefits from Increased capacity on barges; increase in navigation days; increase in jobs and public and private investments; benefits to trade and industry; and reduced fuel consumption.	8. Pollution reduction: barges produce lower air emissions and less noise pollution compared with truck and train transportation.	9. Concern over current or potential flooding and loss of agricultural land and private and public property.	10. Increased flood control on the MCKARNS as a result of the study.	11. Hydroelectric power losses: releasing water would have a negative effect on hydroelectric power generation.	12. Water supply losses and water treatment plant losses	13. Erosion and bank stabilization	14. Increasing the river channel from 9' to 12'.	Total
Federal Agencies	1													1	
State Agencies		4	4	3	2	6	3	5		3	2		3	6	41
Local Agencies		1	2	2	1	9	4	10	1	2	1	1		16	50
Elected Officials	1			1	1	1	3		1			1		3	12
Interest Groups	1	4					1		1		1	1	1		10
Commercial/ Industrial Groups			4	4		23	31	18	1	4			1	33	119
Citizens			4	3		19	22	15	4	2		1	2	26	98
Total	3	9	14	13	4	58	64	48	8	11	4	4	7	84	331

* Individuals/agencies/groups often had comments about more than one issue and, therefore, the totals above are larger than the number of letters/oral comments received.

B.2.3 Public Scoping Period 2

B.2.3.1 Introduction

The USACE invites full public participation in the NEPA process, and promotes both open communication between the public and the USACE and better decision making. All persons and organizations that have a potential interest in the proposed action, including minority, low-income, disadvantaged, and Native American groups, are urged to participate in the NEPA environmental analysis process. The scoping process is useful in helping the USACE focus the EIS on issues of importance to the public and other interested agencies and organizations.

Public participation opportunities, with respect to the proposed action that is the subject of the Arkansas River Navigation Study Phase II EIS, are guided by the President's Council on Environmental Quality (CEQ) regulations and Engineering Regulation 200-2-2, *Procedures for Implementing NEPA*.

The following is a summary of the scoping process that was conducted in support of the Environmental Impact Statement (EIS) for the Arkansas River Navigation Study Phase II. This summary describes the scoping process, comments received from the public, regulatory agencies, and special interest groups/organizations during the scoping period.

B.2.3.2 Public Scoping Meetings

The Public Scoping Meetings utilized a workshop format. The workshop format entailed a 3 hour time period that would provide a flexible schedule to allow the public to learn more about the project and make comments. The workshop format included a series of "stations" focused on key elements of the project:

Station 1	Registration & General Information (informational brochure)
Station 2	EIS Process & Proposed Action and Alternatives (series of informational boards)
Station 3	Major Issues (series of informational boards)
Station 4	Written Comments Station
Station 5	Verbal Comments Station (with Video Camera)
Station 6	Exit/Thank You

Each station was staffed with USACE and/or Parsons personnel to facilitate interaction and information exchange with the public. The informational brochure and boards are included in Appendices B.1 and B.2.

B.2.3.3 Notification Procedures

The public was notified of the Public Scoping Meetings in the following manner:

- Publication of the NOI in the *Federal Register* (May 31, 2002).
- Publication of the legal notice for a public scoping meeting. This legal notice was published approximately 7 to 10 days prior to the meeting date in the following newspapers.

PAID LEGAL NOTICE PUBLICATION	
NEWSPAPER	PUBLICATION DATE
Tulsa World	Monday May 12, 2003
Muskogee Daily Phoenix	Sunday May 11, 2003
Southwest Times Record	Monday May 12, 2003
Courier	Sunday May 11, 2003
Arkansas Democrat Gazette	Wednesday May 14, 2003
Pine Bluff Commercial	Wednesday May 14, 2003
Dumas Clarion	Monday May 12, 2003

- Press releases inviting the public to express their views at the scoping meetings were distributed to local/regional newspapers, television stations, and radio stations.
- Announcements (“scoping fliers”) were mailed to public agencies, public interest groups and organizations, political representatives, and individuals known, or thought to have, an interest in the Arkansas River Navigation Project Phase II. The flyers consisted of a description of the purpose of the meetings including a map to the meeting sites, with an invitation to attend the meetings and/or submit written comments identifying key issues that should be considered as part of the EIS. These notices were mailed approximately two weeks prior to the scheduled scoping meetings.
- Web Page. The USACE maintains a web page that periodically updates the status of the Arkansas River Navigation Study. Information regarding the date, time, and location of the Public Scoping Meetings was posted on the web page prior to the meetings. The web page can be located at: www.swl.usace.army.mil/projmgmt/arkriverstudy.html

B.2.3.4 Location, Time, and Date of Meetings

The Public Scoping Meetings were held from 5:00 pm to 8:00 pm at the following locations:

TULSA **Monday May 19, 2003**

OSU Tulsa Conference Center
 B.S. Roberts Room, North Hall 151
 700 North Greenwood
 Tulsa, OK

FORT SMITH **Tuesday May 20, 2003**

Latture Conference Center
 University of Arkansas – Fort Smith
 Grand Ave. & 50th St.
 Fort Smith, AR

PINE BLUFF Wednesday May 21, 2003

Ramada Inn Hotel
Jefferson Room
Two Convention Center Plaza
Pine Bluff, AR

LITTLE ROCK Thursday May 22, 2003

Central Arkansas Library System, Main Library
Darragh Center Auditorium
100 Rock Street
Little Rock, AR

B.2.3.5 Meeting Attendees

Registration cards filled out by public meeting attendees are included in additional appendices not included in this document but are available on file at the USACE Little Rock District. Public citizens attending the Public Scoping Meetings, exclusive of USACE personnel, included the following:

Combined list of attendees at all 4 Public Scoping Meetings May 19-22, 2003.					
Name	Affiliation	May 19, 2003 (Tulsa)	May 20, 2003 (Fort Smith)	May 21, 2003 (Pine Bluff)	May 22, 2003 (Little Rock)
Federal Government					
Eckhoff, Don	Office of U.S. Representative Brad Carson (Oklahoma, District 2)	X			
Pitcock, Jim	Office of U.S. Senator Mark Pryor (Arkansas)				X
Lewis, Lindsey	U.S. Fish and Wildlife Service				X
State Government					
Chouinard, Anita	Arkansas Dept. of Parks and Tourism				X
Carter, Allen	Arkansas Game and Fish Commission	X	X	X	X
Quinn, Jeff	Arkansas Game and Fish Commission				X
Ivey, G. Frank Jr.	Arkansas Waterways Association				X
Garrison, Keith	Arkansas Waterways Commission				X
Williams, Joyce	Arkansas Waterways Commission				X
Cheatham, Glen	Oklahoma Department of Transportation – Waterways Branch	X			
Peek, Marla R.	Oklahoma Farm Bureau	X			
Rousselot, Wade	Oklahoma Farm Bureau	X			
Sivadon, Grant	Oklahoma Farm Bureau	X			
Mathis, Mike	Oklahoma Water Resources Board	X			
Sparks, Terri	Oklahoma Water Resources Board	X			
Local/Regional Organizations					
Crider, James V.	Economic Development Alliance of Jefferson County			X	
Schluterman, Michael	Logan County		X		
Sloan, Charles	Sequoyah County Farm Bureau		X		
Wood, Fox III	Tucker Bottom Farmers Association		X		
Wood, Regna Lee	Tucker Bottom Farmers Association		X		

Combined list of attendees at all 4 Public Scoping Meetings May 19-22, 2003.					
Name	Affiliation	May 19, 2003 (Tulsa)	May 20, 2003 (Fort Smith)	May 21, 2003 (Pine Bluff)	May 22, 2003 (Little Rock)
Levee Districts					
Blankenship, Ronald D.	Frenchtown Auburn Levee District			X	
Forst, Adolph B.	McLain Bottoms Levee and Drainage District Number 3		X		
Schluterman, Bernard	McLain Bottoms Levee and Drainage District Number 3		X		
Commercial/Industrial Entities					
Shamli, Darel	Arkholia Sand and Gravel		X		
Verkamp, Brian	Arkholia Sand and Gravel		X		
Cosner, Frank A.	Consolidated Grain and Barge		X		
Shell, N. M. "Buck" II	Five Rivers Distribution		X		
Smith, Richard	INCOG	X			
Bolton, Kenneth	Jeffrey Sand Co.				X
McGeorge, Clay	Jeffrey Sand Co.				X
Wickliffe, Joe	Jeffrey Sand Co.				X
Hanenstem, G.	Johnstons Port 33	X			
Taylor, Fred	Johnstons Port 33	X			
Taylor, Josh	Johnstons Port 33	X			
Taylor, Steve	Johnstons Port 33	X			
Hastings, Paul	Little Rock Harbor Service				X
Metzler, Mike	Little Rock Harbor Service				X
Alman, Larry	Little Rock Port Authority				X
Latture, Paul	Little Rock Port Authority				X
Jansen, Alex	Livestock Nutrition Center		X		
Long, Jack Jr.	Logistic Services Inc., Port of Little Rock				X

Combined list of attendees at all 4 Public Scoping Meetings May 19-22, 2003.					
Name	Affiliation	May 19, 2003 (Tulsa)	May 20, 2003 (Fort Smith)	May 21, 2003 (Pine Bluff)	May 22, 2003 (Little Rock)
Cruse, Lester	Magnolia Marine Transport			X	
Harden, Phyllis	Pine Bluff Sand and Gravel	X	X	X	X
McGeorge, Scott	Pine Bluff Sand and Gravel	X	X	X	X
Bratton, Don	Pine Bluff Sand and Gravel Co.	X			X
Newspapers/Television					
Popa, John	KPOM – TV		X		
Loftis, Scott	Pine Bluff Commercial			X	
Levy, Larry	Tulsa Daily Commerce	X			
Environmental Organizations					
Wood, Jim	Arkansas Wildlife Federation/Yell County Wildlife Federation				X
Thompson, Michael	Oklahoma Bass Federation	X			
Individual Citizens/Farms					
Beck, Albert	Self		X		
Bedford, Keith	Self		X		
Beilke, Marilyn	Self	X			
Campbell, Marsha	Self	X			
Carruth, Howard	Self		X		
Cosner, Tom	Self		X		
Crawford, David	Self		X		
Didion, Maureen	Self		X		
Gamble, Eloise P.	Self		X		
Gamble, Othel Jr.	Self		X		
Hanley, Mike	Self				X
Hanley, Rachel	Self				X
Harrison, John	Self		X		
Hayes, Paul B.	Self	X			
Henry, J. L. Jr.	Self		X		

Combined list of attendees at all 4 Public Scoping Meetings May 19-22, 2003.					
Name	Affiliation	May 19, 2003 (Tulsa)	May 20, 2003 (Fort Smith)	May 21, 2003 (Pine Bluff)	May 22, 2003 (Little Rock)
Herman, Forst	Self		X		
Hill, F. J. Jr.	Self				X
Horan, Patrick	Self		X		
Johnson, Foster S. Jr.	Self	X	X		
Johnson, Jesse	Self		X		
McGeorge, Brian	Self				X
McGeorge, William	Self				X
Monn, Steve W.	Self	X			
Moore, Robert	Self	X			
Owens, Frank	Self			X	
Patterson, James N.	Self	X	X		
Patterson, Lynn	Self	X			
Perry, Doris Sharp	Self		X		
Rambo, Harold A.	Self		X		
Rambo, Mike	Self		X		
Ray, Jim D.	Self		X		
Replogle, Blake	Self	X			
Roberson, Gayle	Self		X		
Roberson, Karen J.	Self		X		
Rogers, Tony	Self		X		
Rummage, Matilda H.	Self	X			
Schluterman, Kenneth J.	Self		X		
Sheffield, David	Self		X		
Sheffield, Dick	Self		X		
Stafford, Charles S.	Self	X			
Stafford, Charley P.	Self	X			

Combined list of attendees at all 4 Public Scoping Meetings May 19-22, 2003.					
Name	Affiliation	May 19, 2003 (Tulsa)	May 20, 2003 (Fort Smith)	May 21, 2003 (Pine Bluff)	May 22, 2003 (Little Rock)
Stanton, Robert	Self				X
Stroub, Joe T.	Self		X		
Stuart, Jack	Self		X		
Thompson, L. E.	Self			X	
Werschky, Carl and Sue	Self		X		
Dill, Ed	Self (Ed Dill Farms)	X			
Gamble, Mike	Self (Gamble Farms)		X		
Gist, Jim	Self (J & K Farms)	X	X		
Patterson, Jamie	Self (Mud Town Farms Inc.)		X		
Roberson, Tommy Joe	Self (Roberson Farms)		X		
Robson, Joe	Self (Robson Ranch)	X			

B.2.3.6 Agency Coordination Meetings

Agency coordination meetings were held in Tulsa, Oklahoma and Little Rock, Arkansas approximately 2 months following the Public Scoping Meetings.

The intent of these meetings was to address the project with key federal and state agencies early in the EIS process.

The meeting consisted of a brief welcome and introduction, a Powerpoint presentation giving an overview of the Arkansas River Navigation Study and describing scoping requirements for the Arkansas River Navigation Study Phase II EIS, followed by a questions and answer period. USACE staff was present, representing relevant project disciplines to answer questions.

B.2.3.7 Notification Procedures

Invitations were sent to Federal Agencies in Arkansas and Oklahoma. The notification letters were prepared and mailed by USACE Little Rock District staff. Notifications were mailed approximately two weeks prior to the meetings.

B.2.3.8 Location, Time, and Date of Meetings

Agency Coordination Meetings were held as follows:

Tulsa, Oklahoma	Tuesday July 15, 2003 9:30 am to 12 pm Conference Room No. 464 (4 th Floor) Federal Office Building 1645 S 101 st East Ave. Tulsa, Oklahoma
Little Rock, Arkansas	Wednesday July 16, 2003 9:30 am to 12 pm Conference Room No. 4507, (4 th floor) Federal Office Building 700 West Capitol Little Rock, Arkansas

B.2.3.9 Meeting Attendees

Agency personnel attending the meetings, exclusive of USACE personnel, included the following:

AGENCIES ATTENDING AGENCY COORDINATION MEETINGS	
July 15, 2003 – USACE Tulsa District	
Weber, Stephen	Oklahoma Department of Environmental Quality
Cheatham, Glen	Oklahoma Department of Transportation – Waterways Branch
Hylar, Randy	Oklahoma Department of Wildlife Conservation
Ridge, J.D.	Oklahoma Department of Wildlife Conservation
Mathis, Mike	Oklahoma Water Resources Board
Kannady, David	Southwestern Power Authority
Robbins, George	Southwestern Power Authority
Elsener, Steve	USDA/NRCS
Collins, Ken	USFWS – Tulsa, Oklahoma Ecological Services Field Office
Stark, Richard	USFWS – Tulsa, Oklahoma Ecological Services Field Office
July 16, 2003 – USACE Little Rock District	
Robison, Jay	Arkansas Department of Economic Development
Leonard, Bob	Arkansas Game and Fish Commission
Quinn, Jeff	Arkansas Game and Fish Commission
Brand, Phil	Arkansas Highway and Transportation Department
Imhoff, Steve	Arkansas Historic Preservation Program
Osborne, Cindy	Arkansas Natural Heritage Commission
Schmader, Jim	U.S. Coast Guard
Harney, Marge	USFWS – Conway, Arkansas Field Office
Lewis, Lindsey	USFWS – Conway, Arkansas Field Office

B.2.3.10 Summary of Scoping Comments

Issues addressed in the public comments associated with the public scoping phase of the EIS can be summarized by the following categories:

- Federal Agencies
- State Agencies
- Local agencies
- Elected Officials
- Interest Groups
- Commercial / Industrial Groups
- Citizens

B.2.3.11 Federal Agencies

Summary of Comments received from Federal Agencies	
Name	Summary of Comment
<p>U.S. Fish and Wildlife Service – Conway, Arkansas (Alan J. Mueller, Field Supervisor)</p>	<p>Letter outlining concerns identified at the Little Rock, Arkansas Agency Coordination Meeting and recommendations on measures to avoid, minimize, and mitigate for potential impacts of the project.</p> <p>Species concerns included the following:</p> <ol style="list-style-type: none"> 1) Further channelizing of the river and reducing backwater flows may impact the interior least tern island nesting habitat. Actions that should be considered include: <ol style="list-style-type: none"> A) continued dike notching B) creation of islands using dredged material C) stockpile large volumes of dredged material for future island restoration 2) Loss of shoal habitat may impact paddlefish and sturgeon populations. If main channel flows are increased by channelization, there may be increased siltation that would adversely affect water quality and fish spawning. In addition, there may be a reduction in backwater flows, increased channel turbidity, reduced backwater turbidity, increased vegetation in backwater areas, loss of gravel habitat, decreased gravel recruitment, and loss of spawning habitat. Actions that should be considered include: <ol style="list-style-type: none"> A) continued dike notching B) long-term monitoring of species and habitat C) strategic placement of chevron dikes <p>Habitat concerns included the following:</p> <ol style="list-style-type: none"> 1) Channel incision and the recession of backwater shallows could occur. This could dry up backwater, oxbow, and shallow water areas. Also, headcutting of tributaries could increase. Actions that should be considered include: <ol style="list-style-type: none"> A) habitat and fluvial geomorphologic monitoring over time B) use hydrologic models to avoid/minimize impacts C) use a seasonally deeper channel rather than a year-round 12-foot channel 2) Cumulative effects from the combined impact of increased dredging on the White River and other projects along the White River could exacerbate

Summary of Comments received from Federal Agencies

Name	Summary of Comment
	<p>existing problems. The additional and continual alteration of hydrology are altering the water quality and biology of the system. Actions that should be considered include:</p> <ul style="list-style-type: none"> A) predictive models should reveal the number of navigation days that already meet or exceed 12 feet. Determine the amount of maintenance dredging necessary to maintain a 12-foot channel. B) in the event that the completion of the Montgomery Point Lock & Dam achieves a 12-foot channel in the Arkansas Post Canal and lower White River, no additional dredging would be necessary. <p>Effects Assessment and Mitigation included the following:</p> <ul style="list-style-type: none"> 1) The effects this project will have on fish communities, fluvial geomorphology, and peripheral aquatic habitat are uncertain. Their significance will not be able to be predicted until they have already occurred. Therefore, practical pre-project studies should be performed to assess species composition, habitat associations and trends, and water quality to provide baseline information. Long-term monitoring will be necessary and measures should be developed that would monitor, prevent, minimize, mitigate, and correct for project impacts throughout the life of the project. Actions that should be considered include: <ul style="list-style-type: none"> A) findings of current least tern and paddlefish population studies and proposed paddlefish and fisheries habitat studies should be considered in the project design. B) long term monitoring will be necessary to determine need for mitigative measures. Biological monitoring stations should be established along the river, potentially at USACE undeveloped parks. 2) Only intensive monitoring of the river will identify impacts in time to implement corrective measures. Corrective actions may include reducing maintenance dredging, reducing the 12-foot navigational season, additional habitat restoration, and/or project reversion. <ul style="list-style-type: none"> A) biological monitoring stations should be established.

Summary of Comments received from Federal Agencies

Name	Summary of Comment
	<p>B) closed and underdeveloped USACE parks along the river should be set up as biological monitoring stations, nature areas, riparian buffers, and recreational areas. They recommend USACE commit to assist with operations and maintenance of a biological monitoring program.</p> <p>C) if monitoring is not instigated, a less efficient, haphazard approach to identify and mitigate for project impacts would be used.</p> <p>The Service appreciates these early coordination efforts and looks forward to working with USACE staff on this project.</p>

B.2.3.12 State Agencies

Summary of Comments received from State Agencies

Agency	Summary of Comment
<p>Arkansas Game & Fish Commission (Scott Henderson, Director)</p>	<p>Letter expressing that the following issues should be addressed regarding the creation of a 12-foot channel within the MKARNS:</p> <ol style="list-style-type: none"> 1) effects on wetlands, uplands, fish habitat, and wildlife habitat, 2) spoil discharge/placement if dredging is required, 3) effects on user access to the system, 4) mitigation features available if fish and wildlife habitat is destroyed or altered, 5) restoration features of presently degraded fish and wildlife habitat, 6) maintenance of developed fish and wildlife features, 7) amount of dredging required to construct and maintain the deeper channel, 8) positive and negative effects on endangered/threatened/candidate species. <p>They state that the Arkansas Game & Fish Commission and USACE have cooperated well in the past and they are looking forward to working with USACE on this project.</p>

Summary of Comments received from State Agencies

Agency	Summary of Comment
<p>Arkansas Game and Fish Commission (Michael D. Gibson, Chief of Fisheries)</p>	<p>The following comments are provided based on the interagency meeting held to discuss the Arkansas River Navigation Study – Phase II:</p> <ol style="list-style-type: none"> 1) A National Ecosystem Restoration plan should be developed for the study that would identify opportunities for backwater restoration and dike notching. 2) A fisheries study should be conducted for this project. It would examine the amount of shallow, slow water habitat available to fishes at various flows. 3) Impacts of dredging on the amount of gravel substrate available for fish spawning should be discussed. 4) The Arkansas River Navigation Study – Phase II should address how a 12-foot channel would impact backwaters, including old river cutoffs and dike field habitats. 5) They would like to arrange a meeting to discuss impacts to ecologically sensitive areas. 6) Impacts of increased barge activity on fish populations should be addressed. 7) A freshwater mussel survey should be conducted. 8) They request a copy of maps showing proposed dredging sites. <p>They look forward to working with USACE on this project in order to improve fish and wildlife resources on the MKARNS.</p>

Summary of Comments received from State Agencies

Agency	Summary of Comment
<p>Arkansas Game and Fish Commission (Michael D. Gibson, Chief of Fisheries)</p>	<p>The following comments are provided based on the information provided at the November 19, 2003 Arkansas River Navigation Study Feasibility Scoping Meeting:</p> <ol style="list-style-type: none"> 1) They encourage development of a National Ecosystem Restoration Plan at 100% federal expense. 2) Impacts to river access should be addressed in the EIS. Specifically sedimentation of access areas. 3) Address how backwaters will be impacted and mitigated. Determine pre- and post-project rates of backwater sedimentation. 4) Address impacts of increased barge traffic on fish populations. 5) They request location of proposed and existing dredging sites, substrate composition, quantity of dredged material, dates, and existing and proposed disposal sites. 6) Evaluate moving navigation channel to existing deeper areas, such as near mouth of Mulberry River. 7) Evaluate potential for head cutting in tributaries. 8) Mutually agreed upon contractor should perform mussel survey from Dardanelle Dam to mouth of Arkansas River. 9) Reduce impacts of dredging, especially in dike fields improved by dike notching, by following recommendations in Dr. Tom Buchanan’s report entitled “An Evaluation of Dredging Within the Arkansas River Navigation System, Volume V – Effects Upon the Fish Population, Publication No. 47.” 10) A meeting should be arranged between Jan. 19-30, 2004 to discuss Little Rock District fisheries study details.
<p>Arkansas State Highway and Transportation Department (Robert L. Walters, Chief Engineer)</p>	<p>Letter expressing concern over the following issues:</p> <ol style="list-style-type: none"> 1) Deepening the channel via dredging may cause bridge foundations to become vulnerable to scour. 2) This would also reduce the vertical clearance, change the point of application of barge impact on a pier, and reduce the effectiveness of existing pier protection. Additional piers may become vulnerable to barge impact and the approach embankment protection may be compromised. 3) Channel widening would reduce the horizontal clearance to a pier and may cause bridge foundations to become vulnerable to scour.

Summary of Comments received from State Agencies

Agency	Summary of Comment
Arkansas Waterways Association (G. Frank Ivey, Jr.)	Written comment enthusiastically supporting a 12-foot navigation channel within the MKARNS.
Arkansas Waterways Association (Harvey Joe Sanner, President)	<p>Letter supports the Arkansas River Navigation Study Phase II with the following comments:</p> <ol style="list-style-type: none"> 1) In Arkansas, more than 95%, and in Oklahoma, more than 88%, of the navigation channel is already of sufficient depth to accommodate vessels with 12-foot drafts. 2) Barge tows are more than eight times more fuel efficient than over-the-road trucks and more than two-and-one-half times more fuel efficient than rail transport. Fuel efficiency translates to dramatic reductions in air pollution in terms of particulates and greenhouse gasses. 3) Increased barge shipping capacity will result in less wear and tear on highways and fewer truck or rail accidents resulting in environmental damage. 4) Only economically robust economies can afford to fund environmental studies, research, and projects to protect the environment. 5) Both inbound and outbound shipments from Arkansas businesses and industry would become more economically viable due to a 43% increase in shipping capacity. 6) Significant shipments of road building materials, rock and sand, are shipped on the MKARNS, and the resulting savings in shipping costs would accrue to taxpayers. <p>Additionally, current benefits provided by the MKARNS to business commerce, hydropower, and recreation are listed. They believe the study will demonstrate that the cost/benefit ratio of the project will be very positive and that the project will generate environmental, economic, and social benefits far into the future.</p>

Summary of Comments received from State Agencies

Agency	Summary of Comment
Arkansas Waterways Association (Harvey Joe Sanner, President, and G. Frank Ivey, Jr., Executive Director)	Letter strongly supporting increasing the depth of the MKARNS channel to 12 feet for the following reasons: <ol style="list-style-type: none">1) Gaining an additional 3 feet of draft would increase cargo capacity on barges by 43%2) MKARNS already has a 12-foot channel in 95% of the Arkansas portion and 88.5% of the Oklahoma portion. A 12-foot channel would make the river compatible with the lower Mississippi and with the Gulf Intracoastal Waterway.3) Farmers in six states will be able to compete globally by more efficiently exporting their products.4) Barge transportation is the most environmentally friendly transportation, emitting 35-60% fewer pollutants into the air than locomotives or trucks. River transportation also creates no noise pollution and creates 10 times less emissions than trucks and 2 ½ times fewer than trains.

Summary of Comments received from State Agencies

Agency	Summary of Comment
<p>Arkansas Waterways Commission (Keith E. Garrison, Executive Director)</p>	<p>Letter supports the Arkansas River Navigation Study Phase II with the following comments:</p> <ol style="list-style-type: none"> 1) In Arkansas, more than 95%, and in Oklahoma, more than 88%, of the navigation channel is already of sufficient depth to accommodate vessels with 12-foot drafts. 2) Barge tows are more than eight times more fuel efficient than over-the-road trucks and more than two-and-one-half times more fuel efficient than rail transport. Fuel efficiency translates to dramatic reductions in air pollution in terms of particulates and greenhouse gasses. 3) Increased barge shipping capacity will result in less wear and tear on highways and fewer truck or rail accidents resulting in environmental damage. 4) Only economically robust economies can afford to fund environmental studies, research, and projects to protect the environment. 5) Both inbound and outbound shipments from Arkansas businesses and industry would become more economically viable due to a 43% increase in shipping capacity. 6) Significant shipments of road building materials, rock and sand, are shipped on the MKARNS, and the resulting savings in shipping costs would accrue to taxpayers. <p>Additionally, current benefits provided by the MKARNS to business commerce, hydropower, and recreation are listed. They believe the study will demonstrate that the cost/benefit ratio of the project will be very positive and that the project will generate environmental, economic, and social benefits far into the future.</p>
<p>Oklahoma Department of Transportation (Phil Tomlinson, Cabinet Secretary of Transportation)</p>	<p>Letter supporting the Arkansas River Navigation Study – Phase II because he believes a 12-foot draft along the MKARNS would return many times the initial cost in economic and environmental benefits. The decrease in hydrocarbon emissions would be obvious. He encourages USACE to move forward with this project as expeditiously as possible.</p>

Summary of Comments received from State Agencies

Agency	Summary of Comment
<p>Oklahoma Department of Transportation – Waterways Branch</p>	<p>Letter supports the Arkansas River Navigation Study Phase II with the following comments:</p> <ol style="list-style-type: none"> 1) In Arkansas, more than 95%, and in Oklahoma, more than 88%, of the navigation channel is already of sufficient depth to accommodate vessels with 12-foot drafts. 2) Barge tows are more than eight times more fuel efficient than over-the-road trucks and more than two-and-one-half times more fuel efficient than rail transport. Fuel efficiency translates to dramatic reductions in air pollution in terms of particulates and greenhouse gasses. 3) Increased barge shipping capacity will result in less wear and tear on highways and fewer truck or rail accidents resulting in environmental damage. 4) Only economically robust economies can afford to fund environmental studies, research, and projects to protect the environment. 5) Both inbound and outbound shipments from Arkansas businesses and industry would become more economically viable due to a 43% increase in shipping capacity. 6) Significant shipments of road building materials, rock and sand, are shipped on the MKARNS, and the resulting savings in shipping costs would accrue to taxpayers. <p>Additionally, current benefits provided by the MKARNS to business commerce, hydropower, and recreation are listed. They believe the study will demonstrate that the cost/benefit ratio of the project will be very positive and that the project will generate environmental, economic, and social benefits far into the future.</p>
<p>Oklahoma Farm Bureau (Wade Rousselot)</p>	<p>Written Comment favoring the deepening and widening (where necessary) of the MKARNS channel in order to increase tonnage moved up and down the river. Suggested quarries as one possible dredge disposal site. He hopes channel widening will not further deteriorate the shaky relationship rural Oklahoma has with EPA concerning endangered species.</p>

Summary of Comments received from State Agencies	
Agency	Summary of Comment
Oklahoma Farm Bureau (Marla Peek)	Written Comment supporting the improvement and deepening of the channel because MKARNS is important to the agricultural industry in Oklahoma. She expressed concern about raising the water level because there would be increased flooding of valuable farmland. She offered her assistance in setting up a local outreach meeting, if needed.
State of Oklahoma, Secretary of Agriculture (Terry L. Peach)	Letter supporting deepening the MKARNS channel to 12-feet because it will facilitate further benefits to Oklahoma's agricultural industries. Each year over 1 million tons of wheat travels from Oklahoma to New Orleans for shipment to other countries. Over 1.7 million tons of fertilizer reaches farmers via the navigation system. He believes deepening the channel will increase the system's efficiency and usefulness for larger barge traffic and that this will allow the system to realize its fullest potential.

Summary of Comments received from State Agencies

Agency	Summary of Comment
<p>Waterways Advisory Board – Oklahoma Department of Transportation</p>	<p>Letter supports the Arkansas River Navigation Study Phase II with the following comments:</p> <ol style="list-style-type: none"> 1) In Arkansas, more than 95%, and in Oklahoma, more than 88%, of the navigation channel is already of sufficient depth to accommodate vessels with 12-foot drafts. 2) Barge tows are more than eight times more fuel efficient than over-the-road trucks and more than two-and-one-half times more fuel efficient than rail transport. Fuel efficiency translates to dramatic reductions in air pollution in terms of particulates and greenhouse gasses. 3) Increased barge shipping capacity will result in less wear and tear on highways and fewer truck or rail accidents resulting in environmental damage. 4) Only economically robust economies can afford to fund environmental studies, research, and projects to protect the environment. 5) Both inbound and outbound shipments from Arkansas businesses and industry would become more economically viable due to a 43% increase in shipping capacity. 6) Significant shipments of road building materials, rock and sand, are shipped on the MKARNS, and the resulting savings in shipping costs would accrue to taxpayers. <p>Additionally, current benefits provided by the MKARNS to business commerce, hydropower, and recreation are listed. They believe the study will demonstrate that the cost/benefit ratio of the project will be very positive and that the project will generate environmental, economic, and social benefits far into the future.</p>

B.2.3.13 Local Agencies

Summary of Comments received from Local Agencies	
Agency	Summary of Comment
Arkansas-Oklahoma Port Operators Association (Brian Verkamp, President)	<p>Letter strongly supporting a 12-foot channel along the MKARNS that would enable shippers to increase cargo capacity, improve efficiency, and regain a competitive edge in the world transportation market. They enclosed a copy of a Resolution adopted by their Board of Directors expressing support of a 12-foot channel on the MKARNS. Reasons for their support include:</p> <ol style="list-style-type: none"> 1) MKARNS has brought \$5-million in federal and private investments, many jobs, and an expanded tax base in Arkansas and Oklahoma. 2) Commodity shipments on the system reached a plateau in 1998. 3) A 12-foot channel means up to a 43% increase in cargo capacity in each barge and would increase efficiency of the MKARNS. 4) A 12-foot channel would not cause a need for physical change to the existing locks and dams. 5) More than 95% of the Arkansas portion and 88% of the Oklahoma portion already has a 12-foot channel.
McClaine Bottom Levy and Drainage District (Bernard J. Schluterman, Board Member)	<p>Written comment opposing raising the water level in the MKARNS. Rising water would create additional ponds and sloughs, limiting the amount of land that can be farmed. This also opens more area for the breeding of mosquitoes. The river is even now too close to the levy at Stations 408 and 427 and increasing the water table would heighten this problem. He supports dredging the river to create a 12-foot channel. Stations 408 and 427 may be ideal locations to pump the excess dredged material.</p>
Muskogee County Farm Bureau (Claybourn Seward, President)	<p>Letter supporting a 12-foot draft channel along the MKARNS, if it is cost effective. He does not support raising the pool elevation levels within the MKARNS. This would be devastating for thousands of acres of farm land along the river and tributaries.</p>
OSU Extension (Tony Yates)	<p>Written comment opposing any change in water levels or river flow because of their affects on agriculture production and crop land acreage.</p>

Summary of Comments received from Local Agencies

Agency	Summary of Comment
<p>Spiro Mounds Archaeological Center (Dennis Peterson, Historic Property Manager)</p>	<p>Email correspondence expressing concerns about the proposed changes to the MKARNS. His concerns are as follows:</p> <ol style="list-style-type: none"> 1) Deepening the channel 3 feet will impact subsurface and shoreline environments. The massive increase in siltation due to intensive, long-term dredging would be detrimental to shellfish and other bottom-feeding animals. Siltation within the impoundments would greatly change the gate and dam clearing process. 2) Extracting dredged material that is older than most channel sediments and that has higher concentrations of heavy metals and contaminants from upstream industries could cause contamination of the land surrounding the areas where this material is deposited. 3) If pool height is increased, flooding would occur more often and would increase costs to USACE and local land owners. 4) A pool elevation increase would also impact fluctuations of the lakes and tributaries of the river. This increase in fluctuations would negatively impact water quality, plant communities, and archaeological resources which are already impacted and unmitigated by USACE. The Arkansas River basin is extremely rich in historic and prehistoric sites and pool changes would directly damage these fragile and non-renewable resources. <p>He requests notification of any changes in the river that would impact the site of the Spiro Mounds Archaeological Center.</p>

Summary of Comments received from Local Agencies

Agency	Summary of Comment
<p>The City of Fort Smith (Van W. Lee, Director of Engineering and Floodplain Administrator)</p>	<p>Letter objecting to raising the Arkansas River pool elevation or a combination of dredging and raising the pool elevation for the following reasons:</p> <ol style="list-style-type: none"> 1) Any increase in the water level at Fort Smith would reduce the capacity of the existing drainage systems and increase local flooding within the city 2) Any increase in the base flood elevation (BFE) would increase the flooding potential and subsequently insurance rates to owners of structures which were constructed at or above the BFE in compliance with FEMA regulations. 3) Several residential structures and possibly several municipal facilities, such as parks and recreational areas, would experience flooding more frequently at lesser flows 4) The impact of raising the water level in the river on the P Street wastewater treatment plant discharge is uncertain and would require further study 5) Raising the pool level would potentially reduce the available head at the Lee Creek dam hydropower facility, resulting in reduced power generation. 6) A rise in river water level would cause groundwater to rise in adjoining lands. This could potentially cause additional sanitary sewer line and pump station failures. <p>In evaluating dredging as an alternative, the city's wastewater effluent line from the Massard wastewater treatment plant that discharges upstream of Lock & Dam 13 should be considered.</p>
<p>The Economic Development Alliance of Jefferson County (Ted N. Drake, Board of Directors)</p>	<p>Letter supporting the deepening of the MKARNS to 12 feet. He believes this will significantly increase the barge tonnage handled by the river system.</p>

Summary of Comments received from Local Agencies	
Agency	Summary of Comment
The Pine Bluff/Jefferson County Port Authority (James V. Crider, Executive Director)	<p>Letter praising USACE in the maintenance of the MKARNS over the past 30 years. They strongly support channel dredging in order to increase the depth of the channel to 12 feet for the following reasons:</p> <ol style="list-style-type: none"> 1) The current 9-foot channel may be restricting growth by limiting towboat loads. 2) A 12-foot channel would maximize trade with Mexico and growing worldwide markets. 3) The Arkansas River already has a 12-foot channel in 88.5% of the Oklahoma portion and 95% of the Arkansas portion. 4) Lock chambers were built to accommodate a 12-foot channel. 5) A 3-foot draft increase would provide a 43% increase in cargo capacity per barge, thus justifying the cost/benefit ratio. <p>They do not support raising water level elevations due to subsequent flooding of homes adjacent to Pool #4 in Pine Bluff.</p>
Tucker Bottom Farmers Association (Fox Wood III, President)	<p>Letter strongly opposing raising the water level within the MKARNS, especially along Tucker and Redland Bottoms below the Kerr Lock & Dam. Due to bad weather and unfavorable markets, it would take very little to push their members into bankruptcy. Raising the water levels will put thousands of additional acres at risk for flooding.</p> <p>They support dredging the river to allow for deeper draft vessels, although they question who will be paying for dredging and maintenance of the 12-foot channel.</p> <p>They attached a document that outlines agricultural losses from floods on the Arkansas River. In addition to these losses, there are many additional consequences of flooding that are not included within this document.</p>

B.2.3.14 Elected Officials

Summary of Comments received from Elected Officials	
Name	Summary of Comment
Adair, Larry E. Oklahoma House of Representatives	<p>Letter supporting a 12-foot channel along the MKARNS because it would greatly help commerce in Oklahoma and increase its competitive edge in the international market place. Eighty plus percent of the channel is already 12 feet deep and the cost to complete the project would not be excessive.</p>

Summary of Comments received from Elected Officials	
Name	Summary of Comment
Bradford, Jay State of Arkansas House of Representatives	Letter stating that thousands of jobs in Jefferson County, Arkansas would not exist without the MKARNS. He encourages USACE to deepen the system's channel to 12 feet because economic benefits to the region would be substantial. The project is especially feasible because most of the Arkansas River is already 12 feet deep so a comparatively small amount of dredging would be required.
Henry, Brad Governor of Oklahoma	Letter supporting the Arkansas River Navigation Study – Phase II because he believes a 12-foot draft along the MKARNS would demonstrate a cost/benefit ratio that is very positive and would increase economic activity for the state of Oklahoma. The resulting decrease in hydrocarbon emissions would make this an environmentally friendly project. He encourages USACE to move forward with this project as expeditiously as possible.
Jones, Jack (Jefferson County, Arkansas Judge)	Letter supporting a 12-foot channel along the MKARNS because it is critical to keeping Arkansas and Jefferson County globally competitive and economically sound.
Nickles, Don United States Senate	Letter opposing any effort that involves raising the river level of the MKARNS because it will do untold damage to surrounding farms. Instead, he would encourage dredging as the method to achieve a 12-foot draft authorization in Congress.

B.2.3.15 Interest Groups

Summary of Comments received from Interest Groups	
Interest Group	Summary of Comment
Arkansas Wildlife Federation (Jim Wood, Chairman)	Email correspondence expressing confusion about the application of the NEPA process to each phase of the Arkansas River Navigation Study separately rather than as one connected activity. In order for them to adequately represent their interests and understand NEPA boundaries for scoping, they need a thorough understanding as to how USACE plans to separate Phase I and II EIS's based on 40 CFR 1500-1508 procedural guidance. The Arkansas River Navigation Study has become confusing due to the following: <ol style="list-style-type: none"> 1) Addresses flow regime and navigation channel enlargement 2) Conducted by both Little Rock and Tulsa Districts 3) Mixed up with the previous Arkansas River Land Impact Study (1990)

Summary of Comments received from Interest Groups	
Interest Group	Summary of Comment
	<p>4) Additional 49,410 acre flood easement acquisition/expanded in 1993 to include Arkansas River tributary streams</p> <p>5) 1997 Report – Effects on the Environment From the Operation of the McClellan-Kerr Arkansas River Navigation System.</p> <p>In addition, he requests a copy of the Declaration of Intent for the Arkansas River Navigation Study – Phase II.</p>
Arkansas Wildlife Federation (Jim Wood, Chairman)	Email correspondence questioning whether the lower Mississippi River is authorized to maintain a 12-foot draft navigation channel, as stated on the scoping meeting flyers.
Arkansas Wildlife Federation Yell County Wildlife Federation (Jim Wood, Chairman)	<p>Letter expressing the following concerns regarding the Arkansas River Navigation Study – Phase II:</p> <ol style="list-style-type: none"> 1) In preparing these comments, they relied upon NEPA procedural guidance at 40 CFR 1500-1508, ER 200-2-2 USACE supplement to CEQ guidance, ER 1105-2-100 Planning Principles and Guidelines along with some other regulatory guidance. 2) The USACE’s two-phase, separate EIS approach for studying the same interrelated resource is confusing and may not be appropriate under the NEPA process. 3) The precise measure of the interrelationship between resource impacts studied in Phase I and Phase II should be quantified and included in an Appendix to the EIS. 4) They question whether raising pool elevations would meet the NEPA test of qualifying as a realistic alternative due to the unavoidable interactions with property rights. 5) The public scoping material limits the Phase II EIS to evaluating impacts resulting from deepening the channel, whereas the Expedited Reconnaissance Study (1999) identified a broader array of 8 proposed alternative solutions for the water resource and navigation problems along the MKARNS. 6) Current USACE Arkansas River water flows are regulated solely to meet navigation needs, despite being declared as a “multi-use waterway”. This water management strategy is part of the No Action Alternative and should be quantified and thoroughly described in the EIS analysis. 7) A copy of all navigation industry complaints, cited in a 1999 Reconnaissance Report to support need for channel enlargement/deepening, should be included in

Summary of Comments received from Interest Groups

Interest Group	Summary of Comment
	<p>the EIS appendix. In addition, the EIS should provide (for the last 10 years) dates, duration, and site-specific barge traffic shutdowns and describe how each situation was affected by channel depth.</p> <p>8) Alternatives evaluated should describe accounting formulas used to establish all data supporting flowage easement needs resulting from deepening the channel. Each affected land parcel should be specifically identified and consequences described.</p> <p>9) How much will the \$ per ton mile cost to maintain and provide a 12-foot channel increase or decrease?</p> <p>10) A past 10-year barge tonnage analysis should be developed that compares changes to shipping levels or growth in demand displayed in % of inbound and outbound commodities for all types of transportation modes.</p> <p>11) Specific analysis of affects to farmland, private owned wildlife habitat, various wetland types, base floodplain functions, and state-owned Wildlife Management Areas should be included in the EIS.</p> <p>12) What additional dredging would be required to maintain a 12-foot channel and how will adverse dredging impacts to the aquatic food chain be quantified and in-kind mitigation provided that fully compensates for the impacts?</p> <p>13) The model used for the economic analysis should be validated, reliable, and fully documented through USACE Independent Technical Review Process. Modeling must account for loss of mode where transportation is shifted away from truck/rail to water.</p> <p>14) The EIS should provide evidence supporting the declared assumption that 12-foot draft barges will be more compatible with other connected parts of the inland waterway system. The Mississippi River channel, although authorized for 12 feet, actually continues to be maintained at a 9-foot draft.</p> <p>15) What will be the cost sharing arrangement for funding of the project and what agency will assure that mitigation compensates for adverse impacts?</p> <p>16) How will the least tern and other endangered species be impacted and how will impacts be mitigated?</p> <p>17) Channel enlargement/deepening impacts upon each of the recently planned or completed environmental</p>

Summary of Comments received from Interest Groups	
Interest Group	Summary of Comment
	<p>restoration projects (dike notching, etc.) should be discussed.</p> <p>18) Any increase in the White River entrance channel dredging regime must be considered a Phase II expense in the EIS economic analysis. A cumulative impact analysis must address the Mississippi River scouring/lowering trend of the White River entrance channel and future costs it poses to 12-foot channel maintenance.</p> <p>19) What criteria or decision-making rationale being used on the Arkansas River deepening proposal would also apply to the White River navigation feasibility study now being developed?</p>
Arkansas Wildlife Federation (Jim Wood, Chairman)	HR 2557, Sec. 5024, that authorizes construction of the 12-foot channel within the MKARNS, short-circuits the current on-going Arkansas River Navigation Study – Phase II and EIS alternative selection process. They urge USACE to alert Congress that this proposed legislation conflicts with NEPA regulations.
Arkansas Wildlife Federation (Jim Wood, Chairman)	<p>Letter commenting on issues discussed at the Nov. 19, 2003 Arkansas River Study Feasibility Scoping Meeting. Issues discussed in the letter include pre-feasibility study Congressional authorization of a 12-foot channel, water quality issues including contaminants in dredged material and sedimentation, biological assessment issues such as endangered species and impacts to the aquatic food chain, National Economic Development (creating unfair competition to those companies located along 9-foot channels, assessing transportation demand, and willingness of port owners to deepen facilities to 12 feet), flood control vs. flow regime management, and independent review (to ensure project is not biased towards special navigation interests).</p> <p>The letter concludes by stating that many unanswered questions remain regarding how impacts will be determined and whether USACE can objectively apply the study process to all interests. They stress that recent special navigation interest actions attempted to derail the study through congressional authorization of the 12-foot channel.</p>

Summary of Comments received from Interest Groups	
Interest Group	Summary of Comment
Arkansas Wildlife Federation (Jim Wood, Chairman)	Email correspondence to USACE headquarters asking for clarification about what measure of influence navigation special interest production of HR 2754, Sec. 136 (authorization of 12-foot channel) influences the ability of USACE to meet General Flowers 2001 White Paper Directive (that USACE will not favor any special interest) and full compliance with the NEPA process.

B.2.3.16 Commercial/ Industrial Groups

Summary of Comments received from Commercial/ Industrial Groups	
Group	Summary of Comment
Arkansas Electric Cooperative Corporation (Andrew Lachowsky, Senior Planning Engineer)	Letter stating they are an electric generation and transmission cooperative engaged primarily in the business of providing wholesale electricity to its rural electric distribution cooperative members. They have invested over \$325 million in three hydroelectric generating plants on the Arkansas River. They believe that deepening the MKARNS channel via dredging and widening the Verdigris River channel would have no impact on flows or net head at the Arkansas Electric plants and thus would not impact power generation. Deepening the channel via raising pool elevations has the potential to directly affect generation at Dams No. 9 and 13, either positively or negatively, at Arkansas Electric plants, depending on whether net head increases or decreases. Raising the pool at Dam No. 2 would increase power generation at the plant and have economic benefits to Arkansas Electric and ultimately to 420,000 consumers in Arkansas. Arkansas Electric Cooperative Corporation is willing to provide any information that USACE may need to assist in analyzing affects on hydropower plants.

Summary of Comments received from Commercial/ Industrial Groups	
Group	Summary of Comment
B-B-F Oil Company, Inc. (William L. Ferren, Chairman of the Pine Bluff/Jefferson County Port Authority)	Letter praising USACE in identifying and addressing the needs on the Arkansas River. He supports deepening the MKARNS channel to 12 feet for the following reasons: <ol style="list-style-type: none"> 1) The Arkansas River already has a 12-foot channel along 88.5% of the Oklahoma portion and 95% of the Arkansas portion. 2) This task will improve the economy along the MKARNS. They are available to support USACE on this project.
Consolidated Grain & Barge (Frank A. Cosner)	Written comment supporting dredging to maintain a 12-foot channel in the Arkansas River for the following reasons: <ol style="list-style-type: none"> 1) A deeper channel would contain more volume in times of excess flows and local flooding could be prevented to some extent. 2) Water shipper freight could be cut by 1/3 and this benefit could be passed on to farmers by way of better shipping prices.
Five Rivers Distribution (N.M. "Buck" Shell II)	Written comment supporting a 12-foot navigation channel on the Arkansas River. Benefits include: <ol style="list-style-type: none"> 1) 43% increase in transportation at a low cost. 2) Environmental benefits include less trucks and rail cars (one barge load = 60 truck loads and 15 rail cars) which means reductions in air pollution in terms of particulates and greenhouse gases. 3) A 12-foot channel would make the Arkansas River the same depth as the Mississippi River channel.
Jeffrey Sand Company (Joe Wickliffe, President)	Letter strongly supporting the Arkansas River Navigation Study – Phase II for the following reasons: <ol style="list-style-type: none"> 1) The importance of river commerce to Arkansas and Oklahoma can be seen by the volume and value of trade with Louisiana, where Mississippi River barge cargo is shipped to and from oceangoing vessels. 2) In order to be compatible with the lower Mississippi River and to ensure that economic potential is realized, MKARNS must be authorized to a 12-foot channel depth. 3) MKARNS already has a 12-foot channel in 88.5% of the Oklahoma portion and 95% of the Arkansas portion.
Johnston Enterprises (Lew Meibergen, President)	Letter stating that he is in full concurrence with the comments of the Oklahoma Waterways Division and strongly supports deepening the MKARNS channel to 12 feet.

Summary of Comments received from Commercial/ Industrial Groups	
Group	Summary of Comment
Logistic Services Inc. (Jack Long, Jr., Vice President/General Manager)	<p>Email correspondence supporting a 12-foot channel along the MKARNS in order to be competitive for future growth.</p> <ol style="list-style-type: none"> 1) The importance of river commerce to Arkansas and Oklahoma can be seen by the volume and value of trade with Louisiana, where Mississippi River barge cargo is shipped to and from oceangoing vessels. 2) In order to be compatible with the lower Mississippi River and the Gulf Intracoastal Waterway, MKARNS must be authorized to a 12-foot channel depth. 3) MKARNS already has a 12-foot channel in 88.5% of the Oklahoma portion and 95% of the Arkansas portion. 4) Gaining an additional 3 feet of draft will allow barge users to transport 43% more cargo per barge. 5) According to the EPA, towboats emit 35-60% fewer pollutants than locomotives or trucks and river transportation creates almost no noise pollution.
Mitchell Machinery (Jett Mitchell)	<p>Letter supporting the Arkansas River Navigation Study – Phase II for the following reasons:</p> <ol style="list-style-type: none"> 1) Commodities shipped by users through Arkansas and Oklahoma are distinctly disadvantaged by a 9-foot channel along the MKARNS since the Lower Mississippi and the Intercoastal Waterway are authorized to 12 feet. 2) Lock chambers at locks and dams on the MKARNS were built to accommodate a 12-foot channel so no physical modifications would be required. 3) Deeper draft would allow larger cargo capacities per tow. <p>He hopes this project will move forward as quickly as possible.</p>

Summary of Comments received from Commercial/ Industrial Groups	
Group	Summary of Comment
Mobley Construction Company, Inc. (Bryce Mobley, President)	<p>Letter supporting a 12-foot channel depth on the MKARNS based on the following information:</p> <ol style="list-style-type: none"> 1) One estimate has our nation’s ports handling triple the current volume by 2020. 2) A 12-foot channel is consistent with the connecting Mississippi River, Gulf Intracoastal Waterway, and international markets. 3) Costs are minimal since 95% of the Arkansas portion and 88% of the Oklahoma portion already have a 12-foot channel. 4) A 3-foot depth increase would gain about 43% in cargo capacity per barge. This efficiency increase would stimulate the economy and improve air quality. 5) The Russellville area is near to obtaining authorization for a slack water harbor as part of a true intermodal transportation center and industrial park. Increasing the channel depth would make economic growth in this area more likely.
Ozark Transportation Company, LLC	<p>Letter in support of the Arkansas River Navigation Study – Phase II for the following reasons:</p> <ol style="list-style-type: none"> 1) The importance of river commerce to Arkansas and Oklahoma can be seen by the volume and value of trade with Louisiana, where Mississippi River barge cargo is shipped to and from oceangoing vessels. 2) Since the Lower Mississippi and the Gulf Intracoastal Waterway have a 12-foot channel authorization, users of the MKARNS are severely disadvantaged by a channel of only 9 feet. 3) The Arkansas River has an estimated capacity of 35-45 million tons per year but has currently reached a plateau of 12 million tons due to the restrictive 9-foot channel 4) Gaining an additional 3 feet of draft with 43% increase in cargo capacity per barge would increase economic benefits to local communities, plus it would contribute to the nation’s economic recovery as commerce is moved more cost effectively saving energy and reducing pollution.

Summary of Comments received from Commercial/ Industrial Groups

Group	Summary of Comment
<p>Pine Bluff Sand & Gravel Company (Phyllis Harden, Executive Assistant)</p>	<p>Letter supporting a 12-foot navigation channel on the MKARNS for the following reasons:</p> <ol style="list-style-type: none"> 1) Since the opening of the MKARNS in 1971, this \$2 billion federal investment has attracted another \$3 billion in public and private investments, some fifty thousand jobs and world trade. 2) The importance of river commerce to Arkansas and Oklahoma can be seen by the volume and value of trade with Louisiana, where Mississippi River barge cargo is shipped to and from oceangoing vessels. 3) Since the Lower Mississippi and the Gulf Intracoastal Waterway have a 12-foot channel, users of the MKARNS are severely disadvantaged by a channel of only 9 feet. 4) If costs of river transportation are reduced, there would be increased economic activity for the entire region. 5) Gaining an additional 3 feet of draft with 43% increase in cargo capacity per barge could insure the Arkansas River is not included in funding cuts for underutilized rivers. 6) More than 95% of the Arkansas portion and 88% of the Oklahoma portion of the Arkansas River already have a 12-foot or greater channel depth. 7) The lock chambers at the locks and dams were built to accommodate a 12-foot channel, so no physical modification would be necessary. <p>Please proceed with the 12-foot channel study in the most expeditious manner possible.</p>
<p>Simmons First National Corporation (J. Thomas May, President and Chief Executive Officer)</p>	<p>Letter supporting the Arkansas River Navigation Study – Phase II. He believes that the potential returns will far outweigh the costs, especially since only approximately 5% of the riverbed impedes passage of vessels loaded to a 12-foot draft. Three additional feet of draft would increase cargo capacity by 43% per barge and thus improve the efficiency of our national transportation system.</p>

Summary of Comments received from Commercial/ Industrial Groups

Group	Summary of Comment
<p>Southwestern Power Resources Association (Ted Coombes, Executive Director)</p>	<p>Email correspondence stating that they represent the rural electric cooperatives and municipally-owned electric systems in six states that purchase the hydroelectricity generated at 24 USACE multipurpose projects, 8 of them along the MKARNS. They would like to be kept informed of the progress on both phases of the Arkansas River Navigation Study.</p> <p>To the extent that navigation can be improved without negatively impacting other authorized purposes of the MKARNS, they endorse the goals of the study. Deepening the MKARNS channel through dredging would appear to have the least impacts on hydropower and other project purposes that depend on storage in the reservoirs of the region. Deepening the channel by raising pool elevations could impact hydropower because of the increased flows necessary to support higher pool elevations. They encourage USACE to work closely with Southwestern Power Administration as the study proceeds, and they should make use of readily available actual market prices for energy when quantifying any impacts on the hydropower purpose.</p> <p>They can foresee no impacts to hydropower from widening the Verdigris River channel.</p> <p>They believe it would be a grave mistake to provide a 12-foot channel for only part of the MKARNS.</p>
<p>The Strong Company, Inc. Larry Porter, President</p>	<p>Letter supporting a 12-foot channel and the addition of the Montgomery Point construction along the MKARNS. They are an Arkansas business that imports a key raw material. A 12-foot channel would assure that they can receive and ship without low water impacting receipt and delivery of products. They do not support raising water levels in the Pine Bluff navigation pool as they believe this pool is already 12 feet deep.</p>

Summary of Comments received from Commercial/ Industrial Groups	
Group	Summary of Comment
Trish Ferrell Photography Greater Pine Bluff Chamber of Commerce Transportation Committee (Roy W. Ferrell)	Letter praising USACE in the maintenance of the MKARNS over the past 30 years. Pine Bluff has benefited tremendously from commercial activity on this waterway. He strongly supports channel dredging in order to increase the depth of the channel to 12 feet for the following reasons: <ol style="list-style-type: none"> 1) The current 9-foot channel may be restricting growth by limiting towboat loads. 2) A 12-foot channel would maximize trade with Mexico and growing worldwide markets. 3) The Arkansas River already has a 12-foot channel in 88.5% of the Oklahoma portion and 95% of the Arkansas portion. 4) Lock chambers were built to accommodate a 12-foot channel. 5) A 3-foot draft increase would provide a 43% increase in cargo capacity per barge, thus justifying the cost/benefit ratio.
Western Kentucky Navigation (Cecil D. Duncan)	Email correspondence supporting a 12-foot channel depth on the MKARNS because it will increase the economic development of the region by allowing major grain exporters to use the system as an alternative to the aging upper Mississippi system. He praises USACE for its past involvement in enhancing many of the United States waterways systems.

B.2.3.17 Citizens

Summary of Comments received from Individual Citizens	
Name	Summary of Comment
Beck, Albert	Letter that supports a 12-foot draft channel on the Arkansas River, but only if dredging is the alternative selected. If navigation pools are raised, existing gas wells and equipment will be in jeopardy and future development would not be possible. He would like to be informed of future decisions regarding this project.
Boatright, Danny	Email correspondence expressing concerns that the Arkansas River Navigation Study will make a straight ditch out of the Arkansas River and will destroy the ecology of the river system. If this is the case, he disagrees with the project. He requests more information about the project.

Summary of Comments received from Individual Citizens	
Name	Summary of Comment
Bolton, Kenneth	<p>Letter strongly supporting the Arkansas River Navigation Project – Phase II for the following reasons:</p> <ol style="list-style-type: none"> 1) The number of miles one ton can be carried per gallon of fuel is 514 miles by barge, 202 miles by rail, and 59 miles by truck 2) A 12-foot channel would make MKARNS compatible with the lower Mississippi River 3) Lock chambers and depths over sills would require no physical modifications in accommodating a 12-foot channel.
Bratton, Don	<p>Written comment supporting a 12-foot channel along the MKARNS for the following reasons:</p> <ol style="list-style-type: none"> 1) It will increase the efficiency of moving bulk commodities and will reduce “greenhouse gases” by moving more cargo on less barges. 2) Surveys indicate that most of the channel is already 12 feet deep. Where dredging is required, dredged material can be used to create Interior Least Tern islands. 3) Less barges on the system will positively impact other uses of the waterway, such as fishermen and recreational boaters. 4) The useful lives of the locks would be extended by fewer lockages for fewer barges.
Brown, Edward A. Campbell, Chris Campbell, Jim Davis, Curt R. Davis, Donna Deaton, Bill Deaton, Randy Deaver, Bill Deaver, William Gregory, David Gregory, James Gregory, Kelli Gregory, LaVonna Gregory, Rusty Martin, William Moore, Nick Pettingill, Randy Walter, Hal	<p>Letter opposing raising the Arkansas River pool elevations due to potential increased flooding. They farm and depend on occasionally flooded farmland between Ormond and Toadsuck Locks and Dams for income and way of life.</p>

Summary of Comments received from Individual Citizens	
Name	Summary of Comment
Cosner, Tom	Written comment from a farmer/rancher/independent gas producer that supports dredging as the best option for increasing the depth of the MKARNS. He believes that more efficient navigation on the MKARNS would benefit the farmers.
Dill, Ed – Ed Dill Farms	Written comment expressing concern about flooding and the loss of farmland. He farms 1500 acres above and below Lock 18 along the Verdigris and its tributaries. Says it would probably put him out of business if the pool level was raised 3 feet. He hopes another alternative can be found.
Faulkner, Brenda	Letter strongly supporting the Arkansas River Navigation Project – Phase II for the following reasons: <ol style="list-style-type: none"> 1) The number of miles one ton can be carried per gallon of fuel is 514 miles by barge, 202 miles by rail, and 59 miles by truck 2) A 12-foot channel would make MKARNS compatible with the lower Mississippi River 3) Lock chambers and depths over sills would require no physical modifications in accommodating a 12-foot channel.
Foster, W.F.	Email correspondence stating that they live at Island Harbor in Pine Bluff on the Arkansas River and they oppose raising the water levels in the MKARNS. They do support dredging to increase channel depth.

Summary of Comments received from Individual Citizens	
Name	Summary of Comment
Gieringer, Wallace A.	<p>Letter strongly supporting a 12-foot navigation channel along the MKARNS because of the following beneficial environmental impacts:</p> <ol style="list-style-type: none"> 1) Minimal dredging will be required to achieve a 12-foot channel since 95% of the Arkansas portion and 88% of the Oklahoma portion of the MKARNS already has this depth. 2) Dredge disposal material can be used to strategically place least tern islands that will improve river habitat. 3) Notching of dikes will greatly enhance game fish spawning habitat and fishing access. 4) Bank stabilization will maintain channel alignment, preventing erosion. <p>The efficiency of the navigation system will increase due to a 43% increase in cargo capacity per barge.</p> <ol style="list-style-type: none"> 1) This increased efficiency will stimulate the local economy and allow for a more competitive position in world trade. This will aid in the nation's economic recovery. 2) A 12-foot channel would allow the nation to realize the potential invested in the \$5-billion MKARNS.
Gregory, David (David Gregory & Sons Farms)	Email correspondence opposing deepening the MKARNS channel via raising pool elevations. They farm between Ormond Lock & Dam and Toadsuck Lock & Dam and already are frequently flooded. They depend on these lands for income and way of life.
Harrison, John	Written comment expressing concern about raising the water level in the MKARNS because high water would negatively affect the cattle crossings over a stream on his property. He believes raising the water level 2 feet would severely slow the rate of runoff and that there are already plenty of wildlife on his land, such as deer, raccoons, coyote, beaver, etc. Dredging the MKARNS would have the least impact on the environment, adjacent farm land, and recreation. Spoil could be used to create dikes or for fill.
Hester, Vernon	Letter in support of deepening the MKARNS channel via dredging. He opposes widening the Verdigris River channel because it would encroach upon his property. According to his property survey, he owns, and pays taxes on, part of the county road, the levee, and the Verdigris River. USACE does not want to pay him for this property that they took. He enclosed a copy of a Uniform Certificate from the Oklahoma Land Title Association and the title page of his abstract.

Summary of Comments received from Individual Citizens	
Name	Summary of Comment
Hill, Fred	Written comment supporting the deepening of the channel for commerce and to increase the capacity of the MCKARNS for flooding.
Horan, Patrick	<p>Written comment discussing the possible adverse impacts of the study including the following:</p> <ol style="list-style-type: none"> 1) The proposed raising of the depth of the river by 3 feet would have negative impacts on the adjacent riverside lowlands including parks such as the Holla Bend National Wildlife Refuge. 2) Many communities and landowners alongside the Arkansas River would oppose raising the river depth to 3 feet. 3) He would want to know the cost of maintaining and operating a 12-foot draft channel as opposed to the existing 9-foot draft channel. Is the project economically feasible? 4) Will the water quality decline because of continuous dredging to maintain a 12-foot channel and will it still be considered a viable water supply option for Arkansas River valley communities? 5) Will this project adversely affect hydropower generation? <p>He also indicated opposition to the Pine Mountain Dam / Lees Creek project.</p>
Horan, Patrick	Oral comment – Same as above
James, Barton C.	Email correspondence stating he has a home in Swan Lake on the Arkansas River. Questions whether USACE has done a study on how changing the depth of the river would affect home owners along the river and requests a copy of the study. He asks USACE to consider the impact this would have on residents, such as flood insurance, increased duration of floods, etc.
Johnson, Foster S. Jr.	Written comment expressing concern about raising the water level in the MKARNS because it would potentially cause more of his land to flood. He supports dredging the channel.
Johnson, Foster S., III	Written comment supporting the Arkansas River Navigation Study if increasing the depth of the MKARNS would not impact private land owners in any way. He does not want flooding on his land or the government to take any of his land away. He would support dredging if the spoils would be deposited on land the government already owns.

Summary of Comments received from Individual Citizens	
Name	Summary of Comment
Johnson, Robert	Written comment expressing opposition to anything that would affect private land owners along the Arkansas River. He does not want any flooding, regulations, or government ownership of more land.
McGeorge, Clay	Letter strongly supporting the Arkansas River Navigation Project – Phase II for the following reasons: <ol style="list-style-type: none"> 1) The Arkansas River has an estimated navigation capacity of 35-45 million tons per year but has reached a plateau at 12 million tons. The restrictive 9-foot channel is preventing growth. 2) Gaining an additional three feet of draft would provide a 43% increase in cargo capacity per barge. 3) Lock chambers and depths over sills would require no physical modifications in accommodating a 12-foot channel.
McGeorge, Scott	Letter supporting the Arkansas River Navigation Study – Phase II. He recollects that the 12-foot channel effort began with an official from Tyson Foods, the number one manufacturing employer in the state of Arkansas, stating that Tyson could only bring underloaded barges of corn to the Arkansas River due to the 9-foot channel. A 12-foot channel would provide additional cargo capacity of 43% over the 9-foot channel. He asks that the fuel savings in gallons of diesel fuel and the reduction in greenhouse gases in tons that would be brought about by the project be calculated and included in the study. He states that USACE is very important to the country, as manufacturers such as Whirlpool look to the river to bring in the steel they use. The more economically the river can bring in raw materials, the better chance jobs will be retained in the United States. He attached a list of several of the largest employers in Arkansas, noting those that rely on the river for economical transportation. He urges that the project be rapidly concluded since it is already more than 90% complete.
Moreland, Bart III	Letter strongly opposed to deepening the MCKARNS channel via raising the pool elevations. When USACE secured easements on his land, he was told it was a flood easement to deal with “crisis situations”. He did not agree to long term flooding of his property. His land would be of little value for farming, etc. if water levels on the river are raised. Please consider other alternatives besides raising the pool elevations.

Summary of Comments received from Individual Citizens	
Name	Summary of Comment
Owens, Frank	Written comment supporting a 12-foot depth along the MKARNS. He then states that 3 additional feet of water would give them problems in the Island Harbor Addition.
Patterson, J.C.	Letter that supports a 12-foot draft channel on the Arkansas River, but only if it is economically justified and dredging is the alternative selected in Arkansas. Dredging would have no adverse impacts, whereas raising pool levels could be a catastrophe for the environment and adjacent land owners. He believes that silt should be contained where it currently is within small lakes such as Courthouse Slough. He would like to be apprised of future decisions regarding this project.
James Patterson	Oral comment supporting dredging along the MKARNS because he would like to see the area receive the benefit of tonnage. He owns a large amount of farmland within the floodplain of the MKARNS and would oppose raising the pool levels 3 feet because of flooding. He believes that if silt is kept out of the channel and dredged material can be used to build habitat for animals, than dredging would be good for everyone involved. He would like to be apprised of future decisions and information regarding this project.
Patterson, Jamie	Letter that supports a 12-foot draft channel on the Arkansas River, but only if dredging is the alternative selected. Much of his family's land is in the flowage easement of Pool 12. When the easement was taken, he was told to expect "occasional" flooding. He believes that flooding has become more frequent and of longer duration than expected, due to management for hydropower generation. He believes that if the river level is raised, his land will be permanently flooded and he should be compensated for his losses. In addition, widening the navigation channel would require more expensive maintenance dredging. As more data becomes available and decisions are made, he would like to be informed.
Perry, Doris Sharp	Written comment supporting dredging to deepen the MKARNS channel to 12 feet. She also believes that the banks along the river should be stabilized to reduce erosion of farmland.

Summary of Comments received from Individual Citizens	
Name	Summary of Comment
Robson, Joe – Robson Ranch	Written comment expressing concern about raising the water level in the MKARNS because it would potentially cause flooding on his farmland. He owns land in the Big Bottom of the Verdigris River, Wagoner and Rogers County. He fully supports navigation in the MKARNS and any enhancements that would not create flooding problems. Due to storm water from development upstream of Salt and Adams Creek, flooding will increase on his land regardless of the project, but would be exacerbated by raising the pool level in the MKARNS.
Ross, Robert	Written comment expressing concern about raising the water level within the MKARNS. This would cause more flooding of the river and tributaries of the Arkansas River and thus impact his farmland in the Arkansas River bottoms at Webbers Falls, Oklahoma. He would prefer that the channel be dredged to obtain a 12-foot draft.
Schluterman, Michael	Written comment opposing raising the water level in the MKARNS. Rising water would create additional ponds and sloughs, limiting the amount of land that can be farmed. This also opens more area for the breeding of mosquitoes. The river is even now too close to the levy at Stations 408 and 427 and increasing the water table would heighten this problem. He supports dredging the river to create a 12-foot channel. Stations 408 and 427 may be ideal locations to pump the excess dredged material. He believes that higher water may weaken the levee, also.
Sheffield, David	Written comment expressing concern about raising the water level in the MKARNS for the following reasons: <ol style="list-style-type: none"> 1) The Webber Falls river pool level greatly influences the water table under the land that he farms in Ft. Gibson, Oklahoma. At times when the river is running high, he experiences soil saturation even when there has been no precipitation. 2) The already slow drainage rate will be further decreased. 3) Some of his property would likely become unusable if the pool level is raised. 4) Current erosion problems will increase. He believes that geotube jetties filled with dredge material could be used in his area.

Summary of Comments received from Individual Citizens

Name	Summary of Comment
Sheffield, Dick	<p>Written comment questioning whether the benefits of increasing tow capacity are greater than the costs of the proposed alternatives. If so, he supports deepening the river channel for the following reasons:</p> <ol style="list-style-type: none"> 1) Navigation efficiency will increase. 2) The amount of flowage will increase during high water flows. 3) Dredged material used as dikes would benefit adjacent land areas. 4) These dikes could be designed for hay production. 5) Some of the dredged material could be used on county roads. <p>He does not want use of dredged material to create wildlife habitat to increase nuisance wildlife species such as deer, coyotes, beavers, etc. These species are already out of control in many areas.</p> <p>He strongly opposes raising the water levels in the MKARNS for the following reasons:</p> <ol style="list-style-type: none"> 1) Slower drainage from the fields. 2) It will raise the water table making fields dry even slower than they already do. 3) Bank erosion on river and tributaries will increase. 4) It will decrease amount of water flow when river and tributaries are at maximum flow. 5) Mosquito and other insect populations may increase due to wetter floodplain areas.
Sloan, Charles A. (Sand Town Farms)	<p>Written comment opposing raising the river water level because he would lose the land that he farms to flooding. He supports dredging where needed, and he believes that some of the banks need to be stabilized to control erosion.</p>
Stafford, Charley D.	<p>Written comment expressing concern about raising the water level in the MKARNS because it would potentially cause additional flooding of his farmland. He maintains that Salt and Coal Creeks currently hold more water year round than before the channel was built. Therefore, they drain slowly and raising the water level in the MKARNS would cause more flooding from these creeks.</p> <p>He submitted two photographs taken May 18, 2003 of agricultural flooding near Lock & Dam 18.</p>

Summary of Comments received from Individual Citizens	
Name	Summary of Comment
Stephens, Neal	<p>Letter supporting a 12-foot draft channel along the MKARNS for the following reasons:</p> <ol style="list-style-type: none"> 1) The 9-foot channel limits river traffic coming onto the Arkansas System from the 12-foot Mississippi River channel. 2) 95% of the Arkansas portion and 88.5% of the Oklahoma portion of the MKARNS already have 12-foot channels. 3) With a little adjustment, the MKARNS can continue to grow and help this region compete with the rest of the nation's waterways. 4) He urges that USACE will quickly move forward with the EIS.
Stroub, Joe T.	<p>Written comment asking the following questions:</p> <ol style="list-style-type: none"> 1) Will the project cause additional flooding over the original hydrology and would this be outside the scope of the original project? 2) Will additional land be acquired? 3) Will there be disposal easements? 4) What is the time line of the project?
Thompson, L.E.	<p>Letter supporting a 12-foot draft channel along the MKARNS because the system is currently only carrying 12 million tons of cargo per year with a capacity for 36 million tons per year. A 3-foot channel depth increase would increase capacity of barges by 40% with virtually the same towing cost and this would improve efficiency of the system and increase the economic value to the region.</p> <p>He believes that this project should be constructed in a way that the end result is positive for all of the waterway users and improves the environment. Therefore, the project should be considered pool by pool; dredging, raising the water level, or leaving alone where appropriate. If the upper end of the project is not suitable for a 12-foot channel, the entire project should not suffer.</p>
Werschky, Carl and Sue	<p>Written comment stating that if the water level of the Arkansas River is raised, every hard rain will produce flooding of their farm land and their expensive irrigation system. This additional burden could end their farming operation as well as many others in the area. In addition, they have installed drainage ditches that would no longer work if the river water level is raised. They ask USACE to consider other options to improve navigation on the system.</p>

Summary of Comments received from Individual Citizens	
Name	Summary of Comment
Wilson, Neil	A written comment expressing that he missed the scoping meetings and would like to know what impact the proposed 12-foot channel would have on agriculture use and flood control on specific properties in Oklahoma.

B.2.3.18 Comment Summary

A total of 85 comments were received during the public scoping phase of the Arkansas River Navigation Study – Phase II EIS. Issues addressed in the public comments received during the public scoping period can be grouped into the following categories:

1. Threats to threatened and endangered species and other wildlife / wildlife habitat, including water quality issues.
2. Wildlife habitat enhancement and maintenance along the MCKARNS.
3. Concern over loss of riverfront parks, boating access, and camping areas due to flooding or land acquisition.
4. Economic benefits from increased capacity on barges; increase in navigation days; increase in jobs and public and private investments; benefits to trade and industry; and reduced fuel consumption.
5. Compatibility of MKARNS with 12-foot channel on lower Mississippi River and the Gulf Intracoastal Waterway.
6. Pollution reduction: barges produce lower air emissions and less noise pollution compared with truck and train transportation.
7. Concern over current or potential flooding, government land acquisition, and/or channel widening causing loss of agricultural land and private and public property.
8. Concern about dredged material disposal sites.
9. Use of dredged material for additional dikes, fill, or wildlife habitat.
10. Concern that costs of deepening/maintaining the channel will outweigh benefits.
11. Hydroelectric power losses: reducing available head at hydropower facilities would have an impact on power generation.
12. Water supply losses, water treatment plant losses, sanitary sewer line and pump station failures.
13. Erosion and bank stabilization.
14. Most of the MKARNS channel depth is already at 12 feet and lock chambers were built to accommodate a 12-foot channel.
15. Dredging and/or channel widening may increase vulnerability of bridges and piers.

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16. Overlap between Arkansas River Navigation Study Phase I and II and NEPA procedural concerns.
 17. Bias in the study towards special interests.
 18. Underused capacity of MKARNS.

The following table shows the number of comments received in each category.

Number of Comments received by Category*																			
	1. Threats to T & E species and other wildlife/habitat	2. Wildlife habitat enhancement and maintenance along the MKARNS	3. Concern over loss of riverfront parks, boating access, and camping areas due to flooding or land acquisition	4. Economic benefits from increased capacity on barges; increase in navigation days; increase in jobs and public and private investments; benefits to trade and industry; and reduced fuel consumption	5. Compatibility of MKARNS with 12-foot channel on lower Mississippi River and the Gulf Intracoastal Waterway	6. Pollution reduction: barges produce lower air emissions and less noise pollution compared with truck and train transportation	7. Concern over current or potential flooding, government land acquisition, and/or channel widening causing loss of agricultural land and private and public property	8. Concern about dredged material disposal	9. Use of dredged material for additional dikes, fill, or wildlife habitat	10. Concern that costs of deepening/maintaining the channel will outweigh benefits	11. Hydroelectric power losses: reducing available head at hydropower facilities would impact power generation	12. Water supply losses, water treatment plant losses, sanitary sewer line and pump station failures	13. Erosion and bank stabilization	14. Most of the MKARNS channel depth is already 12 feet and lock chambers were built to accommodate a 12-foot channel	15. Dredging and/or channel widening may increase vulnerability of bridges and piers	16. Overlap between Arkansas River Navigation Study Phase I and II and NEPA procedural concerns	17. Bias in the study towards special interests	18. Underused capacity of MKARNS	Total
Federal Agencies	1	1						1				1						4	
State Agencies	3	2	1	9		6	1	1	1				5	1				30	
Local Agencies	1		1	3	1		7	1	1	2	1	1	2					21	
Elected Officials				4		1	1						2					8	
Interest Groups	1	1					1			1					2	1	1	8	
Commercial/Industrial				14	7	4				2			9					36	
Citizens	2	1		12	3	2	27	2	7	3	1	1	6	7				74	
Total	8	5	2	42	11	13	37	4	10	6	4	7	25	1	2	1	1	181	

* Individuals/agencies/groups often had comments about more than one issue and, therefore, the totals above are larger than the number of letters/oral comments received.

B.2.4 Public Scoping Period 3

B.2.4.1 Introduction

The USACE invites full public participation in the NEPA process, and promotes both open communication between the public and the USACE and better decision making. All persons and organizations that have a potential interest in the proposed action, including minority, low-income, disadvantaged, and Native American groups, are urged to participate in the NEPA environmental analysis process. The scoping process is useful in helping the USACE focus the EIS on issues of importance to the public and other interested agencies and organizations.

Public participation opportunities, with respect to the proposed action that is the subject of the Arkansas River Navigation Study Combined Phase EIS, are guided by the President's Council on Environmental Quality (CEQ) regulations and Engineering Regulation 200-2-2, *Procedures for Implementing NEPA*.

The Arkansas River Navigation Study was originally a two-phase project. Phase I concentrated on river flow management aspects while Phase II focused on deepening and widening the Arkansas River navigation channel. Comments from the public, government agencies, and private organizations during the Phase I and Phase II public scoping periods were key in the decision by the USACE to combine the two phases into a single comprehensive EIS addressing all the issues of the navigation study. The following is a summary of the scoping process that was conducted in support of the Environmental Impact Statement (EIS) for the Combined Phase Arkansas River Navigation Study. This summary describes the scoping process and comments received from the public, regulatory agencies, and special interest groups/organizations during the scoping period.

B.2.4.2 Public Comment Period

Because public scoping meetings were held for both Phase I and Phase II of the Arkansas River Navigation Study EIS, no meetings were held for the combined phase. A third scoping period is being held, though, to address the combined EIS. The public was invited to submit any additional comments on and to identify issues that should be considered in the EIS. Especially sought was information that would assist the USACE in analyzing the impacts of the combined study alternatives.

The public was notified of the Public Comment Period in the following manner:

- Publication of the Notice of Intent (NOI) to combine Phase I and Phase II into one EIS in the *Federal Register* (**July 16, 2004**).
- Announcements (“scoping fliers”) were mailed to public agencies, public interest groups and organizations, political representatives, and individuals known, or thought to have, an interest in the Arkansas River Navigation Project Combined Phase. The flyers consisted of a description of the purpose of the combined phase and the public comment period, with an

invitation to submit written comments identifying key issues that should be considered as part of the EIS. These notices were mailed on approximately the same date that the NOI was published.

- Web Page. The USACE maintains a web page that periodically updates the status of the Arkansas River Navigation Study. The date that the NOI was published in the Federal Register for was posted on this site. The web page can be located at: www.swl.usace.army.mil/projmgmt/arkriverstudy.html

B.2.4.3 Summary of Scoping Comments

Issues addressed in the public comments associated with the public scoping phase of the EIS can be summarized by the following categories:

- Federal Agencies
- State Agencies
- Local agencies
- Elected Officials
- Interest Groups
- Commercial / Industrial Groups
- Citizens

B.2.4.4 Federal Agencies

Summary of Comments received from Federal Agencies	
Name	Summary of Comment
United States Department of the Interior, National Park Service (Ernest Quintana, Regional Director)	Letter addressing the NOI. The NOI identifies preliminary issues to be included in the analysis; however, air quality was not included. The NPS recommends the EIS consider potential impacts to air quality. These potential impacts should be considered because air quality is often impacted by dredging projects and air pollutants are persistent and travel great distances. Specifically, the document should address impacts from transport of supplies, equipment, personnel, and the raw material to and from sites during the construction, as well as the air impacts from construction/dredging equipment. The post construction actions, primarily increased boat traffic should be addressed as they could have a significant long term impact on air quality.

B.2.4.5 State Agencies

Summary of Comments received from State Agencies	
Agency	Summary of Comment
Oklahoma Department of Wildlife Conservation Wildlife Conservation Commission (Greg D. Duffy, Director)	Letter addressing the following: 1) Increased frequency and duration of flooding in reservoirs associated with the MKARNS as a result of increased lake level elevations over longer periods of time could have negative effects on upland, big game, and migratory bird habitat. Higher spring and summer pool elevations could also have detrimental effects on the production of annual wetland vegetation in seasonal wetlands that provide critical food resources for waterfowl and other migratory birds. Lake level management plans should be developed that consider wildlife benefits.
	2) Increased frequency and duration of flooding of agricultural lease lands could decrease the value of lease to the lessee, decrease long term revenue of leases, and discourage lessees from planting wildlife-valuable crops in order to minimize financial risk. 3) Increased frequency and duration of flooding could accelerate degradation of habitat types within Wildlife Management Areas (WMAs and reduce the recovery period between flood events.
	4) The USACE has indicated that decreasing the flow in the navigation system from 75,000 cfs to 60,000 cfs during certain stages would ultimately allow for more long-term storage in the reservoirs associated with the MKARNS. Because lake levels could increase as a result of decreased flow in the navigation system, the ODWC recommends that USACE coordinate with state and federal wildlife agencies to develop and implement lake level management plans that would benefit both fish and wildlife. Angler surveys should also be conducted to assess the economic impacts of these changes for a period of at least five years. Fish entrainment studies should be conducted to assess impacts to these systems. These modifications could affect the morphology and the dissolved oxygen concentrations in the rivers below the dams and the affects should be well documented.

Summary of Comments received from State Agencies	
Agency	Summary of Comment
	<p>5) Habitat manipulation could reduce available microhabitat, refugia, potential food sources for aquatic, terrestrial and avian species, and decrease habitat diversity due to substrate homogenization</p> <p>6) Economically valuable species such as striped bass, walleye and sauger could be impacted by removal of shoal areas below the dams. Removal or disturbance of areas utilized by these species could result in the destruction of the fisheries and have negative impacts on the local economy.</p>
	<p>7) Increased water velocity due to dredging and channelization in localized stretches could result in head cutting in the tributary streams which could affect mussel beds in the Verdigris River and adversely impact species of concern such as the blue sucker, alligator gar and alligator snapping turtle. This portion of the river contains a very stable and self-sustaining population of paddlefish. A self-sustained population of this species is an important resource and dredging projects could disturb valuable habitat. Headcutting could also affect water temperature, which could have deleterious effects on the trout in the lower Illinois River, which is a tributary to the Arkansas River. Additionally, these morphological changes could affect striped bass and walleye fisheries that occur at the confluence of the lower Illinois River during the summer months.</p> <p>8) Habitat modification within the navigation system and tributaries could have negative impacts on invertebrate assemblages resulting in the loss of ecosystem services. The USACE should use invertebrate assemblages to assess impacts to gravel bars and other habitat types potentially affected by the project.</p> <p>9) Seasonal or long term monitoring by the USACE for both game and nongame species in the MKARNS is an important mitigation aspect and should be given adequate time for planning and outlining guidelines for future assessment.</p>

Summary of Comments received from State Agencies	
Agency	Summary of Comment
	<p>10) Mitigation for the loss of habitat and ecosystem services should be considered in the EIS. Adequate time should be afforded to the appropriate state and federal wildlife agencies so that they can coordinate with the USACE to develop a meaningful mitigation plan.</p> <p>11) Threatened (T), endangered (E), or candidate species (C) that have been known to occur along the Arkansas River have not been documented by the USACE. These species include the interior least tern (E), bald eagle (T), piping plover (T), whooping crane (E), Neosho mucket (C), and Arkansas darter (C).</p>

B.2.4.6 Local Agencies

Summary of Comments received from Local Agencies	
Agency	Summary of Comment
City of Ponca City, Oklahoma (Craig Stephenson, Director of Public Works)	Email correspondence stating the belief that this EIS would not affect the city of Ponca City, Oklahoma. A request was made to be emailed if this was not the case.
Metroplan (Mayor Paul Halley, City of Bryant, President Metroplan; Jim McKenzie)	Letter from the Metroplan Board of Directors that represents five counties and twenty municipal governments in the Little Rock-North Little Rock Metropolitan area. On July 28 th , the Metroplan Board unanimously voted to support the deepening of the Arkansas River navigation channel to twelve feet from the mouth to the Little Rock at a minimum. It is believed this improvement is necessary to get the full economic benefit from the substantial investment the public has already made in the MKARNS. By making the Arkansas River compatible with the Lower Mississippi Rive in terms of depth of navigation channel, we expect to relieve strained roadway and rail systems in this region and open the area more fully to international goods movement through the Port of New Orleans.

B.2.4.7 Elected Officials

Summary of Comments received from Elected Officials	
Name	Summary of Comment
Office of the Mayor, North Little Rock, Arkansas (Patrick H. Hays, Mayor)	Letter stating that the North Little Rock City Council supports the channel depth of the MKARNS being increased to 12 feet.

B.2.4.8 Interest Groups

Summary of Comments received from Interest Groups	
Interest Group	Summary of Comment
Arkansas Wildlife Federation (Jim Wood, Chairman of Arkansas River Study Committee)	<p>Letter proposing the USACE should dispose of the entire MKARNS Study and start over due to concerns about the following:</p> <p>1) Third Scoping Period: USACE’s decision to re-scope and narrow the entire MKARNS study to focus on only structural solutions. It seems this decision was made without public involvement. They propose the USACE conducts an additional round of public information meetings directed at this revision of the scope proposal.</p> <p>2) Expanding Scope to Basin Wide Analysis: Propose changing the current scope to a more watershed approach. The current analysis looks at a six segment geographic structure while they feel that a basin wide analysis is needed. They feel USACE policy is to use a watershed approach, and Brig. Gen. Robert Crear’s proposed this as well. Also propose public meetings (as described in #1) be held at locations within the Upper Arkansas River Basin in Kansas.</p> <p>3) Economic Analysis and Accounting Methodolgy: State that ER 1005-2-100 Planning Principles identify National Economic Development as, “increases in the net value of those goods and services that are marketed and also of those that may not be marketed.” Describe that according to the USACE the benefits of a deeper channel must be actually marketed or used in order to be analyzed economically and similarly developments of additional unused barge capacity should not qualify as a benefit.</p> <p>4) Using Van Buren as Flow Model for MKARNS?: Concern that flow model is flawed because it ties the navigation flow regime benefits solely to how quick flows can be reduced below 60,000 cfs at Van Buren, just one location along the 445 miles. They do not believe this meets NEPA’s requirements</p>

Summary of Comments received from Interest Groups

Interest Group	Summary of Comment
	<p>(1502.24 Methodology and Scientific Accuracy). Also they believe the model does not consider water quality, endangered species, fish, wildlife, recreation, public health, wetlands, floodplain management, or ecosystem restoration.</p> <p>5) National Ecosystem Restoration: Propose this study to incorporate all of USACE Environmental Operating Principles into accounting methodology so that sportsmen and local sponsors do not have to pay the majority of restoration costs. Do not believe dredging and disposing of dredge material should be in any way considered beneficial. Propose that each dredge disposal site should have an individual NEPA analysis [NEPA Sec. 102(2)] as supporting documentation for the FEIS and other review processes.</p> <p>6) Revision of the Scope/Purpose and Need: Believe that that two of the proposed actions, flow management at 175,000 and 200,000 cfs would result in landowner lawsuits and would therefore not be a reasonable alternative as required by NEPA. Concerned that the USACE is considering proposals that are incompatible with the design of the Arkansas River System. Concerned that the use of the Van Buren situation alone for methodology does not best serve the public interests of all those along the 445 mile system. Also see Van Buren as a “bottle neck” where the USACE could address channel restoration/maintenance at this site instead of the entire MKARNS. This should be considered in the EIS as a more cost effective alternative.</p> <p>7) Updating the Scope of Issues: Propose either a separate EIS be written for PBS&G Permit No. 06795, or that the USACE evaluates this quarry situation under each channel deepening alternative and how the permit is influencing the study. They are proposing these actions because significant new circumstances that have arisen. In 2003 information surfaced as to the success that navigation interests had achieved in securing congressional authorization to construct a 12-foot channel along the entire length of the MKARNS (HR 2754, Sec. 136). This action occurred midway through the feasibility/EIS development and therefore interfere with the NEPA process. This action seemed to be primarily driven by the Pine Bluff Sand & Gravel Company.</p> <p>8) Inaccurate Information: Concern that the USACE is providing questionable information regarding the current No Action situation upon which they base need for modifying</p>

Summary of Comments received from Interest Groups	
Interest Group	Summary of Comment
	<p>MKARNS. Disagree with the USACE statement (pg 44 BA), “Commercial navigation on the MKARNS is not possible when flows are above 100,000 cfs.” Also disagree with implications about the Lower Mississippi River’s authorized 12-foot draft channel. State that it is only maintained as a 9-foot channel. Although annually 89% of the time flows are sufficient to produce a 12-foot channel, during the months of August through October the percentage drops to 65% of the time.</p> <p>9) Endangered Species/Biological Assessment: Concern that the creation of islands for Interior Least Tern habitat may not be a practical way to mitigate impacts. Past experience along the MKARNS found that islands quickly became revegetated and unsuitable. Island maintenance costs for keeping the desired habitats must also be considered. Also any revisions of the scope must ensure that “to the fullest extent possible” consequences of dredge disposal upon the whole aquatic food chain is analyzed.</p>
Law Offices of Goodell Stratton Edmonds & Palmer (N. Larry Bork)	<p>Letter to remind the USACE that there has been a factual determination that adequate easements were not purchased for the operation of Pensacola Dam and Grand Lake O’ The Cherokees. This determination was made in <i>Dalrymple v. GRDA</i> in 1998. The USACE is encouraged to always keep in mind that there are inadequate easements purchased above the Pensacola Dam. As it is elevating river flow management, which directly impacts releases from above, many people who do not have flowage easements on their property are being flooded because of the operation of Pensacola Dam.</p>

B.2.4.9 Commercial/ Industrial Groups

Summary of Comments received from Commercial/ Industrial Groups	
Group	Summary of Comment
City Corporation, Russellville, Arkansas (Craig Noble, General Manager)	Email correspondence supporting any efforts by the Corps of Engineers to improve (raise) dissolved oxygen (DO) concentrations in the Arkansas River near the Dardanelle Lock and Dam. They would like to move the location of their discharge for treated municipal wastewater from Whig Creek to the main channel of the Arkansas River below Dardanelle Lock and Dam. The EPA recently denied their request for a permit to do so. They are also concerned about water quality impacts on the residents and visitors of Russellville.
Lake Eufaula Associate, Inc. (Joe Ward, Executive Director)	Letter asking the following questions. Have you done any studies concerning the impact of the proposed changes on Lake Eufaula, which is fed by the Canadian River upstream from the navigation system? How will the proposed changes impact the conservation pool and water contracts on Lake Eufaula? How will the changes effect wildlife habitat, the least tern in particular, and migratory habitats of various birds not to mention the potential adverse effect on tourism in the region? The National Geododetic Vertical Datum elevation for Lake Eufaula is currently set at 585 feet. However, the USACE has been unable to maintain that pool level for any extended period of time since the creation of Lake Eufaula in 1964.

B.2.4.10 Citizens

Summary of Comments received from Individual Citizens	
Name	Summary of Comment
Gregory, G. David	Email correspondence opposing deepening the MKARNS channel via raising pool elevations or increasing flow. He and his wife and sons favor the 12-foot channel alternative. They own and lease 2500 acres of farmland in the area between Ormond Lock & Dam and Toadsuck Lock & Dam and they depend on these lands for their income.

Summary of Comments received from Individual Citizens

Name	Summary of Comment
Gregory, David; Gregory, James; Gregory, LaVonna; Gregory, Kelli; Gregory, Rusty; Gregory, Robert	Letter stating that the under signed are opposed to any action that would increase the flow of the Arkansas River. They are in favor of the Flow Management-No Action Alternative and opposed to deepening the channel via raising the pool elevations. They also favor the 12-foot alternative. Flooding of their properties currently occurs during periods of heavy rain locally or from areas further upstream with heavy rains or snow melts. It has stayed at flood level for months at a time. Concerned about what may happen if the water level is raised, and they receive heavy rains. They farm this area and depend on it for their income and way of life. They feel that they, located between Ormond Lock and Dam and Toadsuck Lock and Dam, already have floodwater problems and are used as a holding pool.

B.2.4.11 Comment Summary

Issues addressed in the public comments received during the public scoping phase of the Arkansas River Navigation Study – Combined Phase EIS can be grouped into the following categories:

1. Threats to threatened and endangered species and other wildlife / wildlife habitat, including water quality issues.
2. Concern that some threatened, endangered, or candidate species have not been documented by the USACE.
3. Impacts to air quality should be considered in the EIS.
4. Concern about potential headcutting, changes in water temperatures, and changes to levels of dissolved oxygen.
5. Mitigation for loss of habitat and ecosystem services should be considered.
6. Concern that scope was too narrow and should be expanded to a basin wide analysis.
7. Concern over potentially low water levels in lakes.
8. Concern of potential negative impacts to wildlife and their negative effects on tourism.
9. Economic benefits to local industry from increased capacity of barges.
10. Compatibility of MKARNS with 12-foot channel on lower Mississippi River and the Gulf Intracoastal Waterway.

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11. Concern over current or potential flooding, government land acquisition, and/or channel widening causing loss of agricultural land and private and public property.
 12. Concern about dredged material disposal sites.
 13. Concern that costs of deepening/maintaining the channel will outweigh benefits.
 14. Inadequate easements were purchased above the Pensacola Dam.
 15. Bias in the study towards special interests.

The following table shows the number of comments received in each category:

	1. Threats to T & E species and other wildlife/habitat	2. Some T & E species were not documented by the USACE.	3. Impacts to air quality should be considered in the EIS.	4. Concern about potential headcutting, changes in water temperature, and changes to levels of dissolved oxygen.	5. Mitigation for loss of habitat and ecosystem services should be considered.	6. Concern that scope was too narrow and should be expanded to basin wide analysis.	7. Concern over potentially low and/or high water levels in lakes.	8. Concern of potential negative impacts to wildlife and their negative effects on tourism.	9. Economic benefits to local industry from increased capacity of barges.	10. Compatibility of MKARNS with 12-foot channel on lower Mississippi River and the Gulf Intra coastal Waterway.	11. Concern over current or potential flooding, government land acquisition, and/or channel widening causing loss of agricultural land and private and public property.	12. Concern about dredged material disposal sites.	13. Concern that costs of deepening / maintaining the channel will outweigh benefits.	14. Inadequate easements were purchased above Pensacola Dam.1	15. Bias in the study towards special interests	Total
Federal Agencies			1													1
State Agencies	1	1		1	1		1				1	1				7
Local Agencies								1								1
Elected Officials								1								1
Interest Groups	1					1			1			1	1	1	1	7
Commercial/Industrial	1			1			1	1								4
Citizens											2					2
Total	3	1	1	2	1	1	2	1	2	1	3	2	1	1	1	23

* Individuals/agencies/groups often had comments about more than one issue and, therefore, the totals above are larger than the number of letters/oral comments received

B.3 DEIS COMMENTS AND COMMENT RESPONSES

Public meetings were held at Little Rock, Arkansas, Fort Smith, Arkansas, and Tulsa, Oklahoma, on May 3, 4, and 5th of 2005. These meetings were held to solicit public comments about the DEIS. All oral comments received during these meetings and all written comments received during the comment period are included in the following pages. The original comment period April 8 to May 24 was extended to June 23 at the request of the USFWS. This information is addressed below in five parts:

- DEIS Comment and Response Summary Table,
- USFWS, AGFC, ADEQ, and ODWC Comments, and USACE Responses,
- Key Areas of Concern Identified by Commenters, and USACE Responses,
- Transcript of the three DEIS public meetings – including oral comments,
- Written comments received during the DEIS comment period.

B.3.1 DEIS Comment and Response Summary Table

DEIS Comment and Response Summary

Affiliation		Commercial/Industrial																									Other Substantive Comments		Section Addressed	
Commenter Name	Comment #	Opposes Project	Alt A not preferred	Alt B not preferred	Alt C not preferred	Alt D not preferred	Alt E not preferred	Air Quality	Noise	Geology and Soils	Geology and Soils - Sed Contamination	Surface Waters	Surface Waters - Water Quality	Surface Waters - Water Management	Land Use	Infrastructure - Flood Control	Infrastructure	Infrastructure - Locks and Dams	Biological Resources	Biological Res - Terrestrial Impacts	Biological Res - Aquatic Impacts	Biological Res - T and E Species	Biological Res - Mitigation	Recreation and Aesthetics	Cultural Resources	Sociological	Economics	Document, General	Other Substantive Comments	Section Addressed
		Favors Project	Alt A preferred	Alt B preferred	Alt C preferred	Alt D preferred	Alt E preferred																							
Acme Manufacturing Corp.	62	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		4.2.2, 5.2, 6.4, 7.2 (air quality); 4.11, 5.11, 6.13, 7.11 (sociological); 4.12, 5.12, 6.14, 7.12 (economics)	
Bruce Oakley, Inc.	51	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		4.12, 5.12, 6.14, 7.12 (economics)
Cornerstone Farm and Gin Co.	117	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Comments noted. 4.12, 5.12, 6.14, 7.12 (economics)	
Dal-Italia	69	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		4.2.2, 5.2, 6.4, 7.2 (air quality); 4.11, 5.11, 6.13, 7.11 (sociological); 4.12, 5.12, 6.14, 7.12 (economics)	
Five Rivers Distribution	20	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		No response required.	
Five Rivers Distribution	25	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		4.12, 5.12, 6.14, 7.12 (economics)
Great Lakes Carbon LLC	65	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		4.2.2, 5.2, 6.4, 7.2 (air quality); 4.11, 5.11, 6.13, 7.11 (sociological); 4.12, 5.12, 6.14, 7.12 (economics)	
International Chemical Company	76	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		4.2.2, 5.2, 6.4, 7.2 (air quality); 4.12, 5.12, 6.14, 7.12 (economics)
Jantran, Inc.	134	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		Comment noted. No response required.	
Johnston Enterprises	70	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		4.2.2, 5.2, 6.4, 7.2 (air quality); 4.12, 5.12, 6.14, 7.12 (economics)
Little Rock Port Authority	50	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		4.2.2, 5.2, 6.4, 7.2 (air quality); 4.7, 5.7, 6.9, 7.7 (infrastructure); 4.9, 5.9, 6.11, 7.9 (recreation and aesthetics); 4.12, 5.12, 6.14, 7.12 (economics)	
Logistic Services, Inc.	133	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		8.3.2.1.3, Appendix C (biological resources - mitigation)	
Long, Ed - Johnston's Port 33	73	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		4.2.2, 5.2, 6.4, 7.2 (air quality); 4.12, 5.12, 6.14, 7.12 (economics)
MidAmerica Industrial Park	64	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		4.2.2, 5.2, 6.4, 7.2 (air quality); 4.11, 5.11, 6.13, 7.11 (sociological); 4.12, 5.12, 6.14, 7.12 (economics)	
Norit Americas, Inc.	79	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		4.12, 5.12, 6.14, 7.12 (economics)
Peavey Company	61	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		4.2.2, 5.2, 6.4, 7.2 (air quality); 4.11, 5.11, 6.13, 7.11 (sociological); 4.12, 5.12, 6.14, 7.12 (economics)
Pine Bluff Sand & Gravel Company	118	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Comments noted. 8.3.2.1, Appendix C (biological resources - mitigation); 4.12, 5.12, 6.14, 7.12 (economics)
River System Logistics, Inc.	72	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		4.2.2, 5.2, 6.4, 7.2 (air quality); 4.12, 5.12, 6.14, 7.12 (economics)
Russellville Chamber of Commerce	109	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		4.8.4, 5.8, 6.10, 7.8, 8.3.2.1.2 (biological resources - aquatic impacts); 8.3.2.1, Appendix C (biological resources - mitigation); 4.9, 5.9, 6.11, 7.9 (recreation and aesthetics)	
Solvay Flourides	63	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		4.2.2, 5.2, 6.4, 7.2 (air quality); 4.11, 5.11, 6.13, 7.11 (sociological); 4.12, 5.12, 6.14, 7.12 (economics)	
Story & Associates	123	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Comments noted. No response required.
Syntroleum Corporation	124	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Comments noted. No response required.

Terra Nitrogen	67	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	4.2.2, 5.2, 6.4, 7.2 (air quality); 4.11, 5.11, 6.13, 7.11 (sociological); 4.12, 5.12, 6.14, 7.12 (economics)	
Tulsa Port of Catoosa	44	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Addressed in duplicate comment.
Tulsa Port of Catoosa	19	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	8.3.2.1.2, 8.3.2.1.1, Appendix C (biological resources - mitigation); 4.12, 5.12, 6.14, 7.12 (economics)
Venture Coke Company	66	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	4.2.2, 5.2, 6.4, 7.2 (air quality); 4.11, 5.11, 6.13, 7.11 (sociological); 4.12, 5.12, 6.14, 7.12 (economics)

Affiliation Elected Officials

Commenter Name	Comment #	Opposes Project Favors Project	Alt A not preferred Alt A preferred	Alt B not preferred Alt B preferred	Alt C not preferred Alt C preferred	Alt D not preferred Alt D preferred	Alt E not preferred Alt E preferred	Air Quality	Noise	Geology and Soils	Geology and Soils - Sed Contamination	Surface Waters	Surface Waters - Water Quality	Surface Waters - Water Management	Land Use	Infrastructure - Flood Control	Infrastructure	Infrastructure - Locks and Dams	Biological Resources	Biological Res - Terrestrial Impacts	Biological Res - Aquatic Impacts	Biological Res - T and E Species	Biological Res - Mitigation	Recreation and Aesthetics	Cultural Resources	Sociological	Economics	Document, General	Other Substantive Comments	Section Addressed
Henry, Brad	28	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	8.3.2.1.2, 8.3.2.1.3, Appendix C (biological resources - mitigation); 4.9, 5.9, 6.11, 7.9, 8.3.2.1.2 (recreation and aesthetics - dike notching/fishing); 4.12, 5.12, 6.14, 7.12 (economics)	
Johnson, Burch	96	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	8.3.2.1.2, Appendix C (biological resources - mitigation)	
Wilkinson, Ed - The Arkansas Senate	82	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Request Vache Grasse Creek at NM 288 be dredged for construction of a port and marina.	Funding for the Arkansas River Navigation Study is limited to navigation channel improvements and associated mitigation and does not include dredging for adjacent ports or marinas. The USACE, Little Rock District Planning Branch should be contacted to discuss authorities and requirements for this type of proposal.

Affiliation Federal Agencies

Commenter Name	Comment #	Opposes Project Favors Project	Alt A not preferred Alt A preferred	Alt B not preferred Alt B preferred	Alt C not preferred Alt C preferred	Alt D not preferred Alt D preferred	Alt E not preferred Alt E preferred	Air Quality	Noise	Geology and Soils	Geology and Soils - Sed Contamination	Surface Waters	Surface Waters - Water Quality	Surface Waters - Water Management	Land Use	Infrastructure - Flood Control	Infrastructure	Infrastructure - Locks and Dams	Biological Resources	Biological Res - Terrestrial Impacts	Biological Res - Aquatic Impacts	Biological Res - T and E Species	Biological Res - Mitigation	Recreation and Aesthetics	Cultural Resources	Sociological	Economics	Document, General	Other Substantive Comments	Section Addressed
Bureau of Land Management	7	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No response required.	
U.S. Department of Energy	68	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	USACE and USFWS should quickly identify locations to build interior least tern islands with maintenance and deepening dredged material once the Biological Opinion is finalized.	4.7.7, 5.7, 6.9, 7.7 (infrastructure); 8.3.2.1.3 (biological resources - T & E species); 8.3.2.1.3, Appendix C (biological resources - mitigation); 4.12, 5.12, 6.14, 7.12 (economics). Potential locations for building tern islands have been identified and they can be found in Chapter 8. Building of the tern islands would be in concert with the proposed maintenance and deepening construction schedule.

U.S. Department of the Interior	77	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Potential Land and Water Conservation Fund Act Section 6(f)(3) issue?	Comments noted. 4.8.4, 5.8, 6.10, 7.8, 8.3 (biological resources - aquatic impacts); 4.8.1, 5.8, 6.10, 7.8, 8.3.2.1.3 (biological resources - T & E species); 8.3.2.1.1, 8.3.2.1.2, 8.3.2.1.3, Appendix C (biological resources - mitigation); Mitigation feature costs are included in the final mitigation plan and are incorporated into the current economic analysis and feasibility study. These costs and benefits are summarized in the FEIS (5.12, 6.14, 7.12) (economics); There would be no conflicts with the "no conversion" provisions of Section 6(f)(3) of the Land and Water Conservation Fund Act (P.L. 88-578). See 4.6.2.4 and 6.11.3 of the FEIS (recreation and aesthetics).
U.S. Environmental Protection Agency	78	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Wetlands impacts.	See section 8.3.2.1.2 and Appendix C (biological resources - mitigation); Initial comments, including the DEIS rating, noted. No response required. Regarding wetlands impacts, see section 5.8.2.2.2 and Table 8-1.

Affiliation Individual Citizens

Commenter Name	Comment #	Opposes Project Favors Project	Alt A not preferred Alt A preferred	Alt B not preferred Alt B preferred	Alt C not preferred Alt C preferred	Alt D not preferred Alt D preferred	Alt E not preferred Alt E preferred	Air Quality	Noise	Geology and Soils	Geology and Soils - Sed Contamination	Surface Waters	Surface Waters - Water Quality	Surface Waters - Water Management	Land Use	Infrastructure - Flood Control	Infrastructure - Locks and Dams	Infrastructure - Resources	Biological Res - Terrestrial Impacts	Biological Res - Aquatic Impacts	Biological Res - T and E Species	Biological Res - Mitigation	Recreation and Aesthetics	Recreation and Aesthetics - Dike Notching/Fishing	Cultural Resources	Sociological	Economics	Document, General	Other Substantive Comments	Section Addressed
Alman, Larry	3	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		4.12, 5.12, 6.14, 7.12 (economics)	
Bown, Ken and Mary	81	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		4.5, 5.5, 6.7, 7.5 (surface waters); 8.3.2.1.2, Appendix C (biological resources - mitigation)	
Bratton, Donald G.	103	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The DEIS says that the basis for the mitigation plan is a "worst case" condition that maximizes the amount of mitigation required. The plan assumes that all of the dredging indicated on the base survey will be done.	Comments noted. 8.3.2.1, Appendix C (biological resources - mitigation). The assessment methodology is based on worst case scenario to ensure that all of the impacts are captured. Through implementation of the long term monitoring and adaptive management plan, mitigation would be adjusted based on results of the studies. The base bathymetry survey for the navigation channel is the best available information we have, so that is the number the USACE has to use.		
Brisco, Bob	43	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Pine Mountain Dam Project and Vache Grasse Creek Project (cumulative impacts).	Comments noted. A Feasibility Report, Plans and Specifications, and a Reconnaissance Study have been prepared for the referenced Pine Mountain Dam. The majority of this work was completed in the 1970s-1980s. At the present, a Reevaluation Report has been funded, but has not been conducted. Since the ongoing study, approval, funding, and timing of actual construction of this dam is extremely speculative, it does not meet the criteria for "reasonably foreseeable" and will not be considered for cumulative impacts. In reference to the Vache Grasse Creek Project, funding for the Arkansas River Navigation Study is limited to navigation channel improvements and associated mitigation and does not include dredging for adjacent ports or marinas. The USACE, Little Rock District Planning Branch should be contacted to discuss authorities and requirements for this type of proposal.		
Broadaway, J.P.	86	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		4.5, 5.5, 6.7, 7.5 (surface waters); 4.8.4, 5.8, 6.10, 7.8, 8.3.2.1.2 (biological resources - aquatic impacts); 8.3.2.1.2, Appendix C (biological resources - mitigation)		
Carter, Allen	49	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		Addressed in duplicate comment. Comments noted. 4.8.4, 5.8, 6.10, 7.8, 8.3.2.1.2 (biological resources - aquatic impacts); 4.8.1, 5.8, 6.10, 7.8, 8.3.2.1.3 (biological resources - T & E species); 8.3.2.1.2, Appendix C (biological resources - mitigation); 4.9, 5.9, 6.11, 7.9 (recreation and aesthetics); 4.9, 5.9, 6.11, 7.9, 8.3.2.1.2 (recreation and aesthetics - dike notching/fishing); 4.12, 5.12, 6.14, 7.12 (economics)	
Carter, Allen	46	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		Addressed in duplicate comment. 4.8.5, 5.8, 6.10, 7.8 (biological resources - terrestrial impacts)

Carter, Allen	36	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Comments noted. 4.8.4, 5.8, 6.10, 7.8, 8.3.2.1.2 (biological resources - aquatic impacts); 4.8.1, 5.8, 6.10, 7.8, 8.3.2.1.3 (biological resources - T & E species); 8.3.2.1.2, Appendix C (biological resources - mitigation); 4.7, 5.7, 6.9, 7.7 (recreation and aesthetics); 4.9, 5.9, 6.11, 7.9, 8.3.2.1.2 (recreation and aesthetics - dike notching/fishing); 4.12, 5.12, 6.14, 7.12 (economics)	
Carter, Allen	23	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Comments noted. 4.8.4, 5.8, 6.10, 7.8, 8.3.2.1.2 (biological resources - aquatic impacts); 4.8.1, 5.8, 6.10, 7.8, 8.3.2.1.3 (biological resources - T & E species); 8.3.2.1.2, Appendix C (biological resources - mitigation); 4.7, 5.7, 6.9, 7.7 (recreation and aesthetics); 4.9, 5.9, 6.11, 7.9, 8.3.2.1.2 (recreation and aesthetics - dike notching/fishing); 4.12, 5.12, 6.14, 7.12 (economics)	
Cauley, Tommy	59	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Seems Oklahoma is capturing more of the benefits than Arkansas and most of the dredging is in Arkansas. Concerned that the deepening project will cause more sediments to build up at mouths of shallow water areas.	4.4.4, 5.4, 6.6, 7.4 (geology and soils); 4.7, 5.7, 6.9, 7.7 (recreation and aesthetics); 4.12, 5.12, 6.14, 7.12 (economics). USACE, in coordination with other resource agencies, made every attempt to identify mitigation measures to offset the impacts expected by pool within each state. Measures such as dike notching, maintaining openings to backwaters, and opening side channels have been included in the mitigation plan to offset adverse impacts and maintain the current fishery within each state.
Chesser, David and Carol	135	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	8.3.2.1.2, Appendix C (biological resources - mitigation)	
Christopher, J. Clif	89	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	8.3.2.1.2, Appendix C (biological resources - mitigation)	
Cooper, TW and Margie	111	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	8.3.2.1.2, Appendix C (biological resources - mitigation)	
Cosner, Tom	42	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Addressed in duplicate comment. 4.5, 5.5, 6.7, 7.5 (surface waters - water management); 5.6.2, 5.6.3, 6.8, 7.6, Appendix A (land use); 4.7, 5.7, 6.9, 7.7 (infrastructure); 4.12, 5.12, 6.14, 7.12 (economics)	
Cosner, Tom F.	22	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Dredged sediments should be disposed of on least valuable land and disposal site should not just be based on cost of disposal.	4.5, 5.5, 6.7, 7.5 (surface waters - water management); 5.6.2, 5.6.3, 6.8, 7.6, Appendix A (land use); 4.7, 5.7, 6.9, 7.7 (infrastructure); 4.12, 5.12, 6.14, 7.12 (economics). Concur. Sites proposed for dredge disposal are based on proximity to dredge location on the river. Locations are then prioritized based on lands currently owned by USACE, type of habitat and habitat quality. If disposal could not be located on lands owned by USACE, habitat types and habitat quality became a deciding factor in the final disposal location.
Crombie, Pat	45	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	See section 8.3.2.1 and Appendix C for threatened and endangered species mitigation.	
de la Houssaye, Jon and Robyn	113	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	8.3.2.1.2, Appendix C (biological resources - mitigation)	
Douglas, C. A.	18	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	4.8.4, 5.8, 6.10, 7.8, 8.3.2.1.2 (biological resources - aquatic impacts); 4.7, 5.7, 6.9, 7.7 (recreation and aesthetics)	
Epperson, Robert	5	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Concerned that the flow management plan will impact wetlands. How many feet will it change the tail water flow on pool 14? As compared to now, how much of the high water days would be decreased?	4.5, 5.5, 6.7, 7.5 (surface waters and biological resources); 5.1.3.1, Tables 5-2 and 5-3 (surface waters - water management). The proposed flow management plan would not measurably impact any wetlands. In terms of flow of tail water at Pool 14, there should be a reduction of flow during bench operations, with a decrease from 75,000 cubic feet per second (cfs) at the Van Buren stream gage to 60,000 cfs as part of bench operations (releases after a flood event). As compared to current conditions, there should be 12 or fewer days at or above 60,000 cfs.

Epperson, Robert	30	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Concerned that the flow management plan will impact wetlands. How many feet will it change the tail water flow on pool 14? As compared to now, how much of the high water days would be decreased?	4.5, 5.5, 6.7, 7.5 (surface waters - water management). The proposed flow management plan would not measurably impact any wetlands. In terms of flow of tail water at Pool 14, there should be a reduction of flow during bench operations, with a decrease from 75,000 cubic feet per second (cfs) at the Van Buren stream gage to 60,000 cfs as part of bench operations (releases after a flood event). As compared to current conditions, there should be 12 or fewer days at or above 60,000 cfs.
Geddes, Gerald	110	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	8.3.2.1.2, Appendix C (biological resources - mitigation)
Gieringer, Suzanne C.	119	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	comments noted. 4.2.2, 5.2, 6.4, 7.2 (air quality); 4.12, 5.12, 6.14, 7.12 (economics)	
Gieringer, Wallace A.	121	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Comments noted. 8.3.2.1, Appendix C (biological resources - mitigation)	
Gieringer, Wally	57	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	4.12, 5.12, 6.14, 7.12 (economics)		
Gray, John W.	85	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	8.3.2.1.2, Appendix C (biological resources - mitigation)	
Gray, Willis A.	84	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	8.3.2.1.2, Appendix C (biological resources - mitigation)	
Hardy, B.J.	15	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	4.8.4, 5.8, 6.10, 7.8, 8.3.2.1.2 (biological resources - aquatic impacts)	
Horan, Patrick	9	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Addressed cumulative impacts of Proposed Action, Pine Mountain Dam and Interstate 49 bridge over the Arkansas River.	4.5, 5.5, 6.7, 7.5 (surface waters - water management); 4.7, 5.7, 6.9, 7.7 (infrastructure); 4.8.4, 5.8, 6.10, 7.8, 8.3.2.1.2 (biological resources - aquatic impacts); A Feasibility Report, Plans and Specifications, and a Reconnaissance Study have been prepared for the referenced Pine Mountain Dam. The majority of this work was completed in the 1970s-1980s. At the present, a Reevaluation Report has been funded, but has not been conducted. Since the ongoing study, approval, funding, and timing of actual construction of this dam is extremely speculative, it does not meet the criteria for "reasonably foreseeable" and will not be considered for cumulative impacts. Interstate 49 is proposed to extend through Texarkana, Fort Smith, and on to Kansas City, Missouri. This routing is proposed to include the proposed I-130 and the Alma-to-Bentonville part of I-540 in Arkansas, and will parallel U.S. Highway 71 for this portion of the route. An interstate 49 bridge over the Arkansas River would be built near Fort Smith, Arkansas, most likely in the vicinity of the Highway 71 corridor. The construction of Interstate 49 and its associated bridge over the Arkansas River was added to the list of "reasonably foreseeable" future actions. It is beyond the scope of this EIS to consider the cumulative impacts on navigation safety of specific bridge alignments. A bridge crossing was considered for its cumulative construction impacts in section 7.4, 7.5, 7.7, 7.8, and 7.10.
Horan, Patrick	41	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	I have submitted my comments on a number of issues that concern the MKARNS in Ark. and Oklahoma. The answers to my questions involving the proposed Pine Mt. Dam in Crawford County have not been forthcoming from the USACE.	Addressed in duplicate comment. 4.5, 5.5, 6.7, 7.5 (surface waters - water management); 4.7, 5.7, 6.9, 7.7 (infrastructure); 4.8.4, 5.8, 6.10, 7.8, 8.3.2.1.2 (biological resources - aquatic impacts)
James, Stephen	16	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Several of the historic shipwrecks on the MKARNS would be under the purview and/or ownership of the U.S. Navy or the GSA. Mitigation Plans and PAs should include consultation with the Naval Historical Center for Phase II and III investigations.	Comments noted. 4.10, 5.10, 6.12, 7.10, 8.3.2.2 (cultural resources); Cultural resources programmatic information is included in Appendix D of the FEIS. The Programmatic Agreement includes a clause for consultation with the Navy for civil war era ships, should they be discovered.	
Jett, Bill and Wanda	98	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	8.3.2.1.2, Appendix C (biological resources - mitigation)	
Jones, Greg	37	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Comments noted. 4.12, 5.12, 6.14, 7.12 (economics)		

Keltner, Ron	100	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	8.3.2.1.2, Appendix C (biological resources - mitigation)
Kuhn, Clarence J.	80	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Comments noted. 4.5, 5.5, 6.7, 7.5 (surface waters)
Leone, Frank J.	34	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	4.8.4, 5.8, 6.10, 7.8, 8.3.2.1.2 (biological resources - aquatic impacts); 4.9, 5.9, 6.11, 7.9 (recreation and aesthetics); 4.12, 5.12, 6.14, 7.12 (economics)
Leslie, Stephen A.	114	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	8.3.2.1.2, Appendix C (biological resources - mitigation)
Limbard, Bob	1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Comment noted. No response required.
Limbird, Bob	33	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	The Corps has a 3-foot overdraft; so, actually, to maintain a 12-foot channel, it would probably be dredged 15 feet initially. Fishing opportunities in backwater areas will be lost due to areas filling in 50 years. Specific mitigation sites are not listed in the DEIS. Concern for increased flooding due to constricted channel. Doubts that gravel bar relocation will be successful. Concerns for loss of backwater habitat to dredge spoil even if it is low quality. USACE has not sufficiently investigated the impacts to mussels. Mitigation should include restoring backwater habitat, regeneration of native aquatic plants, and installation of woody cover.
Limbird, Bob	24	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed plan is for a 12-foot navigational channel, however, the system is allowed for a 3-foot overdraft, so actually the channel will probably be dredged to 15 feet initially to maintain a 12-foot depth. Fishing opportunities in backwater areas will be lost due to areas filling in 50 years. Specific mitigation sites are not listed in the DEIS. Concern for increased flooding due to constricted channel. Doubts that gravel bar relocation will be successful. Concerns for loss of backwater habitat to dredge spoil even if it is low quality. USACE has not sufficiently investigated the impacts to mussels. Mitigation should include restoring backwater habitat, regeneration of native aquatic plants, and installation of woody cover.

Limbird, Bob	108	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Fishing opportunities in backwater areas will be lost due to areas filling in 50 years. Specific mitigation sites are not listed in the DEIS. Concern for increased flooding due to constricted channel. Doubts that gravel bar relocation will be successful. Concerns for loss of backwater habitat to dredge spoil even if it is low quality. USACE has not sufficiently investigated the impacts to mussels. Mitigation should include restoring backwater habitat, regeneration of native aquatic plants, and installation of woody cover.	Comments noted. 4.5.1.3, 5.5, 6.7 (Geology and Soils and Surface Waters); 5.1.3.2.2, 5.4 (geology and soils - sediment contamination); 4.5.1.4, 5.5, 6.7, 7.5 (surface waters - water quality); 4.8, 4.8.4, 5.8, 6.10, 7.8, Appendix C (biological resources - aquatic impacts); 8.3.2.1.2, 8.3.2.1.3, Appendix C (biological resources - mitigation); 4.9, 5.9, 6.11, 7.9 (recreation and aesthetics). See comment responses from the Arkansas Game and Fish Commission, Oklahoma Department of Wildlife Conservation, and USFWS (Appendix B, Section B.3.2).
Lynch, John	107	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		8.3.2.1.2, Appendix C (biological resources - mitigation)
McKiever, Kevin	120	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		8.3.2.1.2, Appendix C (biological resources - mitigation); 4.9, 5.9, 6.11, 7.9 (recreation and aesthetics)
McSwain, Betty	35	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		Comments noted. 4.5.1.4, 5.5, 6.7, 7.5 (surface waters - water quality)
McWater, Harry	75	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	USACE should use dredged material to create parks/camping areas and open levees/dikes for fish spawning areas.	4.9, 5.9, 6.11, 7.9 (recreation and aesthetics). USACE has considered beneficial use of dredged materials and plan to create tern island and wetland habitat where feasible and practical to do so. USACE is not at this time considering the development of additional parks or camping areas with dredged material. The mitigation plan described in Chapter 8 and Appendix C includes opening many slackwater areas to improve fisheries.
Parker, Linda	132	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		8.3.2.1.2, Appendix C (biological resources - mitigation)
Parker, Rebecca	97	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		8.3.2.1.2, Appendix C (biological resources - mitigation)
Plate, Ron	88	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	I would like to see the USACE and the Arkansas Game and Fish Commission work together to ensure fishing is protected in Arkansas. Dredge backwater areas downstream from Murray Park.	8.3.2.1.2, Appendix C (biological resources - mitigation); 4.9, 5.9, 6.11, 7.9 (recreation and aesthetics). Concur - the Arkansas Game & Fish Commission has and continues to actively participate in the development of methodology to determine impacts and mitigation measures. They will be invited to participate throughout the construction and implementation of mitigation measures and have a member on the executive committee overseeing the long term monitoring, implementation and adaptive management of the mitigation measures. There are no proposed backwater dredging projects immediately downstream of Murray Park. There is one small backwater area adjacent to the park and the USACE does have dike notches proposed for this area, but no dredging.
Plate, Ron	17	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		4.9, 5.9, 6.11, 7.9 (recreation and aesthetics)
Prater, Larry	40	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		4.12, 5.12, 6.14, 7.12 (economics)	
Renaud, Betty	91	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		8.3.2.1.2, Appendix C (biological resources - mitigation)
Sachse, Nick	95	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		4.5, 5.5, 6.7, 7.5 (surface waters); 8.3.2.1.2, Appendix C (biological resources - mitigation)
Sarna, Alan	11	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		4.7, 5.7, 6.9, 7.7 (recreation and aesthetics)
Scott, Steven H.	87	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		8.3.2.1.2, Appendix C (biological resources - mitigation)
Scott, Steven H.	10	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		4.5, 5.5, 6.7, 7.5 (surface waters - water management); 8.3.2.1.2, Appendix C (biological resources - mitigation)
Seaman, Donald	129	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Comments noted. No response required.
Sexton, Phillip W.	27	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Deepening the channel would turn the river into a ditch that would most likely need continued yearly dredging to keep the channel at depth.	Comments noted. 4.7, 5.1.3, 5.2.3, tables 5-6 and 5-9, 5.7, 6.9, 7.7 (infrastructure); 4.8.4, 5.8, 6.10, 7.8, 8.3.2.1.2 (biological resources - aquatic impacts); 4.7, 5.7, 6.9, 7.7 (recreation and aesthetics)

Snyder, Kerry W.	127	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	8.3.2.1.2, Appendix C (biological resources - mitigation)
Speakes, Darrell	12	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	4.9, 5.9, 6.11, 7.9 (recreation and aesthetics)
Stehle, Daniel	90	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	8.3.2.1.2, Appendix C (biological resources - mitigation)
Strode, Joseph A.	101	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Refer to section 3.2.3 of the DEIS and FEIS. This section explains that raising the pool level was eliminated from consideration early in the NEPA process.
Stroub, Joe	39	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	4.7, 5.7, 6.9, 7.7 (infrastructure - flood control)
Vanhaute, Hans L.	94	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	8.3.2.1.2, Appendix C (biological resources - mitigation)
Ware, Mary Ellen	115	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	8.3.2.1.2, Appendix C (biological resources - mitigation)
Williford, Doug	105	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	8.3.2.1.2, Appendix C (biological resources - mitigation)
Zweifler, Michael D.	83	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Comments noted. 4.5, 5.5, 6.7, 7.5 (surface waters)

Affiliation Interest Groups

Commenter Name	Comment #	Opposes Project	Favors Project	Alt A preferred	Alt A not preferred	Alt B preferred	Alt B not preferred	Alt C preferred	Alt C not preferred	Alt D preferred	Alt D not preferred	Alt E preferred	Alt E not preferred	Air Quality	Noise	Geology and Soils	Geology and Soils - Sed Contamination	Surface Waters	Surface Waters - Water Quality	Surface Waters - Water Management	Land Use	Infrastructure - Flood Control	Infrastructure - Locks and Dams	Infrastructure - Locks and Dams	Biological Resources	Biological Res - Terrestrial Impacts	Biological Res - Aquatic Impacts	Biological Res - T and E Species	Biological Res - Mitigation	Recreation and Aesthetics	Recreation and Aesthetics - Dike Notching/Fishing	Cultural Resources	Sociological	Economics	Document, General	Other Substantive Comments	Section Addressed	
Bowles, Jim - Saturday's Bass Club	29	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		4.8.4, 5.8, 6.10, 7.8, 8.3.2.1.2 (biological resources - aquatic impacts); 4.9, 5.9, 6.11, 7.9 (recreation and aesthetics); 4.12, 5.12, 6.14, 7.12 (economics)	
Cathcart, Robbie - Grant County B.A.S.S. Club	122	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		4.8.4, 5.8, 6.10, 7.8 (biological resources - aquatic impacts); 8.3.2.1.2, Appendix C (biological resources - mitigation); 4.9, 5.9, 6.11, 7.9 (recreation and aesthetics)	
Davenport, Bobby - AR B.A.S.S. Federation	99	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		8.3.2.1.2, Appendix C (biological resources - mitigation)	
Davenport, Bobby - AR B.A.S.S. Federation	55	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		8.3.2.1.2, Appendix C (biological resources - mitigation)	
Finch, Toby - AR B.A.S.S. Federation	102	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		Concerned about impacts to fisheries. Mitigation identified in DEIS is incomplete and inadequate.	Comments noted. 8.3.2.1.2, Appendix C (biological resources - mitigation); 4.9, 5.9, 6.11, 7.9 (recreation and aesthetics). See comment response provided to Arkansas Game and Fish Commission in Section B.3.2 of Appendix B.	
Gordon, Shawn - Mill Creek B.A.S.S. Club	60	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		4.8.4, 5.8, 6.10, 7.8, 8.3.2.1.2 (biological resources - aquatic impacts); 4.9, 5.9, 6.11, 7.9 (recreation and aesthetics); 4.12, 5.12, 6.14, 7.12 (economics)	
Horton, Chris - B.A.S.S. Outdoors	116	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		Comments noted. 4.8.4, 5.8, 6.10, 7.8, Appendix C (biological resources - aquatic impacts); 8.3.2.1.2, Appendix C (biological resources - mitigation)	
Horton, Chris - B.A.S.S. Outdoors	54	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Initial comments from the Game and Fish Commission and the Oklahoma Dept. of Wildlife Conservation were not incorporated into the mitigation component. As it's written, we certainly can't speak favorably for this EIS. Methods used to calculate benefits is unrealistic and over optimistic. Mitigation funding in the DEIS is not adequate. (Letter included a list of specific mitigation items to consider).	8.3.2.1.2, Appendix C (biological resources - mitigation); Complete mitigation plan is included in the FEIS, see Chapter 8 and Appendix C. Many of your recommended mitigation items are proposed for this project. See comments provided to the Arkansas Game and Fish Commission (Appendix B, Section B.3.2) concerning terrestrial disposal.
Murphy, Phillip - Alma Bassmasters	13	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		No response required.	

Phillips, Betty - Citizens for Resp of Yesterday	21	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Concerned for impacts to cemetary along the river bank in Barling, Arkansas. The backwash from the dam has caused damage to the gravesites.	Comments noted. 4.10, 5.10, 6.12, 7.10, 8.3, 2.2 (cultural resources). The Archaeologist with the USACE has been made aware of your comments.
Samet, Melissa - Corps Reform Network	136	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Public involvement reproduction fee and restriction of document distribution	Distribution of the EIS is compliant with 40 CFR 1506.6 (c)(2)(f), the CEQ regulations implementing NEPA. In addition, please see the Corps response letter by Steven L. Stockton, P.E., Deputy Director of Civil Works, included with original comment letter in Appendix B.3.
Sanner, Harvey Joe - AR Waterways Association	130	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Comments noted. No response required.
Stoeckel, Joe - AR Chapter, American Fisheries Soc	128	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Mitigation is not adequate to maintain recreation and fish and wildlife habitat. Insufficient mitigation is planned for the inevitable long term negative impacts on aquatic habitat. Mitigation expenditures of 11.5 million is inadequate. Need an ecosystem recovery plan. More terrestrial disposal sites in Arkansas are needed. Plans to ensure long term persistence of gravel bars and high quality habitat are maintained. Impacts encompass more than local area. Concerns for headcutting. The 12-foot channel will accelerate the loss of backwater habitat. Project is trading quality main channel habitat for backwater and edge habitat. Monitoring should not be considered mitigation. Constant efforts will be necessary to maintain quality fish and wildlife habitat. Impacts to loss of braided channels, edge habitats, and backwater habitats should be considered in mitigation plan.	4.5.1.3, 5.5, 6.7 (Geology and Soils and Surface Waters); 8.3.2.1.1, 8.3.2.1.2, Appendix C (biological resources - mitigation); 4.8.4, 5.8, 6.10, 7.8, 8.3.2.1.2 (biological resources - aquatic impacts); 4.12, 5.12, 6.14, 7.12 (economics). See comment responses to questions from the Arkansas Game and Fish Commission, Oklahoma Department of Wildlife Conservation, and USFWS (Appendix B, Section B.3.2).	
Swann, Doug - AR Natural Heritage Commission	53	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		8.3.2.1.2, Appendix C (biological resources - mitigation); 4.9, 5.9, 6.11, 7.9 (recreation and aesthetics); 4.12, 5.12, 6.14, 7.12 (economics)	
Swann, Doug - AR Natural Heritage Commission	112	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		8.3.2.1.2, Appendix C (biological resources - mitigation)	
Tullas, Bob - ARRC	2	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		4.12, 5.12, 6.14, 7.12 (economics)	
Ward, Joe - Lake Eufaula Association	71	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	How will the proposed changes impact the conservation pool and water contracts on Lake Eufaula?	4.5, 5.1.3.1, Tables 5-4 and 5-5, 5.5, 6.7, 7.5 (surface waters - water management); 4.8.5, 5.8, 6.10, 7.8, Tables 5-4 and 5-5 (biological resources - terrestrial impacts); 4.8.1, 5.8, 6.10, 7.8, 8.3.2.1.3 (biological resources - T & E species); 4.9, 5.9, 6.11, 7.9 (recreation and aesthetics); The proposed action would have no impacts on water contracts on Lake Eufaula.	
Wood, Fox III - Tucker Model Farmers Assoc	38	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		5.6.2, 5.6.3, 6.8, 7.6, Appendix A (land use); 4.7, 5.7, 6.9, 7.7 (infrastructure - flood control); 4.8.5, 5.8, 6.10, 7.8, 8.3.2.1.1 (biological resources - terrestrial impacts)	
Wood, Fox III - Tucker Model Farmers Assoc	4	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		No response required.	

The Corps should apply IPR to the Study and prepare a revised draft EIS (40 CFR 1502.9(a)). The Corps' predicted benefit/cost ratio is unrealistic and impossible to attain, given that MKARNS O&M annual navigation component budget alone is now substantially greater than the benefits. 1) Cost/availability of DEIS hard copies is discriminating, 2) special navigation interference during this study has evolved into a noticeable Corps/navigation conflict of interests partnership study/Reconnaissance began to search out solutions to flooding downstream in Arkansas which was, is, and continues to be an alleged "takings" without compensation situation under the US Constitution 5th Amendment. 4) The rushed study avoids quantifying aquatic impacts and mitigation "before decisions are made", shifting the Corps' responsibility to U.S. Fish and Wildlife Service and State Agencies at some unknown future time and under a proposed aquatic "adaptive habitat management" functionally equal formula yet undetermined. This is noticeably contrary to CEQ 40 Asked Questions 19a & b.

Independent technical review was provided by subject matter experts from the Galveston and Nashville Districts of the Corps of Engineers. Coordination and resolution of technical issues were conducted between the reviewers and Little Rock and Tulsa District personnel. Policy review was conducted by Headquarters, Department of the Army. Coordination and resolution of policy issues were conducted between the reviewers and Little Rock and Tulsa District personnel. 1) Distribution and availability of the DEIS are outlined in section 1.3.4 of the FEIS, 2) Comment noted, 3) The development of the Arkansas River Navigation Feasibility Study Report and its associated EIS are discussed in sections 1.1 and 1.3.2 of the FEIS, 4) Mitigation is described in Chapter 8 of the FEIS. Also see 8.3.2.1.2 and Appendix C. The Mitigation Plan in the FEIS is consistent with CEQ guidance. Refer to the Arkansas River Navigation Feasibility Study Report for information about the calculation of benefit/cost ratios. In addition, please see the Corps response letters and email correspondence by John Paul Woodley, Jr., Acting Assistant Secretary of the Army (Civil Works) and Project Manager Ron Carman, included with original comment letter in Appendix B.3.

1) Quantification of baseline; 2) Purpose and need for the project; 3) Public involvement reproduction fee; 4) NEPA procedural issues; 5) Quantification of baseline and mitigation; 6) Paragraph 1: see comment 3, Paragraph 2: impacts analysis. 7) Corps response required (economics); 8) Alternatives development; 9) Alternatives development; 10) Public involvement and scoping of EIS; 11) No comment provided; 12) Corps response required (economics); 13) Practical and reasonable alternatives issues and mitigation; 14) Corps response required (economics); 15) Lock safety issues.

1) The description of the affected environment is consistent with 40 CFR 1502.15. With the exception of the additional studies provided in Appendix C, the description of the affected environment was developed from existing information acquired from its original sources. 2) Refer to section 1.1 of the FEIS. 3) Distribution of the EIS is compliant with 40 CFR 1506.6 (c)(2)(f), the CEQ regulations implementing NEPA. 4) Comment noted. 5) All project purposes were considered in the preparation of the EIS. Refer to Chapters 5, 6, and 7 for discussions of potential impacts to the environment and other project purposes. It is beyond the scope of the EIS to conduct a comprehensive inventory of the aquatic ecosystems of the Arkansas River. 6) Paragraph 1: refer to redundant comment 3 above; Paragraphs 2 and 3: comment noted. 7) The rate of future growth was developed based on economic and demographic forecasts for the study area obtained from the Department of Census, USDA, and other government/private agencies. The specific method of linking waterborne traffic to these macro-level forecasts is the same as used in the Upper Miss/Ohio River Studies. The method involves developing separate indices of growth or decay for each major commodity group and for each regional area that ships or receives MKARNS traffic. Since, as stated by the commenter, the Upper Miss study underwent a particularly thorough review by NAS and others, it seemed prudent to use the same forecasting method. To reflect the uncertainties in future traffic volumes, a range of forecasts was developed with the low being "no growth" and the high being the amount of traffic moving on a similar but more mature tributary river - the Tennessee. This was intended to bound the forecasted traffic within some reasonable range, although there is always the possibility of a decline in traffic or a growth in traffic that exceeds even the high traffic forecasts. Most of the other 95% of freight shipped in the MKARNS corridor is expected to continue to move via rail or truck. All of the modes are part of a transportation network and each has its own logistical function in transporting different commodities. 8) As noted in section 1.2.2.1 of the FEIS, navigation improvement is defined as making the navigation channel deeper and/or wider. Refer to section 3.1 for a discussion of the development of alternatives. No non-structural measures were identified that would produce a condition that would accommodate a 12-foot draft vessel. Since much of the MKARNS is already deeper than 9 feet, one of the benefits of dredging a channel of increased depth is better predictability and dependability of the System. 9) The EIS preparers developed the range of alternatives considered in the EIS in order to be compliant with 40 CFR 1502.14. This is not inconsistent with 40 CFR 1500.1(b). 10) In response to public and resource agency comments received in the initial scoping period, the flow management, navigation channel depth, and navigation channel maintenance actions were combined for analysis in a single EIS. As the commenter notes was requested, re-scoping during an additional scoping period was conducted. Refer to section 1.3.3.2 for details of the three scoping efforts accomplished. The incremental cost of implementing the flow management component is \$0. No additional real estate or construction is required in order to implement a change in bench flow operations. In economic analysis, the flow management feature and channel depth feature are independent. The costs are separable, due to the above statement. The benefits are also separable. Benefits from the flow management feature come from efficiencies in tow configuration by tow operators. Benefits from the channel depth feature come from deepening efficiencies. The standard depth for most of the inland navigation system is 9' with the exception being the Lower Miss from Cairo, Illinois which is generally 12'. As noted in the comment, 12' is not always available due to weather conditions, a fact that was recognized and accounted for in the study. Water depth readings were obtained from gages set along the Lower Miss that indicated that 12' is available about 96 percent

of the time. To reflect the occasional depth restrictions, the benefits of a 12-foot channel were reduced by 4.0 percent. 11) No comment #11 provided by commenter. 12) The analysis for the flow management feature included more than 20 possible components. Initially, components were screened to meet planning constraints. Components that targeted only high flows failed to meet other planning constraints. These constraints are listed in Feasibility Report Section 3.4. Only four components of the flow management feature passed the initial screening. 13) Paragraph 1: Reasonable options of locations for dredged material disposal differ between the states of Oklahoma and Arkansas due to differences in state laws and regulations. A difference between what options are practical and/or reasonable and what options are preferred for environmental, regulatory, engineering, or economic reasons must be recognized. Paragraph 2: It is difficult to determine at the beginning of the life of a 50-year project all the specific impacts that a project may have. Therefore, it is in the best interest of protecting natural resources to monitor for impacts and utilize a program of adaptive management. In this way, a more efficient and effective design and application of appropriate long-term mitigation can be conducted. Appendix C contains such a plan coordinated between and agreed on by federal and state resource agencies and the Corps of Engineers. 14) The flow management feature costs and benefits and channel depth feature costs and benefits are independently calculated in the economic analysis. The flow management components' incremental costs are separable. No additional real estate or construction is required in order to implement a change in bench flow operations, as represented in the flow management operations component. While the annual cost of currently operating and maintaining MKARNS is large, the incremental, or additional, cost of implementing the flow management component is \$0. The incremental benefits of the flow management operations component are also separable. Incremental benefits from the flow management operations component come from efficiencies in tow configuration by tow operators, as compared to current operations and tow configuration. The navigation channel deepening components' incremental costs and benefits are separable. The incremental costs and benefits for the channel deepening components can be found in Chapter 4 of the Feasibility Report and in its Economic Appendix, Table 11-14. The interest rate for discounting is set each fiscal year in accordance with Section 80 of Public Law 93-251. The Corps obtains the rate from the Treasury Department. The federal discount rate for FY 2005 is 5.375%. Local port facility operators are assumed to make additional investments to deepen their facilities. As shown by their response in the survey described in the Feasibility Report Economic Appendix section B.6.7.5 and under the competitive economic forces of shipping, ports will deepen to receive the more heavily laden barges so that the port does not lose traffic to another, deeper facility. 15) Comment noted.

Wood, Jim - AR Wildlife Federation

48

"easement problems"

Comments noted. 4.5, 5.5, 6.7, 7.5 (surface waters - water management); 4.12, 5.12, 6.14, 7.12 (economics); The Arkansas Additional Land Acquisition Project is not funded and is defunct. Accordingly, it does not meet the criteria for being "reasonably foreseeable" and will not be considered in the cumulative impacts analysis.

Wood, Jim - AR Wildlife Federation

74

In order for the Draft EIS to meet the NEPA Sec. 102(2)(c) completeness test at 40 CFR 1502.9, USACE must invest the time and resources necessary to inventory the current baseline situation, quantify potential impacts, develop mitigation and monitoring that each Arkansas River flow regime alternative presents to Ivory Billed Woodpecker habitat "takings".

4.8.1, 5.8, 6.10, Chapter 7, Table 8-1 (biological resources - T & E species); Regarding the federally endangered ivory-billed woodpecker, see sections 4.8.1.1, 4.8.1.2, 5.8, 6.10, 7.8.

Affiliation Local Agencies

Commenter Name

Comment #
Opposes Project
Favors Project
Alt A not preferred
Alt A preferred
Alt B preferred
Alt B not preferred
Alt C preferred
Alt C not preferred
Alt D preferred
Alt D not preferred
Alt E preferred
Alt E not preferred
Air Quality
Noise
Geology and Soils
Geology and Soils -
Sed Contamination
Surface Waters
Surface Waters -
Water Quality
Surface Waters
Land Use
Infrastructure -
Locks and Dams
Infrastructure -
Flood Control
Infrastructure
Infrastructure
Land Use
Surface Waters -
Water Management
Surface Waters -
Water Quality
Surface Waters
Geology and Soils
Geology and Soils -
Sed Contamination
Noise
Air Quality
Alt E not preferred
Alt E preferred
Alt D not preferred
Alt D preferred
Alt C not preferred
Alt C preferred
Alt B not preferred
Alt B preferred
Alt A not preferred
Alt A preferred
Opposes Project
Favors Project
Comment #

Other Substantive Comments

Section Addressed

City of Coweta

106

City of Coweta water supply issue (not related to EIS). Request dredging of sediment plug to old river channel at NM 416.

Comment noted. Contact the Tulsa District Corps of Engineers about a Continuing Authorities Project to address this issue. In the final mitigation package the USACE is proposing to dredge and rework the culvert structure at NM 414.7 and NM 416.7 to allow water to flow through the old river channel. The proposal includes maintaining the openings by dredging every 5 years (see Chapter 8 and Appendix C).

City of Fort Smith

58

Discuss and analyze activities that could impact National Pollutant Discharge and Elimination System (NDPES) permits of regulated facilities. Alternation of 7Q10 flows, base flows, and/or volume, and dissolution of pollutants could impact facilities.

4.5.1.4, 5.5, 6.7, 7.5 (surface waters - water quality); 4.8.1, 5.8, 6.10, 7.8, 8.3.2.1.3 (biological resources - T & E species); 8.3.2.1.1, 8.3.2.1.2, Appendix C (biological resources - mitigation); 4.9, 5.9, 6.11, 7.9 (recreation and aesthetics); Changes to river flows would be minor and are documented in Tables 5-2 and 5-3. There would be no alteration of 7Q10 flows (section 5.5.1.2).

Fort Smith Port Authority

14

No response required.

No response required.

Oklahoma Archeological Survey

6

Comments noted.

4.10, 5.10, 6.12, 7.10, 8.3.2.2, Executive Summary, Appendix A (cultural resources)

The Economic Development Alliance

56

Comments noted.

4.8.5, 5.8, 6.10, 7.8, 8.3.2.1.1 (biological resources - terrestrial impacts); 4.8.4, 5.8, 6.10, 7.8, 8.3.2.1.2 (biological resources - aquatic impacts); 8.3.2.1.2, 8.3.2.1.3, Appendix C (biological resources - mitigation); 4.12, 5.12, 6.14, 7.12 (economics)

The Economic Development Alliance

8

Comments noted.

4.8.4, 5.8, 6.10, 7.8, 8.3.2.1.2 (biological resources - aquatic impacts); 4.12, 5.12, 6.14, 7.12 (economics)

Wagoner County Rural Water Dist. #5

131

City of Coweta water supply issue (not related to EIS). Request dredging the channel that connects the navigation system to the old river channel where their water intake is located.

Comment noted. Contact the Tulsa District Corps of Engineers about a Continuing Authorities Project to address this issue. In the final mitigation package the USACE is proposing to dredge and rework the culvert structure at NM 414.7 and NM 416.7 to allow water to flow through the old river channel. The proposal includes maintaining the openings by dredging every 5 years (see Chapter 8 and Appendix C).

Affiliation State Agencies

Commenter Name

Comment #
Opposes Project
Favors Project
Alt A not preferred
Alt A preferred
Alt B preferred
Alt B not preferred
Alt C preferred
Alt C not preferred
Alt D preferred
Alt D not preferred
Alt E preferred
Alt E not preferred
Air Quality
Noise
Geology and Soils
Geology and Soils -
Sed Contamination
Surface Waters
Surface Waters -
Water Quality
Surface Waters
Land Use
Infrastructure -
Locks and Dams
Infrastructure -
Flood Control
Infrastructure
Infrastructure
Land Use
Surface Waters -
Water Management
Surface Waters -
Water Quality
Surface Waters
Geology and Soils
Geology and Soils -
Sed Contamination
Noise
Air Quality
Alt E not preferred
Alt E preferred
Alt D not preferred
Alt D preferred
Alt C not preferred
Alt C preferred
Alt B not preferred
Alt B preferred
Alt A not preferred
Alt A preferred
Opposes Project
Favors Project
Comment #

Other Substantive Comments

Section Addressed

Arkansas Dept of Environmental Quality	26	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	4.5.1.4, 5.5, 6.7, 7.5 (surface waters - water quality)
Arkansas Game & Fish Commission	93	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Our agency would like a National Ecosystem Restoration Plan and an Environmental Management Program to be developed.	Comments noted. 4.8.4, 5.8, 6.10, 7.8, 8.3.2.1.2 (biological resources - aquatic impacts); 8.3.2.1.2, Appendix C (biological resources - mitigation); Contact the Little Rock District, Corps of Engineers for discussions of a National Ecosystem Restoration Plan and Environmental Management Program separate and independent of the MKARNS NEPA effort.
Arkansas Natural Heritage Commission	126	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Existing approved dredged material disposal site at approximate River Mile 123 supports state sensitive plants. We request coordination in advance should site be need for disposal of material.	4.8.2.1 (biological resources - terrestrial impacts); 4.8.2.1 (biological resources - aquatic impacts); 8.3.2.1.3, Appendix C (biological resources - T & E species and mitigation); The Corps will coordinate with state resource agencies concerning the use of the disposal site at approximate River Mile 123.
Arkansas Waterways Commission	52	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	4.2.2, 5.2, 6.4, 7.2 (air quality); 8.3.2.1.3, Appendix C (biological resources - mitigation); 4.9, 5.9, 6.11, 7.9, 8.3.2.1.2 (recreation and aesthetics - dike notching/fishing)	
Oklahoma Dept of Wildlife Conservation	137	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Comments noted. 4.4, 4.5, 5.1.3.2.2, 5.4, 5.5, 6.7, Appendix E (geology and soils - sediment contamination and surface waters - water quality); 4.8.4, 5.8, 6.10, 7.8 (biological resources - aquatic impacts); 8.3.2.1.2, Appendix C (biological resources - mitigation)	
Oklahoma Historical Society	125	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	See Arkansas Programmatic Agreement in Appendix D (cultural resources). The USACE, Oklahoma SHPO, and the OAS agreed that a PA was not necessary for the USACE to satisfy Section 106 and 110 responsibilities for activities proposed as part of this project. In Oklahoma, the USACE would follow normal Section 106 procedures (as detailed in 36 CFR 800) for all undertakings that may have an effect on historic properties. If necessary, mitigation of historic properties that may be adversely affected by a project activity would be determined on a case-by-case basis in consultation with the Oklahoma SHPO and the OAS.		
The Dept. of Arkansas Heritage	31	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	4.10, 5.10, 6.12, 7.10, 8.3.2.2, Appendix D (cultural resources)		

B.3.2 USFWS, ADEQ, AGFC, and ODWC Comments, and USACE Responses

USFWS

Comment: Develop a final mitigation plan through interagency coordination that would minimize, avoid, and compensate for all project impacts.

Response: The Corps has prepared such a plan with interagency coordination that will minimize, avoid, and compensate for all project impacts that were identified in the course of this study. As part of the mitigation plan, the Corps plans to implement monitoring and adaptive management to ensure that all adverse impacts are mitigated.

Comment: Utilize the authorities under section 906(b) Water Resources Development Act (WRDA) 1986 and section 306 WRDA 1990 to seek full Congressional authorization and funding for an “Environmental Management Program” in order to perform the long-term studies and monitoring of the fish and wildlife resources associated with the navigation system.

Response: The mitigation plan for this project has fully integrated monitoring and adaptive management measures to ensure that all adverse impacts resulting from the project will be minimized, avoided, or compensated for. The authority to mitigate Corps projects as stated in section 906(b) WRDA 1986 has been used in preparing the mitigation plan for this project. Section 306 WRDA 1990 which gives the Secretary of the Army the authority to provide environmental protection as part of the Corps mission has been complied with by considering the environmental impacts resulting from this project and minimizing or avoiding any such impacts where applicable. These impacts as well as those that are unavoidable, which will be compensated for, are addressed in the projects mitigation plan.

Comment: Corps should establish a mitigation fund that would be utilized to address mitigation needs identified through the long term monitoring program.

Response: Mitigation costs have been estimated and are part of the costs of the project. The Corps has no authority to establish an additional mitigation fund. The estimated cost for the mitigation plan is approximately \$23.6M dollars and of this, approximately \$6.6M dollars has been allocated for long term monitoring and adaptive management. ER 1105-2-100 does not provide guidance specific to navigation project and monitoring or adaptive management. However, it does provide guidance for cost-sharing projects and includes the following:

- Post implementation monitoring must be clearly defined, justified.
- The period of monitoring should not exceed five years following completion of construction.
- The cost of monitoring should be included in the total project cost.
- Monitoring should not exceed one percent of the total first cost of ecosystem restoration features.

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- The cost of the adaptive management action should be limited to 3 percent of the total project cost, excluding monitoring costs.
 - If monitoring of mitigation measures has been adopted in accordance with 40 CFR 1505.2(c) and 1505.3, the estimated cost of monitoring is included in the O&M cost.

ADEQ

Comment: ADEQ requests that the Corps consider the option that will have the least impact on the environment and still provide an improvement in the river system for barge traffic and safety and also that Best Management Practices be used to reduce impacts of turbidity and siltation in the Arkansas River.

Concur – Although the preferred alternative has more adverse impacts to the environment it is the only alternative that is economically justified and meets the study purpose. Adverse impacts to water quality will be short in duration and localized to the disposal area. Best management practices such as floating silt curtains will be utilized in all open water disposal areas and in dredging areas that are near known mussel beds. The method of dredging, cutter-head suction dredge, does not create a large sediment plume and will have minor short term impacts.

AGFC

Comment: Draft mitigation plan does not fully mitigate for all impacts.

Response: Concur – HEP analysis showed a 429 AAHU deficit.

Comment: Mitigation should be in the same funding cycle with construction and prorated in proportion to construction.

Response: Concur – Mitigation will be funded annually through funds appropriated for the construction budget and would be performed concurrently with construction.

Comment: \$11.6M dollars is inadequate for mitigation.

Response: Concur – The revised mitigation costs are estimated to be \$23.6M.

Comment: Request considering terrestrial sites for disposal.

Response: Concur – LRD is investigating and will continue to look for opportunities to utilize terrestrial sites, however, options are limited due to logistics (sites close to the river), costs, and availability of willing sellers.

Comment: AGFC requires mitigation for all impact to mussels.

Response: Concur – Mitigation for mussels is included in the plan.

Comment: AGFC request annual maintenance for openings to backwater chutes.

Response: Partially Concur – USACE feels that maintenance every 5 years is adequate.

Comment: Side channel and old channel cutoff restoration projects should be included as mitigation.

Response: Concur – If projects are feasible and practical, they would be considered.

Comment: Water level management plans for fisheries should be developed for each pool.

Response: Partially Concur – Current operations could be reviewed to determine optimum levels for fisheries, however, it would likely require a separate study due to all the variables and competing interests such as navigation, hydropower, adjacent landowners, endangered species, etc.

Comment: AGFC would like for Corps to evaluate possibility of redistributing woody debris that is removed from channel into backwater areas.

Response: Partially Concur – Corps would work with AGFC and sports groups to remove debris, however, due to the large size of Corps equipment it would be difficult to access and place debris into backwater areas where it would stay.

Comment: Mitigation is needed for construction of nursery ponds and moist soil units.

Response: Do not concur – The idea of nursery ponds was considered as part of the mitigation plan, however, no sites were identified and some of the agencies stated that they preferred to spend money on habitat improvements rather than stocking fish. Moist soil units and wetlands areas would only be considered as mitigation if enough aquatic mitigation could not be identified.

Comment: Long term monitoring plans and associated costs need to be revised based upon recommendations from resource agencies and a scientific review panel.

Response: Concur -- The long term plans and costs have been revised since the DEIS and are now included in the Final EIS. The AGFC should review and comment.

Comment: AGFC requests a clear explanation of the mechanisms and procedures that will allow mitigation funding for unanticipated impacts identified by long term monitoring.

Response: The only mechanism that the corps has to mitigate unanticipated impacts is through adaptive management and this has been included in the mitigation plan.

Comment: Calculations in original HEP were not accurate and backwater mitigation credits were unreasonably high due to large acreages.

Response: Partially concur – calculations were accurate according to the methodology being utilized at that time and backwater acreages were reduced to more accurately reflect mitigation credits.

Comment: AGFC would like to see a National Ecosystem Restoration Plan be developed at 100% federal expense.

Response: The Corps could potentially identify all restoration opportunities along the Arkansas River, however, implementation of the plan would have to be cost shared.

Comment: AGFC request that Corps seek congressional authorization and funding for an Environmental Management Program (EMP) to perform long term studies and mitigation.

Response: See same response to USFWS Fish and Wildlife Coordination Act (FWCA) comments.

ODWC

Comment: Specific concerns addressed to USFWS for the Coordination Act Report. (Copy of letter to USFWS attached to comment letter)

1. Designation of Pool 15 as a mussel sanctuary.

Response: Concur - This request is outside the Corps authority, however, we will work with the executive committee organized through the Long Term Monitoring and Adaptive Mgmt Plan (LTMAMP) to assist in making this designation a reality.

2. Mitigation plan should include a fully funded long-term monitoring effort for the life of the project and modeled after the concept paper attached to the Coordination Act Report.

Response: Partially Concur – A LTMAMP is part of the final mitigation plan and is funded. Monitoring is planned to occur over a six year interval, but not necessarily consecutive years. Depending on the goal of the specific monitoring activity, monitoring would occur once every couple of years for a total of 6 years of monitoring. It is outside of the Corps policy to monitor for the full project life of 50 years. See response to AGFC.

(2a) Restore Gravel Habitat Impacted; unlikely Corps will be able to maintain quantity and quality to fully mitigate for losses.

Response: Partially Concur – Corps proposes to monitor and conduct studies to establish baseline conditions and then through modeling select relocation sites that mimic the baseline conditions. Monitoring will occur over a period of six years (not consecutive) to determine viability of the habitat. Through adaptive mgmt restoration measures will be fine tuned according to the data obtained through monitoring. Funds are budgeted to adapt restoration

measures based on monitoring results. It is outside the Corps authority to establish a mitigation bank to be held for anticipated failure of restoration measures.

(2b) Long-term monitoring should be held throughout the life of the project.

Response: Do not Concur – Long term monitoring for the full life of the project is outside the Corps policy and guidance. Monitoring is proposed over a 6 year period – specific details to be determined by the proposed establishment of an Executive Committee. The 6 years of monitoring could include monitoring after a 50-year flood event. See comments to AGFC.

(2c) Long-term monitoring for life of project.

Response: See response provided in 2b. See response to comments made to AGFC.

(2d) A MOU between ODWC, USFWS and USACE and others should be used to ensure funding for mitigation and long-term monitoring.

Response: Do not concur - The final mitigation plan and budget are part of the Final Environmental Impact Statement and are included in the Record of Decision (ROD). The ROD is a legally binding document and should be sufficient to ensure mitigation is funded and implemented as proposed.

(2e) USACE should obtain AG land and license to ODWC for dredge material disposal sites.

Response: Do not concur – Sites proposed for dredge disposal are based on proximity to dredge location on the river. Locations are then prioritized based on lands currently owned by USACE, type of habitat and habitat quality. USACE coordinated with and received input from ODWC Northeast Regional office concerning proposed disposal pit locations and made adjustments based on input from ODWC. Disposal pits that are proposed for lands owned by USACE but licensed to ODWC will contain water pumps and control structures for waterfowl management by ODWC, as requested by ODWC. Operations and maintenance funds are budgeted for ODWC for these items.

(2f) Operation and maintenance of constructed wetlands and bottomland hardwood forest should be funded annually by the USACE.

Response: Concur – funds have been budgeted for O&M for ODWC.

3. Recommend further contaminant analysis of dredge material by USACE. CAR should request a short and long term monitoring plan for dredging activities and an emergency response protocol for sites located near the Sequoyah Fuels Corporation (SFP) and other areas within project boundaries. Response: Do not concur – USACE has conducted a sediment analysis of the proposed dredge locations. Specific details are located in Sections 4.4.4, 5.5.2, 5.5.3, 6.7 and Appendix E of the EIS. Results of the analysis indicate there are no contaminants above regulated levels to warrant further sampling. Additional sampling is not proposed unless conditions change in the future to warrant the need for additional sampling. A report prepared by the University of Oklahoma, “Evaluation of Sampling and Test Methodologies, Report of Levels of Radionuclides present and toxicity testing of Sediments and Water from Roberts S. Kerr Project Lands”, dated December 1988 indicate there is no reason to believe the sediments are contaminated proposed to be dredge at the confluence of the Illinois River with the Arkansas River indicate a diluting effect on the radionuclide concentrations downstream. Uranium

concentrations downstream in the waters of the Illinois and Arkansas Rivers are within the limits specified in the Oklahoma Water Quality Standards.

A letter was written to Nuclear Regulatory Commission (NRC) dated January 27, 2005 advising of our determinations. To date no response from the NRC has been received. Through ODEQ request, we researched the facility and advised of our determinations. They have made no further requests or advised that further investigations were warranted. If you have information that we are not aware of that would lead us to alternative conclusions or the need for further evaluation, please provide the information to our office. We will review any additional information and consider additional sampling in this area if further evaluation supports the need for this effort.

4. Comment: USACE should install fishing piers located on National Wildlife Refuge's, Wildlife Mgmt Areas and local government property.

Response: Do not concur – USACE coordinated with Resource agencies in identifying mitigation needs and other items of interest to offset the impacts of this project. Mitigation items proposed by the resource agencies for Oklahoma have been made a part of the mitigation plan. USACE will work with ODWC in seeking authorities and opportunities to install fishing piers in the future outside of this study and recommends ODWC contact the local lake office for further information.

5. Comment: Scrubbing stations for zebra mussel control should be constructed at appropriate locations on all reservoirs that support the navigation system.

Response: Partially concur – The USACE will work through the Zebra mussel committee to identify needs and opportunities to manage the spread of zebra mussels.

6. Comment: Lake level management plans should be developed for affected Oklahoma reservoirs in coordination with ODWC.

Response: Concur – water level management plans will be considered and discussed by the executive committee on a case by case/pool by pool basis. Recommended changes would need to be coordinated and approved with other offices within the districts, other agencies and Southwestern Division.

B.3.3 Key Areas of Concern Identified by Commenters, and USACE Responses

Comment: Request to dredge Rector Brake backwater area.

Response: Dredging Rector Brake was given consideration as a mitigation measure, but after performing Incremental Cost Analysis, the project was eliminated because it is considered too expensive for the amount of aquatic habitat benefits gained. Proponents supporting this measure may request that the project be considered under the Continuing Authorities Program and should contact the Corps Little Rock District Planning Branch.

Comment: Project will adversely impact fisheries by filling important backwater/slackwater areas.

Response: Partially concur – Some slackwater areas will be impacted through open water dredge disposal. However, the resource agencies along with the Corps have made every effort to identify the high quality aquatic areas and find alternate disposal areas to avoid impacting these valuable areas. Additionally, measures such as dike notching, maintaining openings to backwaters, and opening side channels have been included in the mitigation plan to offset adverse impacts and maintain the current fishery.

Comment: Support the project for economic growth and environmental benefits to the river.

Response: No response required.

Comment: Recommend expediting construction of 12-ft channel.

Response: Should the project be approved and the Record of Decision on the EIS signed, construction would begin with Fiscal year 2006.

B.3.4 Transcript of the Three DEIS Public Meetings (Oral Comments)

B.3.4.1 Public Meeting in Little Rock, Arkansas

The following transcript was recorded during the public meeting held on May 3, 2005 in Little Rock, Arkansas.

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ARKANSAS RIVER NAVIGATION STUDY

DRAFT EIS PUBLIC HEARING

LITTLE ROCK, ARKANSAS

MAY 3, 2005

6:30 P.M.

CHAMBER OF COMMERCE

COLONEL WALTERS
RON CARMAN
U.S. Army Corps of Engineers
Little Rock District, CESWL-PR-P
Post Office Box 867
Little Rock, Arkansas 72203

RICHARD HALL
Parsons
400 Woods Mill Road South, Suite 330
Chesterfield, Missouri 63017

	I N D E X	
	SPEAKER	PAGE
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3	COL. WALLY WALTERS	3
4	RON CARMAN	12
5	RICH HALL	17
6	MAYOR PATRICK HAYES	29
7	JIM WOOD	33
8	ALLEN CARTER	37
9	PAUL LATTURE	43
10	DAVID CHOATE	45
11	KEITH GARRISON	48
12	DOUG SWANN	51
13	CHRIS HORTON	56
14	BOBBY DAVENPORT	57
15	JAMES CRIDER	58
16	WALLY GIERINGER	60
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18	Reporter's certificate	66
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1 COLONEL WALTERS: Good evening, everyone.

2 AUDIENCE: Good evening.

3 COLONEL WALTERS: Everybody had a chance to get
4 something to eat?

5 Everybody have a chance to go to the restroom?

6 Yes? No?

7 The evening is going to be as long as we
8 collectively make it. You know, we're going to talk
9 for probably about a half an hour, maybe slightly more,
10 to inform you with regard to the project. And we won't
11 be offended if you get up at any time to go grab a bite
12 to eat or go to dinner or whatever, or go to the
13 restroom. But then the evening can proceed with your
14 time.

15 We'll start with elected officials.

16 I'll get into all of this in a formal script in a
17 minute.

18 We'll go with the elected officials first, and
19 then we'll go kind of in the order in which people have
20 made request to comment. We'll stay as long as you
21 want to stay, so how long the evening is at that point
22 is sort of up to you and how long you stay is up to
23 you.

24 Okay. Good evening, everyone. May I have your
25 attention, please.

1 Yeah. They make me read a script, because they
2 want to make sure we do it the same at every one of
3 these events. I think they're afraid that I'll launch
4 into entertainment rather than a hearing.

5 According to the watch, it's about 6:30. I would
6 like to welcome you to tonight's meeting.

7 I'm Colonel Wally Walters. I'm the District
8 Commander for the Little Rock District Corps of
9 Engineers. Work over in the Federal Building.

10 And we're preparing an Environmental Impact
11 Statement, or EIS, as it's most commonly called, on the
12 subject of the Arkansas River Navigation Study.

13 I want to thank all of you for joining us tonight.
14 I see a lot of friends and familiar faces and some new
15 ones.

16 And let me start with the administrative matters.
17 Of course, no smoking in the building; and the
18 restrooms are across the hall, out the door towards the
19 entrance, and there is a water fountain out there as
20 well.

21 Let me introduce you to some of the people here
22 tonight. We'll have plenty of time to hear from each
23 of them in one way or another.

24 We've got -- there -- the key contacts and the
25 phone numbers are on the back of the brochure.

1 Everybody got a brochure?

2 Yes? No?

3 Did we pass out brochures?

4 Okay. Good, as you entered the building.

5 First let me introduce Ron Carman from -- he's
6 from the Army Corps, Little Rock District. Yeah, I'm
7 his boss. And he is the project manager for the
8 Arkansas River Navigation Study, and he'll be following
9 me in a few minutes to provide an overview of this
10 study.

11 Everybody see all the books on the tables out
12 there? That's what we're talking about tonight. It's
13 a lot of stuff. A Feasibility Study and an EIS. So
14 he's going to try to condense and consolidate all of
15 that into a few slides and kind of give you some
16 insight into what we have got coming up.

17 Next let me introduce Ms. Renee Wright. She is
18 the Little Rock District study lead. And Ed Rossman,
19 Tulsa District study lead.

20 This -- this is -- encompasses the whole river, so
21 our folks over in Tulsa, we've got another engineer
22 district over there, they share a part. We've got the
23 lead here in Little Rock, but they share equally in the
24 work of the effort.

25 And Johnny McLean from the Little Rock District,

1 who is the environmental lead on the project.

2 Finally, Mr. Rich Hall, who is representing the
3 firm of Parsons. And he has been their project manager
4 on contract by us to assist in the preparation of the
5 EIS. Now, but, of course, as with the commercial, you
6 know, the responsibility is ours for the mistakes you
7 find in his, so I hope you find them and then we can
8 get them corrected. He will be providing you,
9 following Ron's pitch, an overview of the EIS itself.
10 So we're going to proceed by talking through the
11 feasibility, what are we going to do as a proposed plan
12 and what were the alternatives considered. And then
13 talk about all the environmental aspects associated
14 with it.

15 There is a bunch of people here also from the
16 support staff. And why don't I just have everybody who
17 is here from either Little Rock or Tulsa District stand
18 up.

19 Yeah. Exercise time. Stand up.

20 We almost outnumber the rest of you, so don't get
21 too rowdy on us now.

22 Now what I really want to point out is, these are
23 people sitting around you that, if you want to get
24 engaged in a conversation and you don't want to make a
25 formal comment or you want to follow something up or

1 you want to start to get a question asked but maybe not
2 answered, take it to any one of them and they can at
3 least address to whom you should probably ask, and they
4 will try to help you along the way with that.

5 The hearing is very important tonight. This is
6 part of a defined process to get input from the general
7 public, and it's important to us to receive that in the
8 next steps of these documents. We are very much
9 interested in what you have to say and what you have to
10 submit, and we want tonight to get it on the record.
11 That, along with informing you, educating you about
12 what those documents contain, is our objective tonight.
13 We're not here to run a debate, although that might be
14 fun. We're not here to do the slings and arrows and
15 that kind of thing. We're really here to get input and
16 get it on the record, because that document sitting out
17 there is a draft. It is not a final. And what you say
18 tonight, every comment will be looked at and considered
19 and will contribute to the building of the final. It's
20 not final yet.

21 The process brings together the public, concerned
22 groups, as well as state, local, and federal agencies.

23 Who is here from a state, local, or federal
24 agency?

25 Okay. We got a bunch of you here tonight.

1 Appreciate you all coming. And there are others who
2 are examining the documents who are not here, able to
3 be here tonight, but will be at subsequent hearings at
4 Fort Smith tomorrow or at Tulsa the day after tomorrow.

5 We hope to learn about, have you learn about the
6 proposed actions, identify issues of concern, and get
7 your comments.

8 The meeting is very important to us in getting
9 feedback and will be taken into account for finalizing
10 the documents.

11 I want to thank each of you for your participation
12 tonight.

13 Could you please dim the lights?

14 Okay. Now we'll see if the technology works.

15 All right. During the meeting, as I noted,
16 overview of two documents: Feasibility Study and Draft
17 Environmental Impact Statements. And then we will
18 follow by comments as long as anyone has them.

19 Okay. Here we go. It's also possible for those
20 of you who have not had a chance to see these documents
21 to get them online or we can -- we have some CDs with
22 us tonight if there is particular interest, and we can
23 get more for those who express that interest if we
24 don't have enough for everybody. But they do cost some
25 money, so if you're not going to really use it, other

1 than as a Frisbee, don't ask for it. But if you really
2 want to see it, we would be welcome to give you a copy.
3 And, of course, copies have also been placed in a
4 number of libraries, listed on the public notice.

5 All right. The meeting. The entire meeting is
6 being recorded, and therefore I guess I get judged and
7 graded by somebody on what I say as will all of you.
8 We will judge and grade how much we can use and
9 incorporate your comments and try to incorporate them,
10 because the transcript will be prepared and it will be
11 part of an official record for the EIS.

12 As you entered, you should have been asked to fill
13 out an attendance card, for a couple of reasons. It
14 provides a record of who attended the meeting, so we
15 can keep you informed of the progress of the EIS, once
16 we subsequently get to a proposed final. And the
17 registration cards also help us identify you if you
18 wish to make a statement at the meeting tonight. And
19 if you wish to make a statement, I hope you've already
20 had a chance to indicate that. And if you have not
21 filled out an attendance card or have not indicated
22 that, I would ask that at some time during the
23 discussion or afterwards, you go on out there and do
24 that, because that will determine the order in which we
25 will address this, with the exception that public

1 officials will go first.

2 Yeah. There we go, Pat.

3 Anybody not get a card?

4 Okay. Except for the mayor, who was busy talking
5 submarines to me.

6 Okay. We have invited the elected officials and
7 their representatives to speak first, and then we'll
8 call on others in the general order in which we have
9 received their registration card. And after everyone
10 who has registered with the card expressing the desire
11 to speak, I'll open the floor for anyone else who
12 wishes to comment.

13 Okay. We also hope that you have picked up
14 summaries, the copies of the printed summary
15 information that were at the registration desk. It
16 will help explain to you how the draft of the EIS came
17 to be. This has been a long process involving several
18 years. If you don't get a copy of this tonight or
19 haven't already and you're interested in that, we can
20 follow up with that as well.

21 I will also like to call your attention, out by
22 the study itself, are standard comments sheets
23 available, should you want to fill it out in writing
24 rather than speak on the record, and you want to make a
25 clear, concise comment, you know, in a written way

1 rather than a verbal way.

2 We would encourage you to comment on any matters
3 concerning the draft EIS that you would like the study
4 team to address in refining the final EIS. Your
5 completed comment sheets can be left at the collection
6 boxes at the end of the meeting. You can also e-mail
7 your comments along with any written or other material
8 that you would like to have -- see entered into the
9 public meeting record to the address shown on the sheet
10 handed out.

11 Please be aware that all comments should be
12 submitted before the close of the comment period on the
13 24th of May.

14 Say that again. The 24th of May. Which is 45
15 days from the date that we published the Notice of
16 Availability in the Federal Register back on the
17 8th of April.

18 For those of you who wish to make a statement
19 tonight, we will open the floor for your comments at
20 the end of the presentation.

21 All the comments get documented. Documentation
22 that will go in the final packet will include written
23 comments received before, during, and after this
24 meeting. The oral comments received at this meeting
25 and in other meetings that will take place in the next

1 few days, and any initial comments in writing submitted
2 to us by the 24th of May.

3 The study team will use these comments, and to
4 ensure that the issues are addressed, issues addressed
5 to you and other members of the public.

6 Is there any questions on the purpose of the
7 procedures before we move on and talk about -- and Ron
8 gives his presentation about the project itself?

9 All right. Shall we?

10 RON CARMAN: Thank you, Colonel Walters.

11 As Colonel Walters said earlier, I am the project
12 manager on the Arkansas River Navigation study.

13 Well, I don't know if I can figure out how to work
14 this. Wait a minute.

15 Okay. That way.

16 The McClellan-Kerr Arkansas River Navigation
17 study -- System is 445 miles in length and has 18 locks
18 and dams including Montgomery Point. The system begins
19 at the confluence of the White and Mississippi River
20 and proceeds up the White River to navigation mile 10.
21 At that point the system enters the Arkansas Post Canal
22 and continues through the canal until it reaches the
23 Arkansas River at navigation mile 19. The system
24 continues on the Arkansas River until it reaches the
25 Verdigris River at Muskogee, Oklahoma, which is

1 navigation mile 395, and it continues on the Verdigris
2 River for 50 miles to the head of navigation at
3 Catoosa, Oklahoma.

4 Flows on the system are primarily influenced by
5 flows on the upper Arkansas River upstream of its
6 confluence with the Verdigris River and from 11
7 reservoirs in Oklahoma.

8 This feasibility study and the EIS covers the
9 entire McClellan-Kerr Navigation System.

10 The reconnaissance study was initiated in 1999 as
11 a Congressional Add to investigate flooding problems in
12 the vicinity of Fort Smith, Arkansas.

13 Initial findings identified a need to investigate
14 operational changes to the McClellan-Kerr Arkansas
15 River Navigation System to minimize the affects of high
16 flows on navigation and also -- which also affects
17 local flooding. The report also recommended
18 investigating channel deepening and widening the
19 Verdigris River to benefit navigation.

20 The reconnaissance study was completed and the
21 feasibility study was started in March of 2000.

22 The feasibility study is being conducted at full
23 Federal expense.

24 Okay. Alternatives. Five alternatives, including
25 the No Action Alternative, were developed for the

1 feasibility report and EIS. The formulation of these
2 alternatives will be further explained during the --
3 later during the presentation.

4 Alternative A, the No Action Alternative, consists
5 of maintaining the current Operation System. No
6 changes in the existing river or reservoir operations
7 would be made. The existing flow management plan would
8 remain unchanged, and the existing depth of the
9 navigation channel would remain unchanged, and the
10 existing navigation channel activities would remain
11 unchanged.

12 Alternative B would consist of adding new dredged
13 material disposal sites in Oklahoma to supplement
14 current disposal sites, which will reach capacity at
15 some locations in the near future. The existing flow
16 management plan would remain unchanged and the existing
17 depth of the navigation channel would remain unchanged.

18 Alternative C consists of adding new dredged
19 material disposal sites in Oklahoma, and replacing the
20 existing flow management plan with the Modified Bench
21 Flow Management Plan. The existing depth of the
22 navigation channel would remain unchanged.

23 Alternative D consists of, one, adding new dredged
24 material disposal sites in Oklahoma. Two, replacing
25 existing flow management plan with the Modified Bench

1 Flow Management Plan. And, three, increase the depth
2 of the navigation channel throughout the system from
3 nine to 11 feet.

4 Alternative E consists of, one, adding new dredged
5 material disposal sites in Oklahoma. Two, replacing
6 the existing flow management plan with a Modified Bench
7 Flow Management Plan. And, three, increasing the depth
8 of the navigation channel throughout the system from
9 nine to 12 feet.

10 And I would also like to point out that deepening
11 the channel in both Alternative D and E would be by
12 dredging the bottom deeper and not by changing the --
13 and not changing the elevation of the pools.

14 The alternatives were evaluated to determine the
15 economic impacts.

16 The annual benefits derived from each alternative
17 were compared to the annual cost of that alternative.
18 The alternatives with the great -- the alternative with
19 the greatest annual net benefits is called the National
20 Economic Development plan.

21 As you can see from this slide, Alternative E has
22 the greatest annual net benefits and is therefore the
23 National Economic Development plan. This alternative
24 has annual benefits of 22.3 million and annual costs of
25 11.8 million, or an annual net benefit of 10.5 million.

1 The majority of the economic benefits come from
2 navigation savings, although there are some minor
3 benefits to hydropower.

4 The total cost of Alternative E is \$160 million.
5 The major costs are associated with new dikes and
6 jetties, dredging, construction of dredge disposal
7 areas, and environmental mitigation.

8 Based on the economic analysis in the feasibility
9 study, Alternative E is proposed as the recommended
10 alternative.

11 As a reminder, Alternative E consists of, one,
12 maintenance of channel depth through the existing
13 dredging and disposal operations.

14 Two, Modified Bench Flow Management Plan, which
15 changes the existing Operation Plan by reducing the
16 bench from 75,000 cubic feet per second to 60,000 cubic
17 feet per second at Van Buren. This reduces the number
18 of times per year that the river flows above
19 60,000 cubic feet per second by 14 days. This improves
20 navigation on the river during those times.

21 And, three, dredging where it is needed to achieve
22 a 12-foot navigation channel throughout the entire
23 length of the McClellan-Kerr System, thus allowing
24 barges to be loaded to deeper depths.

25 And I would like to also point out that 85 to

1 90 percent of the navigation system is already 12 feet
2 deep or deeper, so it is not necessary to dredge the
3 entire 445 miles of this system to achieve a 12-foot
4 channel depth.

5 As stated earlier, the deadline for submitting
6 comments is May 24, 2005.

7 After refining the report and the EIS due to
8 review comments, the final public review is scheduled
9 for July 1 through July 31, 2005.

10 The record of decision will be completed after the
11 final review.

12 Now I will turn the microphone over to Mr. Rich
13 Hall, who will provide an overview of the EIS process.
14 At the end of Mr. Hall's presentation, we will open up
15 the floor to receive comments.

16 Rich?

17 RICH HALL: I want to thank you, Ron.

18 Good evening, ladies and gentlemen. My goal
19 tonight is to help you get a better understanding of
20 the actions that are involved in the Arkansas River
21 Navigation study draft EIS and how the document is
22 structured.

23 I will try to provide you an overhead of the
24 format, contents, and major conclusions of the draft
25 EIS.

1 The National Environmental Policy Act, or NEPA,
2 requires all Federal agencies to conduct -- to conduct
3 and consider the possible environmental impacts of
4 proposed actions during the planning and
5 decision-making process. These considerations and the
6 resulting recommendations for major Federal actions
7 affecting the quality of the human environment must be
8 documented and allow for public involvement.

9 Implementation measures for this law are found in
10 U.S. Army Corps of Engineers Regulation 200-2-2 and the
11 President's Council on Environmental Quality
12 Guidelines.

13 Prior to writing the draft EIS, the Corps of
14 Engineers initiated a public scoping process to solicit
15 public comments on issues or concerns to be addressed
16 early in the EIS.

17 Comments were solicited through mailings, media
18 advertisements, and both agency and public scoping
19 meetings.

20 A total of 221 responses were received during the
21 EIS scoping process. EIS scoping comments were used to
22 define the boundaries of analysis and help to focus the
23 statement on important areas of concern.

24 The majority of the EIS scoping comments fell into
25 five broad categories, as shown in the slide.

1 Possible impacts to the interior least tern and
2 other bird and fish communities as a result of the
3 proposed action were among the comments.

4 Also concern about channel degradation, head
5 cutting, water quality, and shoreline erosion.

6 Concerns regarding the cost of maintaining the
7 increased depth of the navigation channel were
8 expressed.

9 The potential reduced available head at hydropower
10 facilities was another concern.

11 Also, the potential loss of riverfront parks,
12 boating access, and camping areas, due to flooding
13 and/or land acquisition.

14 Finally, there were concerns over potential losses
15 of private land, including agricultural land, due to
16 possible flooding and/or governmental land acquisition.

17 RON CARMAN: Could you use the microphone?

18 They are having trouble hearing.

19 RICH HALL: Speak up. If you cannot hear me,
20 speak up or let me know. I'll try to speak louder.
21 Okay?

22 Environmental Impact Statements are disclosure
23 documents that assist the decision maker when
24 determining alternative selection for federally
25 initiated projects. The intent of this EIS is to

1 describe for the decision maker and the public a need
2 for the project, alternatives to the proposed action, a
3 description of the affected environment, the direct,
4 indirect, and cumulative impacts of the alternatives
5 and mitigation measures.

6 The Proposed Action for this project is defined as
7 maintaining and improving the navigation channel in
8 order to enhance commercial navigation on the system,
9 while maintaining other project purposes.

10 We're going to take a look, closer look now at the
11 environmental analysis as it's presented in the draft
12 EIS.

13 The draft EIS describes three features associated
14 with the Proposed Action.

15 Navigation Channel Maintenance, Depth Maintenance,
16 consists of maintaining the navigation channel via
17 river training structures and maintenance dredging.
18 The evaluation process for this feature considered a
19 wide variety of maintenance dredging issues focused on
20 maintaining the navigation channel to sustain
21 commercial navigation.

22 The River Flow Management Feature sought to
23 improve the safety and efficiency of commercial
24 navigation by managing the navigation system to limit
25 periods of sustained high flows. This would be

1 achieved by reducing the number of days when river
2 bench flows exceeded 60,000 cubic feet per second at
3 Van Buren. The evaluation process initially considered
4 23 river flow management components.

5 The current navigation depth limits the efficiency
6 and volume of commercial navigation operations on the
7 up currents. The proposed channel -- navigation
8 channel deepening action allows deeper draft tows to
9 operate.

10 The components presented in the draft EIS explore
11 the options of deepening the navigation system to ten,
12 11, or 12 feet within six separate segments of the
13 navigation system.

14 Retained components include the evaluation of new
15 disposal sites for existing maintenance dredging,
16 modification of bench flow at Van Buren, and 11 and
17 12-foot channel depth throughout the length of the
18 navigation channel. These components were used to
19 formulate four action and one no action alternative.

20 Section four of the draft EIS includes
21 descriptions of the existing environment that may be
22 affected by the proposed action.

23 The Corps undertook several substantial new
24 studies to better define the affected environment.

25 These studies included terrestrial habitat

1 evaluations, aquatic habitat evaluations, gravel bed
2 surveys, geomorphology analysis, socioeconomic
3 evaluations, and river sediment analyses.

4 One of the most critical sections of the EIS is
5 the rigorous evaluation of environmental consequences
6 or impacts that are expected to occur as a result of
7 the action. This analysis is covered in Sections 5, 6,
8 and 7 of the draft EIS.

9 Some of the important issues discussed in the
10 environmental consequences include the areas shown on
11 the slide.

12 Based upon comments received during scoping,
13 biological resources were determined to be among the
14 key environmental consequences of concern, and were the
15 focus of further in-depth studies and analysis.

16 Adverse impacts to aquatic biological resources
17 would be associated with channel deepening through
18 dredging and open water disposal in dike fields.

19 Dredging the navigation channel would result in a
20 potential loss of aquatic habitat. Analysis included:
21 Major impacts from dredging were associated with
22 potential loss of 165 acres of gravel beds, which are
23 important habitat, particularly for specific fish in
24 the river, like paddlefish. Major gravel deposits
25 occur within the system near Maumelle, Morrilton, and

1 on the Verdigris River.

2 Open water disposal would result in the loss of
3 potentially up to 3,000 acres of aquatic habitat.

4 Dredging will also affect organisms within the
5 dredged areas, particularly within the Arkansas Post
6 Canal, where there is a known large population of
7 common mussels.

8 The assessments concluded that although there was
9 major impacts to aquatic species and habitat, a
10 mitigation plan is under development to ensure
11 significant impacts are avoided.

12 Adverse and beneficial impacts to terrestrial
13 biological resources would also be associated with
14 dredged material disposal.

15 To better assess potential impacts, Habitat
16 Evaluation Procedures, or HEP, were conducted using
17 technical assistance from Federal and State agencies.
18 The project could result in conversion of up to
19 600 acres of agricultural land.

20 Efforts were made to avoid dredge disposal sites
21 on high quality habitat. Also, it was concluded that
22 dredge material could be used to build Interior Least
23 Tern islands within the project area.

24 Although avoidance and beneficial use of dredge
25 material were optimized, some dredge disposal on land

1 and in shallow water sites would still result in major
2 loss of terrestrial and aquatic habitat.

3 A biological opinion was completed to determine
4 potential impacts on threatened and endangered species
5 that occur or potentially occur within the study area.
6 The study evaluated impacts to 16 endangered and
7 threatened species. The only two species potentially
8 affected by the project are the American Burying Beetle
9 and the Interior Least Tern.

10 The Army Corps of Engineers will make all efforts
11 to work with the Fish and Wildlife Service through
12 implementation of mitigation measures identified in the
13 Draft Biological Opinion to assure that there are no
14 adverse impacts to these species.

15 The remaining adverse impacts to other affected
16 environments are considered to be minor.

17 To comply with the purpose of the National
18 Environmental Policy Act, which is to promote efforts
19 which will prevent or eliminate damage to the
20 environment, the final analysis of the draft EIS
21 includes development of mitigation measures.

22 These measures were applied to all elements of the
23 proposed action. Mitigation for terrestrial and
24 aquatic impacts would consist of a combination of
25 avoidance, minimization, and compensation.

1 This mitigation has been developed primarily in
2 coordination with the U.S. Fish and Wildlife Service,
3 Arkansas Game and Fish Commission, and the Oklahoma
4 Department of Wildlife and Conservation.

5 For terrestrial habitat mitigation, potential
6 dredge material disposal sites were located where they
7 would avoid mature upland forest, bottom land forest,
8 or wetlands.

9 Where sites could not be located outside of these
10 three habitat sites, disposal sites were redesigned to
11 avoid the most valuable wildlife areas. This
12 ultimately reduced the acreage of land needed for
13 mitigation.

14 Two mitigation sites have been identified that are
15 adjacent to lands currently managed by the Oklahoma
16 Department of Wildlife Conservation.

17 Total acreage created is shown on the slide.

18 Several mitigation measures will be implemented to
19 compensate for adverse impacts to aquatic habitat and
20 species. These measures are listed on the slide.

21 Key elements included relocation of disposal areas
22 to avoid valuable aquatic habitat, dike and revetment
23 notching, relocation of mussels, backwater channel
24 improvements, and monitoring.

25 Mitigation for threatened and endangered species

1 would focus on the least tern and the American burying
2 beetle, as stated in the U.S. Fish and Wildlife
3 Service's Biological Opinion.

4 For the least tern, the emphasis would be on
5 creating a series of in-river islands through dredged
6 material disposal within each river pool. The proposal
7 calls for one island per pool in the river and annual
8 monitoring of least tern populations.

9 For the American burying beetle, monitoring will
10 be conducted to identify species locations and emphasis
11 would be placed on avoiding potential habitat and
12 minimization of impacts.

13 This completes the overview of the EIS process,
14 and I will turn it back over to Colonel Walters.

15 COLONEL WALTERS: Thank you, Rich.

16 And we thank all of you for your attention. Not
17 too bad, we made it in about a half an hour, in terms
18 of trying to give you a presentation.

19 We'll be happy to try to take on your questions as
20 well, if you would like additional detail on what we
21 discussed.

22 We've discussed the proposed action to improve
23 navigation on the Arkansas River System. We briefly
24 described alternatives, discussed potential impacts of
25 the proposed mitigation to the proposed alternative.

1 The draft EIS, of course, out on the table, contains a
2 lot more detail.

3 Now we would like to begin your turn to provide
4 input to the draft analysis.

5 The draft is not yet final. We want to take into
6 account your comments. As stated earlier, public
7 involvement occurs in the NEPA process in many ways.
8 Your other opportunities to provide input are shown on
9 this slide.

10 I think what's most important to take note of here
11 is that this is the draft, and it will be followed by a
12 final to be published this summer, which will also have
13 a comment period, an additional comment period when you
14 can check to see how we treated your comments, as well
15 as have a chance to provide additional input.

16 The process gives equal consideration to spoken
17 and written comments. If you have a written statement,
18 you can read it out loud, turn it in without reading
19 it, or do both. In any case, your comment will become
20 part of the record.

21 If you do provide us a written statement, please,
22 we ask that you put your name and address on it so that
23 we can enter it into the record properly.

24 How many folks want a break versus wanting to just
25 get started?

1 Do you want a break?

2 Nope. Everybody wants to get started.

3 Okay. Well, we'll get right then into the comment
4 period by taking your comments.

5 I've got some cards up there of people who have
6 asked to make a comment. If you've not had the
7 opportunity to prepare a card, I would ask that you go
8 outside and grab a card and we'll be happy to add to
9 the stack so that everybody who wants to can get
10 called.

11 When you speak, we ask that you use the microphone
12 at the front, at the table in the front of the room, so
13 the comments can be heard and recorded for inclusion in
14 the official record. And we ask that you limit your
15 presentation to a reasonable time. No more than about
16 five minutes so that everybody has an opportunity to
17 speak.

18 And what they really wrote here is that we're
19 going to turn your mike off at the end of five minutes,
20 but I'm not sure that that is going to be necessary
21 tonight, given the size of the audience. I'm sure
22 we'll all be courteous to each other. I would ask that
23 you conclude your remarks at that time.

24 There is supposed to be a light bar system. Is
25 that in fact here?

1 RICH HALL: Yes.

2 COLONEL WALTERS: Okay. We got a light bar
3 system. Green light will be on for the first four
4 minutes, then it will go to yellow, and then we'll go
5 to red at the end of five minutes.

6 And we're now ready to begin with our first
7 comments, and we would ask His Honor, the Mayor Pat
8 Hayes of North Little Rock, to begin his comments.

9 MAYOR PAT HAYES: Colonel, thank you very much.
10 And certainly those in the Corps, we are very
11 appreciative of the work that's been done. And since I
12 have five minutes, I'm going to try to go right to the
13 quick of it.

14 First of all, I've had the opportunity to serve as
15 mayor of my city for going on 17 years now, but I
16 recently acquired another title and that's been
17 self-proclaimed, and that's the Admiral of the North
18 Little Rock Navy.

19 I don't know how many of you, probably most
20 realize that we now have a submarine, the U.S.S. Hoga,
21 which is a vessel that was a tug boat in Pearl Harbor.
22 Will be leaving San Francisco Harbor probably within
23 the next 60 days, coming this direction, through the
24 canal.

25 North Little Rock probably as much, if not more

1 than any other city in the state, depends on
2 transportation as its main economic vital link to the
3 future. With the confluence of Interstate 30 and
4 Interstate 40, with the adjacency of the Little Rock
5 airport, with the Union Pacific, which is indeed our
6 largest employer, being one of five large rail
7 facilities, we have a little bit less than 5,000
8 people, with the activity that goes on on the river,
9 not only with our recent acquisitions, but certainly
10 with the economic benefits that the Little Rock Port
11 provides, as well as, like, Oakley Fertilizer, for
12 example, that port facility is up in the same league as
13 the Little Rock Port, in terms of on and off --
14 on-loading and off-loading of product. We also have
15 Jeffrey Sand Company, which is an active economic
16 benefit to our community. And more and more we look to
17 transportation.

18 But as we look to transportation of the past, as
19 to where we've been and how we arrived at the point
20 that we are in our development, it's as important if
21 not more so that we look to the future. And it's kind
22 of interesting that day after tomorrow, one year ago, I
23 left Istanbul, Turkey on a tugboat that was pulling our
24 submarine, and in the aft portion of that submarine had
25 a 14 1/2-foot draft.

1 We came all the way from Istanbul up to Rosedale,
2 Mississippi with the same tugboat that pulled that
3 submarine those six -- seven thousand miles. But we
4 stopped at Rosedale. In fact, we paused for a bit.
5 And, I think, Colonel, the first time I had an
6 opportunity to say hello to you was when we came over
7 for a little sojourn into Arkansas for the dedication
8 of Montgomery Point.

9 Well, after that dedication, as many of us know,
10 we had to turn around and go back to Rosedale in order
11 to outfit that sub so that she could be raised about
12 five feet in order to navigate the Arkansas River.

13 Now, I have been aware of this problem, and I
14 think if not all, but most of the Mississippi River,
15 from what my recollection is, is it is a 12-foot
16 navigation channel. And, obviously, there are portions
17 of that that are deeper than any 12 feet.

18 But in order for us to take the economic
19 benefits -- you know, we talk about the environment,
20 and I think that's obviously an extremely important
21 part of this.

22 But the environment of what the river traffic does
23 in taking traffic off of our roadways, certainly in
24 some instances our railways -- I mean, I think we've
25 all seen the chart of how many freight cars that a

1 barge will be able to equal in terms of its transit
2 capabilities, and the same thing with regard to six --
3 18-wheelers as they move up and down our interstate.

4 So, if this country is indeed going to go forward
5 with the same kind of economic vitality that we've
6 enjoyed in the past, we're going to have to accent more
7 and more those areas of our transit system which, in my
8 mind, are rail and water, in terms of making up for --
9 where we are pretty much at capacity on a lot of our
10 other methods. The interstate system, I don't think
11 anybody has to testify, between here and Memphis, and
12 perhaps even on down south, but that road is one we
13 travel a lot, has almost been given over to truck
14 traffic. And I don't mean that in a negative way.

15 But this country is very dependent on a transit
16 system. And the economic livelihood of our society is
17 very well dependent on how we move goods and services,
18 not only within the country but certainly outside of
19 its borders. And because of that, the critical aspects
20 of whatever we can do to maximize our ability to move
21 goods from one part of the country to the other is
22 critical as anything that I can say in terms of future
23 economic vitality of this country, certainly this state
24 as it relates to the world in terms of delivery of
25 product.

1 I know barges now that come in and out, we
2 established -- recently established transit capability
3 within the last three years of regular transit between
4 us and Mexico. And the NAFTA agreement as well as the
5 other issues that are currently being dealt with with
6 regard to trade to Central America, and more and more
7 of those opportunities are going to be before us.

8 And I'll just end my comments by saying that to
9 me, with so little, so much can be -- so much can be
10 achieved.

11 And so, I would very much encourage, on behalf of
12 my community, on behalf of this state, on behalf of
13 local government and behalf of the future of this
14 country that these three feet from nine to 12 will
15 bring returns that will go on for years and years.

16 Thank you for the opportunity to represent local
17 government.

18 I'm broadening my capabilities, but also
19 underlying the North Little Rock Navy is alive and well
20 and we start tours on our submarine the 15th of May
21 for anybody that wants to come on.

22 Thank you very much.

23 COLONEL WALTERS: Okay. Next will be Mr. Jim
24 Wood.

25 That will be followed by Allen Carter.

1 JIM WOOD: I'm Jim Wood, and I'm representing
2 Arkansas Wildlife Federation and the Yell County
3 Wildlife Federation.

4 And five minutes ain't much to talk about
5 something that takes 3,000 pages to print. Is it, Ron?

6 RON CARMAN: No, it's not.

7 JIM WOOD: So we're not going to delve into it
8 real deep, but we have over the last five years,
9 beginning with the reconnaissance report and all the
10 way back to the 1988 land impact studies and a whole
11 variety of other issues that are associated with the
12 Arkansas River, like who owns the land where and where
13 sportsmen can recreate and where they can't, and the
14 lawsuits that are going up and down the river.

15 And the study was started because of an alleged
16 violation of the U.S. Constitution, which was in the
17 Fort Smith area and downstream to Arbuckle Island, and
18 then it got expanded into a navigation study. And it's
19 kind of ironic that, when we started the study, I
20 talked to Asa Hutchison, who was in the House of
21 Representatives, who brought the -- got the \$200,000
22 for the reconnaissance study. He assured me that all
23 the users of the river would be represented in this
24 study, and that they would develop a plan for managing
25 this river to address all those who use the river.

1 Well, you know, Asa is not around. He is now down
2 here in Arkansas running for governor. So there is
3 nobody to go to to hold him to this, you see, this
4 promise. So now the project study has turned into a
5 little more than a navigation study to justify a
6 12-foot channel.

7 When we started we thought we would address all
8 these issues, the sportsmen would have a place in this
9 study, we would solve these easement problems along the
10 river where the Corps says that they need rights to
11 flood land, and find out why that we need these rights
12 to flood land, like Petit Jean Wildlife Management
13 Area, and yet we've turned the study into -- away from
14 that. And so we've done our own studies, and a lot of
15 it, gathered a lot of data on our own, that we want to
16 use to review your study, but we can't do it because
17 you say we've got to pay \$700 just to get a copy of
18 this study.

19 You got to have, to do this kind of a review on a
20 comprehensive study like that, you have to have that
21 study, a hard copy, then you have to have our stuff
22 that we've gathered, and then cross reference it and
23 check the figures, just like the budget. 25,000 --
24 \$25,900,000 in the Corps Little Rock budget for the
25 Arkansas River, and that's for Oklahoma and Arkansas in

1 2003, and you say we're going to have \$22 million worth
2 of benefits. Well, do the math and say, well, gee, you
3 got benefits on this ten-foot or 12-foot channel that's
4 less than what the budget is. How can that be, you
5 know, see.

6 And then in President's budget this year, he's put
7 in 35 million, you see.

8 So, these figures don't -- there is a lot of
9 questions on how you arrived at this 22 million, when
10 the budgets for the river and just this navigation
11 alone, see, is different.

12 So, the reason that you had the lawsuits on the
13 flow regime in the beginning was because they weren't
14 using flood pools in Oklahoma, mainly. Just as soon as
15 the flood pools started filling up, they start dumping
16 water, see.

17 And you can pull out a date on an event, just a
18 rain event, pull out a date, and look at how you're
19 managing the pools in Oklahoma, what the level is in
20 Arkansas, say, at Fort Smith, and you will see right
21 away that they are not using the flood pools to correct
22 the problem that they say, which is a high flow problem
23 on the river.

24 So, the Corps is creating their own problem in
25 some respect there, and it looks like the study is not

1 addressing what they started out to address to start
2 with.

3 And look at your declaration of intent, the first
4 one in 2000, and then compare that to your declaration
5 of intent, it's in the Federal Register, for the
6 combining the study, and you will see what I mean when
7 I say that it's -- the study has changed remarkably,
8 you know.

9 And now the same politicians keep trying to
10 interfere with the study. And in WERTA right now,
11 S-728, I believe is the number, you've got a -- two
12 pages in there by Senator Inhofe telling you how to do
13 calculations on the Arkansas River study.

14 See, five minutes ain't nothing, is it.

15 Thank you.

16 COLONEL WALTERS: Thank you.

17 Allen Carter.

18 That will be followed by Paul Latture.

19 ALLEN CARTER: Ron, Colonel Walters.

20 Jim and I agree on one thing, five minutes isn't
21 very long. But that's okay, because everybody needs
22 time to talk.

23 I'm Allen Carter, a retired biologist for the
24 Arkansas Game and Fish Commission, where I spent a
25 considerable amount of time working on the river.

1 My comments will address environmental aspects of
2 the Arkansas River Navigation Study.

3 The Arkansas River is a great resource to Arkansas
4 and Oklahoma residents. It provides many business and
5 recreational opportunities.

6 If the plan currently under consideration -- plans
7 currently under consideration are completed, the
8 fishery out there will benefit, the angler will
9 benefit, the recreational user will benefit.

10 Developing the shipping channel and to accommodate
11 larger loads will certainly benefit the present
12 industry and the farmers of the area. It should
13 encourage additional industry, which in turn will add
14 additional jobs to the economies of both states.

15 The Environmental Impact Statement is very
16 extensive. The time allowed for this oral comment is
17 not enough to address all the statement; however, I can
18 say that there has been a tremendous amount of time and
19 effort put into the document. I've been actually a
20 part of all of that, kind of forcing my way in to
21 talking to a lot of different folks, spent a lot of
22 time on it.

23 It also appears that there is no major really
24 in -- major environmental problems. In fact, the items
25 found that need attention have been addressed by

1 environmental agencies: Oklahoma Department, Arkansas
2 Game and Fish, Fish and Wildlife Service, and solutions
3 have been and are being found.

4 The deficit in habitat units noted in the 12-foot
5 channel project in the document -- and actually the
6 disk is free, so -- but it's a lot of information, but
7 you can find everything in it. This time period for
8 the public comment, there are those deficit units for
9 the 12-foot project, but this time period, as I
10 understand, is a period for public comments and it will
11 provide the opportunity for those agencies and the
12 public to request specific items for mitigation. And
13 with that information, I'm sure those deficit units
14 will come out to be a net positive.

15 I realize that an adequate monitoring plan
16 concerning the biological issues is needed. I
17 encourage the utilization of a monitoring plan that
18 involves all the users of the system.

19 Please remember that we are all on the same boat
20 on the river and need to work together. My past year
21 at Arkansas Game and Fish I found it very helpful to
22 have biologists -- and did this -- biologist, anglers,
23 hunter, and engineers, that's the first time I've ever
24 seen it, actually, in the same boat in the river to
25 discuss the wants, needs, and desires of everybody.

1 This is also what has been done to develop the plan for
2 the project. A lot of people have been involved, if in
3 fact they really wanted to get involved. We were on --
4 looking at all these things, we were able to agree on a
5 lot of plans and adjust the work projects to help and
6 not hinder the various users of the river.

7 The main concern is for all the planned
8 development to maintain and even enhance the
9 environmental aspects.

10 Biological opinion seems to be right on target.
11 And, again, it's in the EIS.

12 After reviewing the information for all endangered
13 species in the areas and narrowing the concerns down to
14 a few, determining the no-jeopardy status on any
15 species is appropriate. The reasonable and prudent
16 measures that are required concerning the incidental
17 take of the American burying beetle seem to be
18 appropriate and do not effect the progress of the
19 project.

20 The reasonable and prudent measures required
21 concerning the incidental take of the least tern seem
22 extensive; however, I understand that these actions
23 would be required by the U.S. Fish and Wildlife
24 Service, even if the 12-foot channel is not approved,
25 therefore these actions should not hinder the approval

1 of the 12-foot channel project and the costs of these
2 requirements should not be charged against the project.

3 Some suggestions like building islands by the
4 environmental agencies should help the tern. These
5 islands might not become a reality for many years if
6 this channel project is not approved, just depending on
7 the funding.

8 Recreational activities on the river help the
9 economy, especially on the local level. The river we
10 know today has provided many hours of all types of
11 recreation; however, there are several improvements
12 that will help the fishery and the angler.

13 The study teams and representatives from the state
14 agencies, U.S. Fish and Wildlife Service, and the Corps
15 of Engineers, has developed a scope of work that
16 enhance the aquatic environment. These projects
17 include notching more than 250 dikes and revetments,
18 dredging more than 30 silted areas to allow access to
19 many backwater areas that were once open to the boater,
20 and creating more than 30 islands that will provide a
21 variation of aquatic habitat where none existed and
22 also creating -- and will also create least tern
23 habitat. Notching the dikes and revetments will allow
24 boating access to many areas that have not been
25 accessible in the past, and will also create more

1 islands.

2 Some of the specific examples of backwater areas
3 that will be accessed due to the dredging include Cole
4 Powell, Strawberry Creek, Hopewell Creek, Bull Creek,
5 and many other oxbows along the river. The study team
6 also recommended avoiding the filling of over 60
7 important aquatic areas. The dredge material will be
8 placed in areas that now do not provide a good fishery,
9 creating islands that will have different shorelines
10 and flow habitats for aquatic species. This is a real
11 plus for the fishery of the river.

12 In addition to the aquatic enhancements, the
13 deeper draft will allow the same amount of cargo moved
14 on the river to move -- excuse me -- to be moved in
15 fewer barges, which will result in less lock delays for
16 the recreational users.

17 I can only imagine bass fishermen would really
18 appreciate that. I know some that have lost
19 tournaments because they have had to wait on a barge.

20 I encourage you to approve the project and
21 complete the dike notching and other projects as
22 planned as mitigation. All stakeholders, including
23 industry, have been and are willing to cooperate in any
24 way possible to help make the river the best it can be
25 for all users.

1 Thank you.

2 COLONEL WALTERS: Thank you.

3 Okay. Paul Latture.

4 And next after that will be Dave Choate.

5 PAUL LATTURE: Thank you. My name is Paul
6 Latture, and I'm with the Little Rock Port Authority.
7 I'm the Executive Director. And I want to address more
8 of the economic aspect than the environmental aspect.

9 One of the things I've noted is that all the
10 fishermen we talk about are also residents, they also
11 have jobs. One of the things that you have to have for
12 a lot of those jobs is you have to have the
13 transportation infrastructure.

14 Mayor Hayes mentioned the mess that I-40 is in.
15 He mentioned the transportation system in this country.

16 By doing the project which I urge you to go
17 forth -- to go forward with on the 12-foot channel,
18 enables us, as he just mentioned, to ship more goods in
19 fewer barges, help take trucks off the highway,
20 promote -- we'll have less pollutants in the air.
21 You'll be able to drive to Memphis on I-40, hopefully.

22 But the other thing it will do is make us more
23 competitive in the job market.

24 What a lot of people don't realize -- case in
25 point, at the port of Little Rock, our number one --

1 our top five customers are not in Little Rock. We have
2 big customers in Malvern. We have big customers in El
3 Dorado. We have big customers in Fort Smith. We have
4 big customers in Conway. And all of those customers
5 employ people.

6 If we're going to keep industry in this country,
7 we have to find innovative ways to get goods and
8 services to the companies and then out to the -- to the
9 population in a more efficient manner. This will help
10 do that.

11 We can take 43 percent more product in a barge
12 under a 12-foot channel, same barge, than we can under
13 the -- under the existing channel.

14 The other side of the equation is that we don't
15 compete well with Memphis, we don't compete well with
16 Greenville, Mississippi, we don't compete well with
17 Baton Rouge from a transportation aspect, especially
18 for heavy industry, simply because we're at a
19 43 percent price disadvantage as far as transportation.

20 Now, if we're going to be a competitive entity,
21 how are we going to make that up? Is it electric cost?
22 Is it labor rates? Right now, all of those things are
23 virtually the same.

24 This is a good project. This project will not
25 significantly harm the environment. Some would argue

1 it will help in certain areas, for the fishermen who
2 will be able to get on the river more so than they ever
3 have in the past.

4 But it will help the economic stability of Little
5 Rock. It will help the economic stability of the
6 entire region. It will help make us more competitive,
7 and I urge you to go ahead. And we certainly stand
8 full square in favor of the 12-foot project.

9 COLONEL WALTERS: Mr. David Choate.

10 You will be followed by Keith Garrison.

11 DAVID CHOATE: Thank you, sir.

12 I'm David Choate. I'm vice president of Grain and
13 Barge Operations for Bruce Oakley, Incorporated in
14 North Little Rock.

15 We started our involvement with the river and the
16 river systems in the late 1970s in North Little Rock,
17 and we feel like we have grown up, I guess you would
18 call, and matured with the McClellan-Kerr Arkansas
19 River System.

20 Today we operate seven river ports, four of which
21 are in Arkansas. That would be at Dardanelle at mile
22 203; Morrilton, mile 172; North Little Rock, 116; and
23 at Pendleton, mile 22.

24 We handle -- we buy and sell a lot of different
25 products to our customer -- customers, but we also

1 handle a lot of products for industrial, commercial,
2 and agricultural entities.

3 We also operate a fleet of our own barges all over
4 the inland waterways, including the Illinois, the Ohio,
5 the lower and upper Miss, the east and west canals in
6 Tennessee and the other navigable rivers.

7 We feel like that, because of our experience and,
8 I guess you would say expertise, that we have a certain
9 amount of knowledge, at least to the economic impact of
10 the deepening of the channel.

11 And I'll just give you a couple of examples of how
12 we feel. One of which would be, if you're familiar at
13 all with inland river hopper barges, you will know that
14 about six inches of draft equals approximately 110 tons
15 of net cargo. By deepening the channel by three feet,
16 you can add 660 tons to one barge. A typical tow
17 coming up this river out here over my right shoulder of
18 12 barges, that equates to somewhere around 8,000 tons,
19 or 330 truck loads.

20 And you're doing that with the same barge, the
21 same barges, the same towboats, probably a little more
22 fuel, but not much more. And if you can envision that
23 330 trucks that you're taking on the road, off the
24 road, it has to be environmentally friendly, and it has
25 to be economically beneficial to our customers. That's

1 real money that goes right back in their pockets.

2 Kind of like Mr. Latture talked about a minute
3 ago, we used to always figure that -- that if you
4 imported a product in the New Orleans Harbor ship side
5 midstream, that you could take about a dollar and a
6 half to two dollar over ride Little Rock versus St.
7 Louis; even though St. Louis is, what, 300 river miles
8 farther than Little Rock. Little Rock is a dollar and
9 a half to two dollar disadvantage. Now that's no
10 longer the case. With higher towing costs, mostly as a
11 result of skyrocketing fuel costs, now you're probably
12 talking about a four dollar over ride.

13 Well, if you're an economic developer person or
14 Chamber of Commerce person, which I'm sure some of
15 these people are, and you're trying to recruit an
16 industry to Russellville or Little Rock or Pine Bluff,
17 that industrial person will say, why, all other things
18 beginning equal, if I wanted to relocate to the south
19 central United States, and dependent strongly on water
20 borne transportation, why go to Little Rock when I can
21 go to Greenville or to Vicksburg or Memphis and know
22 that I'm saving 30 -- excuse me -- 30, 35, 40 percent
23 in my transportation costs. Well, you wouldn't.

24 We also buy -- excuse me -- a considerable amount
25 of grain, literally, from Oklahoma all the way to the

1 mouth of the Arkansas. This past harvest season in
2 Little Rock grain rates for export to the gulf were
3 probably around average \$12 a ton, would be a good
4 guess, or 36 cents per bushel on a bushel of soybeans.

5 By increasing the efficiency of these barges that
6 30 percent, or 12 cents per bushel, you're putting 12
7 cents in the pockets of literally thousands of farm
8 families that benefit from the river transportation.
9 And that's real money.

10 If you have a farmer that's raising a hundred
11 thousand bushels of rice, wheat, beans, corn, and sells
12 it, which most people in central Arkansas do, and it
13 goes to the river, that's \$12,000 per year that goes in
14 that farmer's pocket and back into the local economy.

15 As I said -- I want to close because my time is
16 running out -- we feel like we've grown up with the
17 McClellan-Kerr System, and we've seen a lot of good
18 things happen. We feel like now is time for the system
19 to completely mature and become a real river that can
20 be competitive with other rivers around the country.

21 And I thank you for listening.

22 COLONEL WALTERS: Thank you.

23 Mr. Keith Garrison.

24 Next after that will be Doug Swann.

25 KEITH GARRISON: Thank you for the opportunity to

1 have input in this process tonight.

2 I'm the director of the Arkansas Waterways
3 Commission. The Arkansas Waterways Commission
4 commissioners are seven in number. They are appointed
5 by the governor of the state of Arkansas to pursue our
6 mission of promoting, developing, and protecting the
7 navigable, commercially navigable waterways in the
8 state of Arkansas.

9 We also have two at large commissioners, so we
10 represent five river basins, one of which is the
11 Arkansas McClellan-Kerr River Navigation System.

12 We are the only state agency that serves as an
13 advocate, whose soul purpose is to advocate for water
14 borne transportation in the state of Arkansas and on
15 behalf of the citizens of the state of Arkansas.

16 I think it's an important concept to realize that
17 this project is as much if not more of an environmental
18 and conservation project as it is a navigation project,
19 and in character with the entire original purpose of
20 the project in flood control, quality of life, as well
21 as navigation and the economic benefits that accrue to
22 it.

23 There has been a lot of input through the process.

24 I've been at meetings with people from the Game
25 and Fish Commission, the Fish and Wildlife Commission,

1 with interested parties in the conservation arena, the
2 environmental arena, and, of course, the group that I
3 am affiliated with in terms of river navigation and
4 industry, have all had input into this process. I
5 think it's important to emphasize that sometimes we
6 tend to look at things as either a black or white or a
7 zero sum process, where if one aspect of a project
8 gains in the eyes of some people then it must lose in
9 the other. I don't think that's characteristic of this
10 project at all. This is not a zero sum situation where
11 one side, if you will, loses and the other -- the other
12 gains. This is a -- this is a win/win situation for
13 all of the parties involved.

14 The -- some of the environmental enhancements that
15 have been mentioned are quite impressive. The notching
16 of these docks and weirs has already been done, to some
17 extent, in cooperative actions with the Arkansas Game
18 and Fish Commission and the Corps of Engineers to
19 provide access to these backwaters. And inside the
20 weirs and where the fishing is good it has been very
21 successful and very well received by the fishing
22 community.

23 It's our understanding there will be at least 250
24 of these types of notches created in this project that
25 will open up 30 backwaters and other channels to access

1 to recreational fishermen and provide additional
2 habitat.

3 And we've already talked about the least tern
4 island. And the use of the dredge material, which
5 ordinarily is a problem to dispose of, now we can put
6 it into a positive use and create aquatic and aviary
7 habitat, so that's -- that's pure evidence right there
8 that it is a win/win situation for both parties.

9 Water borne transportation, as we've already
10 heard, is the most environmentally friendly mode of
11 transportation in terms of not only fuel consumption,
12 but air pollution and noise pollution and many other
13 aspects of impact on the environment.

14 Trucks, trucks, we're not anti-trucks. Somebody
15 has got to haul this stuff off from the river port to
16 its other destination. But the pollution aspects of
17 any kind of motor vehicle include not only the fuel it
18 uses and the air it -- air it burns and adds pollution
19 to, but also the production of tires and parts and some
20 of the other consumables that go into truck traffic,
21 which are less present or not present in water borne
22 transportation.

23 So, it's an environmental plus to put things on
24 the river, as has been eloquently stated by some of the
25 people who have spoken before me. And the more we can

1 do that and do it in a way that is not harmful to the
2 environment, which this project is not, then we improve
3 the quality of life for all.

4 And one final point I would like to make is that,
5 only economically advanced societies and nations have
6 the capability and can afford to do the kind of
7 environmental stewardship that we are now doing in this
8 country. So I think it's a partnership, it goes hand
9 in hand, one goes with the other, and it is indeed a
10 win/win situation, and this project is a really good
11 example of that kind of cooperation. And the Arkansas
12 Waterways Commission is thoroughly in favor of pursuing
13 this project.

14 Thank you, gentlemen.

15 COLONEL WALTERS: Thank you.

16 Doug Swann.

17 DOUG SWANN: Well, my name, of course, is Doug
18 Swann.

19 I represent the Arkansas Bass Association; and
20 maybe even more importantly, the Arkansas Natural
21 Heritage Commission. We work to preserve natural
22 species, plants, and animals in Arkansas. And, you
23 know, nobody is going to stand up here and say that
24 this is not an environmentally friendly project,
25 because we don't really know. I hadn't seen in writing

1 a mitigation plan. I understand it's incomplete at
2 this time. But that's basically what people are going
3 to ask me is, you know, what are we going to get out of
4 this project to protect the river.

5 Moving goods on the river is great. I understand
6 the economic impact and savings. And, really, we don't
7 have any problem with the deepening of the channel, as
8 long as there is no major elevation changes, but we
9 just don't have all the facts out yet.

10 And when the project started, you know, we all
11 worked very closely together. And, in fact, we removed
12 a lot of the barriers between the Corps of Engineers,
13 the Game and Fish, the governor's office, and groups
14 like ours, so that we could all work together and see
15 this thing through. And I think it's real important to
16 maintain that kind of relationship so misinformation,
17 you know, doesn't get out there, and that everybody is
18 on the same page and understands, you know, there is
19 good in this for everybody.

20 The Arkansas River has pretty much paid the price.
21 We've lost a lot of habitat due to, you know, the
22 silting in of backwaters, lost access to quite a few
23 backwaters. The fisheries kind of went through a
24 natural cycle as well as loss of habitat, and degraded
25 to the point to where the Game and Fish got involved,

1 groups like ours got involved, and the Corps of
2 Engineers got involved.

3 You know, where else other than, I think, one
4 project in Missouri did the Corps work with folks like
5 us to improve the fisheries, to open up backwaters.

6 In fact, I think we're a lot of the reason that
7 Allen got to spend so much time on the river here a
8 couple of years ago. He may hold a grudge over that,
9 I'm not real sure.

10 ALLEN: No. Thank you.

11 DOUG SWANN: What we would like to see is a plan
12 for long term habitat restoration on the river, like
13 opening up the Cole Powell area and a management plan
14 for those type of access to those areas.

15 Digging it out once and then leaving it, you know,
16 just won't do. It's got to be something that, you
17 know, is usable on a long-term basis.

18 Destroying gravel beds, you know, we would like to
19 see some areas enhanced, and I'm sure all of this is
20 being taken into account.

21 I have not seen the plan. It would take a month
22 of Sundays to read it, so, you know, you all are going
23 to have to kind of fill us in on this kind of stuff so
24 we do understand where we're going with it.

25 The folks, you know, that use the river, the

1 barges and all, we're not against the commercial use of
2 the river by any means. That's the main usage of the
3 river. But the economic impact of the recreational
4 users is something that lots of the cities on the river
5 have not come to terms with.

6 There is lots of revenue that comes in with
7 fishing tournaments, with even, you know, riverfront
8 activities like -- oh, what's the big one here in May.
9 But, you know, there is lots of recreational use.

10 We would like to see, you know, what we have
11 discussed with Game and Fish and the Corps in
12 developing some nursery ponds on the river, so we can
13 stock fish.

14 And, like I say, when you do get it, you know, in
15 print where we can see a mitigation plan for repairing
16 past damage, as well as what may be done by the new
17 dikes and revetments, you know, we would love to stand
18 up and say, yeah, we're all for it. But at this point,
19 you know, we're saying, a mitigation plan is
20 incomplete, so, you know, we don't know what to say.

21 We just need to work together on it and work our
22 way through it.

23 Thank you.

24 COLONEL WALTERS: Thank you.

25 Okay. Mr. Chris Horton.

1 Next on deck will be Bobby Davenport.

2 CHRIS HORTON: Do you start this timer?

3 There you go.

4 Actually I probably won't even need it.

5 My name is Chris Horton. I'm with Bass Outdoors.
6 I got up at 4 o'clock this morning and caught a plane
7 from Orlando to be here.

8 We have 500,000 members nationwide, and we have
9 about 10,000 members in Arkansas. This Arkansas River
10 is very important to our membership. That's the only
11 reason I'm here.

12 I also want to qualify that I, too, am a former
13 biologist for the Arkansas Game and Fish Commission. I
14 was a black bass biologist for the state, am very
15 familiar with the Arkansas River, worked on it much
16 myself.

17 The Arkansas River belongs to the people of
18 Arkansas, not just the select interests of a few
19 commercial entities.

20 Given that fact, the fisheries resources are an
21 extremely vital component of the Arkansas River, and we
22 just don't feel that the mitigation component of the
23 EIS has adequately addressed those concerns. Yes, the
24 Game and Fish Commission was consulted, as well as the
25 Oklahoma Department of Wildlife Conservation. These

1 initial comments were not incorporated into this
2 mitigation component. And as it's written, we
3 certainly can't speak favorably for this EIS.

4 Anyway, that's basically all I have to say, is
5 that we urge you to work seriously with the Arkansas
6 Game and Fish Commission and incorporate what the
7 fisheries division has asked you to do, because I know
8 that many of the things that they have brought up
9 previously have not been incorporated.

10 Thank you.

11 COLONEL WALTERS: Thank you.

12 Next will be Bobby Davenport.

13 That will be followed by James Crider.

14 BOBBY DAVENPORT: Thank you so much, sir, for your
15 time.

16 I would just like to echo the comments made by
17 Doug Swann. The mitigation plan, we don't believe, is
18 in favor of us right at this time. You need to let us
19 look at it on down the line, see what you're approving
20 and what we got coming for us.

21 The fisheries is not for me today. We need to be
22 looking way down the line. I'll never get to see the
23 results of your work, but maybe my grandkids or some of
24 them on down the line will. But we want to work with
25 you, we want to work with the Corps, and we do

1 appreciate the Corps. And we would just like to see a
2 little better mitigation plan.

3 Thank you for your time, sir.

4 COLONEL WALTERS: Thank you.

5 Mr. James Crider.

6 And that completes the comment cards we've
7 received. We'll open the floor at that point.

8 JAMES CRIDER: Good evening. My name is -- my
9 name is Jim Crider, and I'm president and CEO of the
10 Economic Development Alliance in Jefferson County. And
11 I want to start by just thanking the Corps of Engineers
12 for this opportunity to offer some comments.

13 And they are to this effect: The Economic
14 Development Alliance of Jefferson County and it's
15 allies, which include the Pine Bluff/Jefferson County
16 Port Authority, the Arkansas River Regional Intermodal
17 Facilities Authority, I'll test you on that later, the
18 Jefferson County Industrial Foundation, and the Greater
19 Pine Bluff Chamber of Commerce, all these organizations
20 combined vigorously support the Arkansas River
21 Navigation Project.

22 We find it to have a minimal impact on
23 environment, as it incorporates positive measures to
24 enhance wildlife habitat, while making water borne
25 transportation safer and more efficient; thus, the

1 project will improve the economic climate for the
2 citizens of Arkansas and Oklahoma.

3 The Arkansas River Navigation Project is much more
4 than a navigation project. It will have an extensive
5 positive impact on the environment. If approved, the
6 project would be one of the largest aquatic habitat
7 creation projects ever completed in the states of
8 Arkansas and Oklahoma.

9 The project includes significant modifications to
10 the river to enhance the aquatic habitat and the
11 environment.

12 Representatives from the state conservation
13 agencies, the U.S. Fish and Wildlife Service, and the
14 Corps of Engineers have all partnered to design this
15 significant environmental enhancement project. These
16 enhancements include, but are not limited to, the
17 notching of over 250 dikes and revetments, the opening
18 of over 30 backwater and side channels, and the
19 creation of over 30 least tern islands to help aquatic
20 species in critical need.

21 In addition to these environmental enhancements,
22 the project will make the Arkansas River a more
23 competitive waterway to help fight the loss of jobs to
24 overseas markets by creating one of the lowest cost
25 waterways in the country.

1 The deepening of the Arkansas River channel to
2 12 feet will allow barge payloads to be increased by
3 over 40 percent, thus reducing the cost of cargo in and
4 out of the port of Pine Bluff and others along the
5 Arkansas River. The project is definitely a win/win
6 for the environment and for the economies of Arkansas
7 and Oklahoma.

8 Once again, I appreciate the opportunity to offer
9 testimony in favor of this most worthwhile project.

10 Thank you, all.

11 COLONEL WALTERS: Thank you.

12 Okay. At this time we've gone through all the
13 comment cards. Is there anyone else in the room who
14 would like to make a comment?

15 Please.

16 WALLY GIERINGER: Colonel -- is it on?

17 Wally, that's what you mean by 50/50, win/win.

18 Okay. Thank you for the opportunity.

19 My name is Wally Gieringer. I'm retired,
20 Executive Director for the Pine Bluff/Jefferson County
21 Port Authority, was president of the Industrial
22 Foundation there for almost 30 years. Currently I'm a
23 member of the Arkansas River Basin Interstate
24 Committee, which was a committee of five from the
25 states of Arkansas, Oklahoma, Kansas, Colorado, and

1 Missouri, to represent those states in water resource
2 matters, especially before congress and appropriations.

3 I first learned of the McClellan-Kerr in 1970,
4 when I came to Pine Bluff. At that time the navigation
5 system was just opening. In those days, it was
6 heralded as a great thing. Talked to a lot of old
7 timers who talked about how you could, before the locks
8 and dams were installed, how you would walk across the
9 river in many places because it was silted in and it
10 was totally unpredictable.

11 Today it is predictable. Today we have fisheries,
12 we have recreation, we have navigation. And it all
13 really came about due to navigation.

14 The governor of Oklahoma at that time, his name
15 was Kerr. And he made a statement in 1946, writing to
16 the chief of engineers, saying that he predicted that
17 the development of the Arkansas Basin forecast
18 prosperity and happiness for our people. I think it's
19 done that.

20 Today we can -- many studies have pointed to some
21 5 billion dollars invested along this waterway, public
22 and private funds, some 50,000 job opportunities for
23 people in Arkansas, Oklahoma, and the surrounding
24 areas.

25 Paul Latture pointed out that a barge with a

1 12-foot channel can carry 43 -- up to 43 percent more
2 than it can with a 9-foot channel. And you relate that
3 to the competitiveness of this area to compete for new
4 industry and compete for new jobs, to compete for an
5 even better way of life for people, it's important.

6 I'm distressed that the job opportunities is not
7 part of the Corps' recognized benefits, as far as the
8 study is concerned, other than just along the waterway.
9 It goes far beyond the waterways, the communities and
10 the people in the state.

11 I've tried to go through the study, Ron. I've
12 used a magnifying glass and I've looked at it. And I
13 was somewhat pleased to see a few things.

14 One, full compliance with all major Federal
15 Environmental Regulations applicable to federal
16 projects. That's a big plus.

17 Two, if I understood it correctly, little or no
18 increase in operating costs for the 12-foot channel as
19 compared to the 9-foot channel. Improved flow
20 management means greater reliability for the system,
21 more competitiveness with the other states. And we are
22 in competition, not only with neighboring states, but
23 in places around the world.

24 And, finally, ten and a half million dollars in
25 annual net economic benefit with a 12-foot channel and

1 over a 50 year life. That amounts to a lot of money.

2 It's been said before, a win/win situation. I
3 think that's exactly what it is. I urge you and your
4 associates to move forward as quickly as possible. It
5 seems this has drag and drag and drag out too long.
6 It's -- it's been painstaking. You've looked at every
7 coin, every side of it, every ridge of it, every
8 valley. It's time to move forward.

9 Thank you.

10 COLONEL WALTERS: Thank you. Anyone else?

11 Okay. Before we conclude tonight, I want to give
12 some special recognition to Ms. Susan Whitson, who has
13 been busy typing all of our comments tonight.

14 If anyone deserves applause, she does.

15 We appreciate the effort each of you made to
16 attend tonight, and the time you spent with us.
17 Personally I've enjoyed listening and hearing what each
18 of you have had to say and have learned something from
19 each of you.

20 Your comments have been taken down and will be
21 fully considered and will be very helpful to us as we
22 develop the final EIS for the Ark River Nav study for
23 release later this summer.

24 Please remember that if you didn't get a chance to
25 get all the input you wanted, five minutes not being

1 enough, or you desire to submit comments in writing,
2 please feel free to submit additional or other comments
3 in writing. We would like to receive those by the
4 deadline of the 24th of May, the end of the 45-day
5 comment period.

6 Expect the additional opportunities to comment on
7 this as the final EIS is published this summer.

8 Let me mention in particular that the full
9 mitigation plan is still under development, primarily
10 by the Fish and Wildlife Service, in conjunction with
11 other federal and state agencies, and it will be made
12 available with the final EIS.

13 Additionally to tonight, we'll have two other
14 hearings: Tomorrow night at 6:30 in Fort Smith and
15 Thursday night in Tulsa.

16 Should you know anyone who would like to be
17 present at those events, we'll be happy to give you the
18 addresses where they will be held.

19 On behalf of the Army Corps and on behalf of the
20 Little Rock District, I want to pledge that we are
21 genuinely committed to working with all, all
22 stakeholders and citizens, interested citizens, as we
23 evaluate this project and as we go forward with the
24 project, should it be approved and funded by Congress.

25 And let me conclude by saying thank you for your

1 attention, your patience with this exercise of
2 democracy, and receiving your input.

3 Have a wonderful evening.

4 Thank you.

5 We'll stick around afterwards, if anyone wants to
6 talk.

7 (WHEREUPON, the above-entitled proceedings were
8 concluded.)

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CERTIFICATE

STATE OF ARKANSAS)
COUNTY OF PULASKI)

I, SUSAN B. WHITSON, Certified Court Reporter and notary public in and for the aforesaid County and State, do hereby certify that the above-entitled proceedings were taken by me in Stenotype, were reduced to computer-generated typewritten form by me or under my direction and supervision; and that the same is a true and correct reflection of the proceedings that occurred, to the best of my knowledge and ability.

SIGNED AND SWORN this _____ day of

_____, _____.

SUSAN B. WHITSON, CCR, #158
NOTARY PUBLIC IN AND FOR
PULASKI COUNTY, ARKANSAS

My Commission Expires: June 4, 2012.

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B.3.4.2 Public Meeting in Fort Smith, Arkansas

The following transcript was recorded during the public meeting held on May 4, 2005 in Fort Smith, Arkansas.

COPY OF TRANSCRIPT

PUBLIC HEARING ON THE DRAFT
ENVIRONMENTAL IMPACT STATEMENT
FOR THE ARKANSAS NAVIGATION RIVER STUDY

Held at
The Latture Conference Center
University of Arkansas, Fort Smith
Grand Avenue and 50th Street
Fort Smith, Arkansas

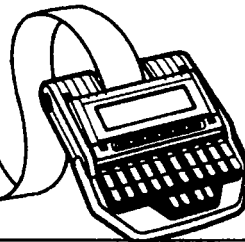
May 4, 2005

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1 COLONEL WALTERS: Good evening, everyone.
2 Can I get your attention, please?

3 Okay. It's now about 6:30, when we scheduled to
4 start, so I don't want to delay anyone's evening
5 unnecessarily, so I'd like to go ahead and get started;
6 and I want to first begin by welcoming all of you to the
7 meeting tonight. I appreciate the time that you've taken
8 out of your personal and family schedules, professional
9 schedules, to come and join us tonight, and we welcome you
10 to the meeting.

11 My name is Colonel Wally Walters. I'm the district
12 engineer, district commander of the Little Rock engineer
13 district. Obviously, our office is down in Little Rock;
14 that's how we name our districts. And I'm here tonight to
15 lead the process as we have a -- on behalf of the Corps of
16 Engineers as we show you and talk to you about the
17 feasibility study and the environment -- the draft
18 environmental impact statement on changes for the Arkansas
19 River -- so-called Arkansas River navigation study, the
20 focus of which is about changing flow management of the
21 water and also the depth of the channel and how that will
22 affect all kinds of -- all manners of interest; and
23 obviously, you have at least one interest or you wouldn't
24 be here tonight to talk about it.

25 These documents are in draft. You've seen them out

1 on the tables outside there. I haven't actually measured
2 it, but I think it's somewhere around 30-plus inches, so
3 there's a lot of document. I have no expectation that you
4 came here tonight having read all these documents; so
5 we're going to try to give you, before we go into the
6 comment period, some insight into what's in them.

7 But before we get started, let me begin by just a
8 couple of administrative matters. First off, there's no
9 smoking authorized here in the building, and there's
10 restrooms and water fountains, I'm informed, on the other
11 side of this wall; you have to kind of go around and go to
12 them. Please feel free, as you feel the need, to get up
13 and depart for those uses or if you feel that you've had
14 your fill either of information or of chances to speak or
15 to present. And there's no scheduled stop time in that
16 sense for this meeting tonight, because we're going to
17 stay until everybody who wants to be heard gets heard.
18 Now, that doesn't mean you have to stay to listen to
19 everybody's input, and I want to make sure that you
20 understand that. We're okay about that.

21 Let me introduce some of the people who are here
22 tonight. Don't need to write any of the names down.
23 They're in the -- so the -- We've given the key contacts
24 and numbers with some of the handouts, and you'll be able
25 to contact us and follow up if you so choose to.

1 First let me introduce the other guy in uniform here
2 tonight, Colonel Miro Kurka. He is the commander of the
3 Tulsa district located in Tulsa, obviously; and his
4 responsibilities include the Arkansas River as it flows
5 through Oklahoma, whereas mine end at the border with
6 Arkansas and take it down to the Mississippi; so we have
7 worked -- and our staff, more importantly, our staffs have
8 worked this together. And he'll be leading the public
9 meeting tomorrow night in Tulsa.

10 Also, next to him is Mr. Ron Carman. Ron is the
11 project manager for the Arkansas River nav study on behalf
12 of the Corps of Engineers. He works out of the Little
13 Rock district. That means I'm his boss. He's going to be
14 presenting here shortly an overview of the project itself,
15 the alternatives that have been examined, and some of the
16 aspects of those alternatives.

17 Then let me introduce Miss Renee Wright --

18 MS. WHITE: I'm right here in the back.

19 COLONEL WALTERS: -- in the back there.

20 Renee is from Little Rock district. She's the study lead
21 and has worked significant parts of that.

22 And Mr. Ed Rossman.

23 MR. ROSSMAN: Right here.

24 COLONEL WALTERS: Ed is from the Tulsa
25 district and has participated from there as the Tulsa

1 district study lead.

2 Let me also introduce Mr. Johnny McLean, who's out
3 of our Little Rock district office. He's the
4 environmental lead for the project within the Corps and
5 has been working hard on the environmental impact
6 statement.

7 Let me also introduce Sandra Stiles --

8 MS. STILES: Right here.

9 COLONEL WALTERS: -- the environmental lead
10 from Tulsa.

11 And lastly -- or not -- not lastly. Let me
12 introduce Mr. Rich Hall. The last of our presenters
13 tonight will be Mr. Rich Hall. And as you'll notice from
14 his name tag, he's not part of the Corps of Engineers;
15 he's part of the firm that -- the consulting firm of
16 Parsons, which we have on contract for accomplishment of
17 some of the work and assistance with the preparation of
18 the EIS. He's going to talk to the things that are in the
19 EIS in fairly specific terms and talk about the impacts
20 that the project involves, and he'll present that in a few
21 minutes.

22 So finally, Miss Sheila Alexander, who is trying
23 very hard over there to keep up with all of us tonight and
24 preparing an official record; and in courtesy to her, I
25 would ask that we all take our time a little bit, but more

1 importantly, speak into the microphones, speak clearly
2 and -- so that she can get it down. We are making a
3 official record of everything that gets said or submitted
4 in writing tonight. If you don't feel you have the
5 opportunity or the inclination to address it at the end of
6 the initial session via the microphone, we will be happy
7 to receive your written comments, either tonight or after
8 tonight, and they will be treated with equal weight.

9 This hearing is very important to you, the
10 surrounding communities, and the public in general. It's
11 also very important for our team here in the Corps of
12 Engineers. Our goal is to continue the process to prepare
13 the final environmental impact statement. What you've
14 seen out there is not the final environmental impact
15 statement. It is the draft. Part of the process of doing
16 so is to make sure that we invite public input and
17 comment. Whether -- And that comes in a variety of forms
18 and from a variety of people, including folks in
19 professional agencies from the government, the state,
20 federal, and local; also from nongovernmental agencies and
21 organizations representing a wide variety of interests;
22 and also from citizens at large. And we welcome input
23 from everyone, because it's an important part of the
24 process to make sure that all voices are heard and all
25 points of view are considered.

1 can raise the river up or you can deepen the channel.
2 This proposal that you're going to hear about tonight does
3 not raise the level of the river.

4 There are two -- The aspects which will be discussed
5 in more detail are that it changes the water management,
6 i.e. how much water is coming down at one time during a
7 portion of the flow between when -- in the midrange of the
8 flow. It makes the flow a little slower and a little
9 longer. It does mean we hold more water. If this is
10 accepted, we hold more water behind the dams in Oklahoma
11 for longer periods of time, and there's an effect from
12 that at that location. But in terms of the river, this
13 will not result in increase in the river level that will
14 flood farming land.

15 It will not -- now, it won't -- To the extent that
16 some of the really high flows already may have that effect
17 in some places, this is not going to change that, because
18 it doesn't change the regulation of the higher flows
19 either, but it does -- it does not raise the level of the
20 river. So let -- I hope up front I've been able to set
21 aside some concern for those of you who came on that --
22 particularly on that purpose tonight. And we certainly
23 welcome hearing more, discussing more if you'd like to do
24 that.

25 For those of you who would like to have the document

1 itself, the draft environmental impact statement is
2 available both on-line or by CD, and we have some of those
3 CDs here tonight. If we run out and you want one, give us
4 your name, address, so forth, we'll make sure you get one.
5 There is also 22 different libraries listed in the media
6 announcement and in the announcement in the Federal
7 Register where the full paper copy of the documentation
8 has been placed to make it accessible to the public.

9 The format tonight. The entire meeting, as I noted,
10 is being recorded and a transcript prepared as an official
11 record. As such, as you entered, you should have been
12 asked to fill out an attendance card. We do this for a
13 couple of reasons. It's important to take a record of
14 those who have attended so we can keep you informed on the
15 progress of the EIS, and it helps us also identify those
16 among you who wish to make a statement. And on the card,
17 you should have indicated if you would desire to make a
18 statement, and I have some of them already. We haven't
19 had a whole lot so far. I think many of you are just kind
20 of interested in things that just got said and want to see
21 the presentation. But if any of you decide, through the
22 course of the meeting, you want to make a statement,
23 please let the staff in the back know so we can put it on
24 a card, get you in the roster. It'll be kind of first
25 come, first served, with the exception that if we have any

1 elected officials - and I don't believe we have any in the
2 room tonight - if we do, we'll let you go ahead to the
3 head of the line; but otherwise, it'll be first come,
4 first served. And we will, as I noted, stay in time --
5 stay long enough so that everybody will have a chance to
6 be heard.

7 Okay. Next slide, please. In terms of how to
8 participate, we're going to give you this overview so
9 that -- to help you track your comments. And we hope
10 you've had a chance to pick up the summary information and
11 the standard comment sheets. And if you don't choose to
12 participate by comment tonight, you're not ready, you want
13 to study the documents; you can take your time, provide
14 written input to us any time before the 24th of May, which
15 is 45 days from the time that the -- the notice of
16 availability was provided in the Federal Register. And
17 we'll treat those comments accordingly. Or for those of
18 you who desire to do so, of course, you can go up to Tulsa
19 and make comments tomorrow night, as well.

20 In terms of the use of the comments, all the
21 comments are documented, both written and those provided
22 before, during, and after the meeting, and those orally.
23 And then the study team is going to take those comments to
24 ensure that the EIS has addressed those concerns, to
25 examine them, to see if there's some weakness, something

1 that's been missed or something that may not have been
2 analyzed sufficiently or something that hasn't been heard
3 in terms of public interest and to address them.

4 That will result in the preparation of a final EIS,
5 which will then again be put out for public comment later
6 this summer. And following a 30-day public review for the
7 final EIS and its coordination, then -- and an adjustment
8 as required for final comments, then it will be submitted
9 to Washington for a record of decision on the EIS and a
10 further discussion in Washington and ultimately by the
11 Congress, which will make the determination of whether to
12 fund and when to fund, if to fund the project itself.

13 I thank you for your attention we -- to date and
14 listening to me, and I will now turn it over to Ron
15 Carman.

16 MR. CARMAN: Thank you, Colonel Walters.

17 As Colonel Walters said earlier, I am the project
18 manager on the Arkansas River navigation study.

19 A little bit of background. The McClellan-Kerr
20 Arkansas Navigation System is 45 -- 445 miles in length
21 and has 18 existing locks and dams, and that includes
22 Montgomery Point. The system begins at the confluence of
23 the White and the Mississippi Rivers and proceeds up the
24 White River to Navigation Mile 10. At that point, the
25 system enters the Arkansas Post Canal and continues

1 through the canal until it reaches the Arkansas River at
2 Navigation Mile 19. The system continues on the Arkansas
3 River until it reaches the Verdigris River at Muskogee,
4 Oklahoma, which is Navigation Mile 395; and continues on
5 the Verdigris River for 50 miles to the head of navigation
6 at Catoosa, Oklahoma.

7 As Colonel Walters mentioned a while ago, the flows
8 on the system are primarily influenced by flows on the
9 Arkansas River upstream of its confluence with the
10 Verdigris River and from 11 reservoirs in Oklahoma. The
11 feasibility study and the EIS covers the entire
12 McClellan-Kerr Navigation System.

13 The reconnaissance study was initiated in 1999 as a
14 Congressional add to investigate flooding problems in the
15 vicinity of Fort Smith, Arkansas. Initial findings
16 identified a need to investigate operational changes to
17 the McClellan-Kerr Arkansas River Navigation System to
18 minimize the effects of high flows on navigation and which
19 also affects local flooding. The report also recommended
20 investigating channel deepening and widening the Verdigris
21 River to benefit navigation. The reconnaissance study was
22 completed and the feasibility study was started in March
23 of 2000. The feasibility study is being conducted at full
24 federal expense.

25 Five alternatives, including a no-action

1 alternative, were developed for the feasibility report and
2 EIS. The formulation of these alternatives will be
3 further explained later in the presentation.

4 Alternative A, the no-action alternative, consists
5 of maintaining the current operation system, no changes in
6 existing res -- river or reservoir operations. The
7 existing flow management plan would remain unchanged; the
8 existing depth of the navigation channel would remain
9 unchanged; and the existing navigation maintenance
10 activities would remain unchanged.

11 Alternative B consists of adding new dredged
12 material disposal sites in Oklahoma to supplement current
13 disposal sites which will reach capacity at some locations
14 in the near future. The existing flow management plan
15 would remain unchanged, and the existing depth of the
16 navigation channel would remain unchanged.

17 Alternative C consists of adding new dredged
18 material disposal sites in Oklahoma and replacing the
19 existing flow management plan with a modified -- modified
20 bench flow management plan. The existing depth of the
21 navigation channel would remain unchanged.

22 Alternative D consists of adding new dredged
23 material disposal sites in Oklahoma; replacing the
24 existing flow management plan with modified bench flow
25 management plan; and three, increasing the depth of the

1 navigation channel throughout the system from 9 feet to
2 11 feet.

3 Alternative E consists of, one, adding new dredged
4 material disposal sites in Oklahoma; two, replacing
5 existing flow management plan with the modified bench flow
6 management plan; and three, increasing the depth of the
7 navigation channel throughout the system from 9 feet to
8 12 feet.

9 Now, I want to say this again. I know the Colonel
10 made a big point of this while ago, but I just want to put
11 my two cents in here, too. None of these alternatives
12 will raise pool elevations. The two alternatives that
13 will deepen the channel, Alternative D and Alternative E,
14 will be achieved by digging the channel deeper, not by
15 raising the pool elevations.

16 The alternatives were evaluated to determine the
17 economic impacts. The annual benefits derived by each
18 alternative was compared to the annual cost of that
19 alternative. The alternative with the greatest annual net
20 benefits is called the national economic development plan.

21 As you can see from this slide, Alternative E has
22 the greatest annual net benefits and is therefore the
23 national economic development plan. This alternative has
24 annual benefits of 22.3 million and annual cost of
25 11.8 million or annual net benefits of 11 -- of

1 10.5 million. The majority of the economic benefits come
2 from navigation savings, although there are some minor
3 benefits to hydropower.

4 The total cost of Alternative E is \$160 million.
5 The major costs are associated with new dikes and jetties,
6 dredging, construction of dredge disposal areas, and
7 environmental mitigation.

8 Based upon the economic eval -- analysis in the
9 feasibility study, Alternative E is proposed as the
10 recommended alternative. And as a reminder, Alternative E
11 consists of: One, maintenance of channel depth through
12 existing dredging and disposal operations. Two, modified
13 bench flow management plan which changes the existing
14 operation plan by reducing the bench flow from
15 75,000 cubic feet per second to 60,000 cubic feet per
16 second at Van Buren. This reduces the number of times per
17 year the river flows above 60,000 cubic feet per second by
18 14 days. This improves navigation on the river during
19 those times. And three, dredging where it is needed to
20 achieve a 12-foot navigation channel throughout the entire
21 length of the McClellan-Kerr System. This allows barges
22 to be loaded deeper and thereby carry more material.

23 I'd also like to point out at this time that 85 to
24 95 percent of the navigation system is already 12 feet or
25 deeper, so it's not going to be necessary to dredge the

1 entire 445 miles of the system to achieve a 12-foot
2 channel depth.

3 As stated earlier, the deadline for submitting
4 comments is May the 24th, 2005. After refining the report
5 and the EIS due to review comments, final public review is
6 scheduled for July the 1st through July the 31st of 2005.
7 The record of decision will be completed after the final
8 review.

9 I would now like to turn the microphone over to
10 Mr. Rich Hall of Parsons, who will provide an overview of
11 the EIS process; and then at the end of Mr. Hall's
12 presentation, we'll open the floor to receive your
13 comments. Thank you.

14 MR. HALL: Thank you, Ron.

15 Good evening, ladies and gentlemen. My goal tonight
16 is to help you gain a better understanding of the actions
17 that are evaluated in the Arkansas River navigation study
18 draft EIS and how the document is structured. I will
19 provide you with an overview of the format, contents, and
20 major conclusions presented in the draft EIS.

21 The National Environmental Policy Act or NEPA
22 requires all federal agencies to consider the possible
23 environmental impacts of proposed actions during the
24 planning and decision-making phases. These considerations
25 and the resulting recommendations for major actions

1 affecting the quality of human environment must be
2 documented and allow for public involvement.
3 Implementation procedures for this law are found in U.S.
4 Army Corps of Engineers Regulation 200-2-2 and the
5 President's quality -- Council on Environmental Quality
6 guidelines.

7 Prior to writing the EIS, the Corps initiated a
8 public scoping process to solicit comments on issues or
9 concerns to be addressed in the EIS. Comments were
10 solicited through mailings, media advertisements, and in
11 both the agency and public scoping meetings.

12 A total of 221 responses were received during the
13 EIS scoping process, and they were used to define the
14 boundaries of analysis and help focus the statement on
15 important issues of concern.

16 The major issues that we received during the scoping
17 process are shown here on the slide. Possible impacts to
18 the interior least tern and other bird and fish
19 communities as a result of the proposed action were of
20 concern to a lot of people. Also, concern about channel
21 degradation, head cutting, water quality, and shoreline
22 erosion. Concerns regarding the cost of maintaining the
23 increased depth of the navigation were also expressed.
24 Potential reduced available head at hydropower facilities
25 was another concern. Also, potential loss of riverfront

1 parks, boating access, and camping areas during flooding
2 and/or federal land acquisition. Finally, there were
3 concerns over the potential losses of private land,
4 including agricultural land, due to possible flooding
5 and/or government acquisition of land.

6 Environmental impact statements are disclosure
7 documents that assist the decision-maker in determining
8 the alternate selection for federally initiated projects.
9 The intent of the EIS is to describe for the
10 decision-maker and the public a need for the project;
11 alternatives to the proposed action; a description of the
12 affected environment; direct, indirect, and cumulative
13 impacts of the alternatives, as well as mitigation
14 measures.

15 The proposed action for this project is defined as
16 maintaining and improving the navigation channel in order
17 to enhance commercial navigation on the system while
18 maintaining all other project purposes.

19 We're now going to take a closer look at some of the
20 analysis that we did in the study.

21 The EIS describes three features associated with the
22 proposed action. The navigation channel depth maintenance
23 consists of maintaining the navigation channel via river
24 training structures and maintenance dredging. The
25 evaluation process for this feature considered a wide

1 variety of maintenance dredging issues focused on
2 maintaining the navigation channel to sustain commercial
3 navigation.

4 The river flow management feature sought to improve
5 the safety and efficiency of commercial navigation by
6 managing the navigation system to limit periods of
7 sustained high flows. This would be achieved by reducing
8 the numbers of days when the river bench flows exceed
9 2,000 -- excuse me -- 60,000 cubic feet per second at Van
10 Buren. This evaluation process initially considered 23
11 river flow management components.

12 The current navigation channel depth limits the
13 efficiency and volume of commercial navigation operations.
14 The proposed navigation channel deepening action allows
15 deeper draft tows to operate on the system. The
16 components presented in the draft EIS explore options of
17 deepening the navigation channel to 10, 11, or 12 feet
18 within six separate segments of the navigation system.

19 The components retained, after we looked at all the
20 initial components, include the evaluation of new disposal
21 sites for existing maintenance dredging, modification of
22 bench flows at Van Buren, and 11- and 12-foot channel
23 depth for the entire length of the navigation channel.
24 These components were used to formulate four action and
25 one no-action alternative.

1 Section 4 of the draft EIS includes a description of
2 the existing environment that may be affected by the
3 proposed action. The Corps undertook several substantial
4 new studies to better define what the affected environment
5 of the river is. These included terrestrial habitat
6 evaluations, aquatic habitat evaluations, mussel surveys,
7 gravel bed surveys, geomorphology studies, socioeconomic
8 analyses, and river sediment analyses.

9 One of the most critical sections of the EIS is the
10 rigorous evaluation of environmental consequences or
11 impacts as they are expected to occur as a result of the
12 action. This analysis is covered in Sections 5, 6, and 7
13 of the draft EIS.

14 Some of the important issues discussed in the
15 environmental consequences are shown in this slide. Based
16 upon the comments during scoping, biological resources
17 were determined to be among the key environmental
18 consequence of concern and were the focus of further
19 in-depth studies and analysis.

20 Adverse impacts to aquatic biological resources
21 would be associated with channel deepening through
22 dredging and open water disposal in dike fields.

23 Dredging the navigation channel would result in the
24 potential loss of aquatic habitat. Analysis concluded
25 major impacts from dredging were associated with the

1 potential loss of 165 acres of gravel beds, which are
2 important habitat for a variety of fish species, including
3 the paddle fish. Major gravel deposits occur along the
4 system and are most prevalent near Maumelle, Morrilton,
5 and in the Verdigris River.

6 Open water disposal would result in potentially a
7 loss of 3,000 acres of aquatic habitat.

8 Dredging will also directly affect organisms within
9 the dredge area, particularly within the Arkansas Post
10 Canal, which is known to contain a large population of
11 native mussels.

12 The assessment concluded that although there were
13 major impacts to aquatic species and habitat, a mitigation
14 plan is under development to ensure that significant
15 impacts will not occur.

16 Adverse and beneficial impacts to terrestrial
17 biological resources would be associated with dredge
18 material disposal.

19 To better assess the potential impacts, habitat
20 evaluation procedures or HEP were conducted using
21 technical assistance from federal and state agencies. The
22 project could result in the conversion of approximately
23 600 acres of agricultural land. Efforts were made to
24 avoid locating dredge disposal sites on high quality
25 habitat. Also, it was concluded that dredge material

1 could be used to build interior least tern islands within
2 the project area.

3 Although avoidance and beneficial use of dredge
4 material were optimized, some dredge disposal on land and
5 in shallow water sites would still result in major loss of
6 terrestrial and aquatic habitat.

7 A biological assessment was completed to determine
8 potential impacts on threatened and endangered species
9 that occur or potentially occur within the study area.
10 The study evaluated impacts to 16 species. The only two
11 impacts potentially affected by the project were the
12 American burying beetle and the interior least tern.

13 The Army Corps of Engineers will make all efforts to
14 work with the Fish and Wildlife Service through
15 implementation of mitigation measures identified in the
16 draft biological opinion to assure that no adverse impacts
17 to these species occur.

18 The remaining adverse impacts to the affected
19 environment are considered to be minor.

20 To comply with the purpose of the National
21 Environmental Policy Act, which is to promote effects
22 which will prevent or eliminate damage to the environment,
23 the final analysis of the draft EIS includes development
24 of mitigation measures. These measures were applied to
25 all elements of the proposed action. Mitigation for

1 terrestrial and aquatic impacts would consist of a
2 combination of avoidance, minimization, and compensation.

3 The mitigation has been developed primarily in
4 coordination with the U.S. Fish and Wildlife Service, the
5 Arkansas Game and Fish Commission, the Oklahoma Department
6 of Wildlife Conservation.

7 For terrestrial habitat mitigation, wherever
8 possible, potential dredged material disposal sites were
9 located where they would avoid mature upland forest,
10 bottomland hardwoods, or wetlands. Where sites could not
11 be located outside these three habitat types, the disposal
12 sites were redesigned to avoid the most valuable wildlife
13 areas. This ultimately reduced the acreage of land
14 required for mitigation.

15 Two mitigation sites have been identified that are
16 adjacent to lands currently managed by the Oklahoma
17 Department of Wildlife Conservation. Total acreage of
18 habitat created is shown on the slide.

19 Several mitigation measures will be implemented to
20 compensate for adverse impacts to aquatic habitat and
21 species. These measures are listed on the slide. Key
22 elements include relocation of disposal areas to avoid
23 valuable aquatic habitat, dike and revetment notching,
24 relocation of mussels, backwater channel improvements, and
25 biological monitoring.

1 Mitigation for threatened and endangered species
2 would focus on the least tern and the American burying
3 beetle, as stated in the U.S. Fish and Wildlife Service
4 biological opinion.

5 For the least tern, the emphasis would be on
6 creating a series of in-river islands through dredged
7 material disposal within each river pool. The proposal
8 calls for one island per pool on the river and annual
9 monitoring of the populations.

10 For the American burying beetle, monitoring would be
11 conducted to identify species locations and with emphasis
12 on avoidance of potential habitat to minimize the impacts.

13 This completes my overview of the EIS process. I
14 would like to turn the podium back to Colonel Walters.

15 COLONEL WALTERS: Thank you.

16 Okay. Now we move into the phase of trying to
17 receive your comments. And I want to first thank you for
18 your attention to listening to all that we had to say as
19 we described the proposal and its alternatives, its
20 impacts, and the proposed mitigation. Certainly the draft
21 EIS contains a great deal more details than we've
22 described here.

23 And -- But now is the time when we want to get your
24 input to this analysis and make sure that we have the
25 opportunity to consider them and to get them on the

1 record.

2 UNIDENTIFIED SPEAKER: Your mike's not
3 working at all.

4 COLONEL WALTERS: The most important part is
5 probably not this mike. It's going to be that mike right
6 there. And so as I call up folks to speak, I would ask
7 that you come up to the front, sit at the table, and speak
8 into the mike.

9 If you have a written statement, you can read it out
10 loud or you can turn it in without reading it or do both.
11 In either case, your comments will become part of the
12 record.

13 If you need additional cards, these blue cards, so
14 that you can indicate that you'd like to make a comment,
15 our staff in the back will be happy to get you one if you
16 raise your hand.

17 When you speak, I'd ask that you use the microphone
18 at the table so that everybody can hear what you have to
19 say and that you limit your remarks to about five minutes.
20 They actually wrote in here that we should shut off the
21 mike at the end of five minutes, but there hasn't been
22 such a thick deck of cards that I want to impose such a
23 limitation, but we would ask that in courtesy to others,
24 that you limit your remarks to about five minutes. We're
25 using a light code for our -- green light for the first

1 four minutes, then yellow, and then red.

2 And if you feel unable to get all of your concerns
3 addressed by oral remarks, we would ask you submit a
4 written comment or join us after others -- after others
5 have had a chance to speak.

6 And we'll now begin. The first card is from Bob
7 Limbird, and he'll be followed by Frank Leone.

8 MR. LIMBIRD: My name is Bob Limbird. This
9 is a comment as a -- as a private citizen. I work for a
10 conservation agency, and one of our other individuals is
11 going to make the official comment. This is a private
12 sportsman.

13 The first thing I want to say is that I really think
14 the EIS has been on a forced pace. I've read most of
15 the -- the EIS, and most of these -- most of what I'm
16 going to talk about came from the EIS.

17 I know personally that this was a politically driven
18 project by a senator in Oklahoma. The proposed plan is
19 for a 12-foot navigation channel; and as Mr. Carman said,
20 most of the river is already 12 feet. The reason for that
21 is that the Corps has a 3-foot overdraft; so actually, to
22 maintain a 12-foot channel, it would probably be dredged
23 15 feet initially.

24 Dredging records indicate that 10 million cubic
25 yards of material have been dredged from the Arkansas

1 River since 1971. This new plan would dredge
2 10.98 million cubic yards during the first -- during the
3 five-year development period to maintain a 12-foot
4 channel. This amount of sediment is equivalent --
5 Mr. Hall said 3,000 acres, but in Chapter 5, Point 587
6 says 6,586 acres of sediment.

7 To -- to get a realization of what that is, for the
8 people around here, that is an area about the size of
9 Nimrod and Blue Mountain Lake combined.

10 The backwaters in the Arkansas River are the primary
11 nursery areas for the fish in the Arkansas River, and the
12 sand and gravel taken out of the river will be deposited
13 to off-channels behind newly raised dikes and rock walls,
14 revetments, on land, and in backwater habitats.

15 The Corps really had very little knowledge of the
16 contaminants that may be contained within these sediments
17 and dredge pools; and like I said, these contaminants will
18 be disposed of on land and in waters off the channel. And
19 this will cause a tremendous amount of turbidity. Muddy
20 water will also be released during the dredging and
21 disposal off-channel.

22 Mitigation sites have been evaluated; and like I
23 said, the Game and Fish and the Fish and Wildlife have
24 worked on these, but -- and the mitigation costs are
25 accounted for in the total costs in this project, but the

1 locations, planned actions are not revealed in this draft
2 anywhere. You don't know where these notched dikes and
3 other mitigation areas will be in relation to the -- to
4 raised revetments and raised dikes.

5 The Corps lists -- lists in the EIS the detrimental
6 effects of the project, loss of side channel, slack water
7 habitat resulting from open water dredge disposal in dike
8 fields, loss of side channel and slack water habitat
9 resulting from raising dikes and revetments, which will
10 accelerate fill rates, the removal of and/or changing
11 gravel bars through dredging, head cutting in tributary
12 streams, loss of mussel beds by dredging and filling, and
13 contaminants.

14 They also state in the draft that they think based
15 on models and assumptions that they can re-create gravel
16 bars in other locations to mitigate for gravel being
17 removed from the main navigation channel. It's hard to
18 duplicate Mother Nature.

19 Gravel studies were based on studies on Pool 2,
20 where only 1 to 5 percent of the total pool is composed of
21 gravel, whereas on Pool 8, 50 percent of the pool is
22 composed of gravel, which is an indication to a fisheries
23 biologist that the more mountainous and higher tributaries
24 contribute more and larger gravel than the lower
25 tributaries, but the gravel models are based on Pool 2.

1 The proposed project will construct 89 new dikes and
2 revetments and modify or raise 92 dikes and revetments.
3 These structures will move sediment from one place in the
4 navigation channel to another location downstream in the
5 navigation channel, and dredging it will be necessary four
6 times a year for lock and dam approaches and at least one
7 time a year at modified structures. Maintenance dredging
8 and disposal is estimated to require the dredging of
9 approximately 580,000 cubic yards of sediment a year until
10 the project stabilizes.

11 The construction of new dikes and raising dikes and
12 revetments will allow for more transport of sediment and
13 more sedimentation that is present -- that is now present
14 in the river because the present system - am I over with -
15 is somewhat stabilized at the present time.

16 To say that mitigation and construction of new dikes
17 and revetments will increase fishing opportunities is not
18 taking into consideration that the project will suffer
19 from increased sedimentation rates due to unknown rates of
20 scouring, higher sediment loads, and the reaction of river
21 flow to new structures. The raising of revetments and
22 dikes will make some areas now accessible less accessible
23 to fisherman.

24 The Corps has acknowledged that locations of new and
25 modified structures, but not the corresponding mitigation

1 features that are not available in this EIS.

2 According to this study, proposed barge drafts do
3 not meet current design clearance for clearance over
4 concrete sill of locks; and to afford clearance changes,
5 entrance and exit speeds will have to be required.

6 An increase in maintenance costs are expected from
7 potential damage to structures and equipment by handling
8 tows that will be heavier than the present equipment is
9 designed to handle, and special operations of raising the
10 navigation pools were necessary in testing to see whether
11 these larger barges would hit the sills.

12 And this is a quote. According to the data and
13 computed values, it appears that deeper draft vessels on
14 the waterway could experience more navigation -- more
15 difficult navigation conditions. All 15 projects on the
16 system would fail to meet the upstream approach clearance
17 requirements of 4 to 6 feet above the guard wall ports.
18 Operation changes are necessary at Lock 2 to reduce
19 dangers of collision with the upper miter gate.
20 Increasing the draft of barges will adversely affect the
21 maneuverability of the tow as it travels upstream. The
22 change to an 11-and-a-half-foot draft could alter the
23 outflow -- excuse me, the out draft and draw, and thus
24 increase the chance that entering barges could strike the
25 upper guard wall. Exiting tows could get pinned against a

1 guard wall due to these forces. That's at Section 3-14 of
2 the Corps' EIS.

3 Finally, fishing in the Arkansas River contributes
4 about \$50 million a year. This is based on the U.S. Fish
5 and Wildlife 2001 Ark -- Arkansas analysis where
6 \$449 million was accorded to the state economy through
7 fishing. And the Corps of Engineers wants to change or
8 ruin of some of the backwater aquatic habitat, which are
9 our primary spawning and nursery areas on the river,
10 spending \$160 million to derive \$10.4 million annual
11 profit, where fishing provides \$50 million to the economy.

12 In my way of thinking, somebody's thinking is not
13 very good for this project. That's all I have.

14 (Applause.)

15 COLONEL WALTERS: Thank you.

16 Mr. Frank Leone. And Leo Faust will be on deck.

17 MR. LEONE: My name is Frank Leone, and I'm
18 giving this statement as a private citizen.

19 Chapter 5, page 5-87, under the heading "Impacts to
20 aquatic resources associated with the navigation channel
21 deepening, 12-foot channel component," the paragraph reads
22 that results from the aquatic impact analysis illustrates
23 a positive relationship between fish abundance and the
24 depth of dike pools and the amount of gravel and sand and
25 gravel mixture available. It implies that reducing water

1 depth in a dike field through dredged area, dredged
2 material disposal, and reducing the amount of gravel in
3 the channel through dredging will have a major impact to
4 those fishes.

5 A 2001 survey conducted by the U.S. Fish and
6 Wildlife Service indicates that recreational fishermen
7 contribute \$445 million per year to the Arkansas economy.
8 If the channel is deepened to 12 foot, the Corps of
9 Engineer biologists have indicated that activ -- that this
10 activity will have a major impact on the fisheries of the
11 Arkansas River. If the fisheries in the Arkansas River
12 are negatively affected, the State of Arkansas will lose
13 revenue associated from recreational fishing because
14 anglers will simply stop fishing the river.

15 I hope the Corps of Engineers takes the revenue
16 generated by recreational fisherman into account before
17 approving this project, which may drastically alter
18 aquatic habitat on the Arkansas River. Thank you.

19 (Applause.)

20 COLONEL WALTERS: Thank you.

21 Adolph Foust? Am I pronouncing that right? It's
22 hard for me to read the card. McLain Bottomland in
23 District Number 3.

24 Betty McSwain.

25 MS. McSWAIN: Yes, sir.

1 COLONEL WALTERS: Next will be Allen Carter.

2 MS. McSWAIN: My name is Betty McSwain. I'm
3 an ex -- a retired park ranger. I have to admit that I've
4 had an ongoing battle with the Corps, but maybe we can
5 have a truce tonight.

6 Background. I was a park ranger in Philadelphia in
7 1973. Since I was raised a Baptist and believe in total
8 immersion, I jumped in the Delaware River at night. It
9 was not a misdemeanor. They hauled me off to Thomas
10 Jefferson University Hospital by mistake. Well, the
11 Delaware was very nasty then, very, very nasty.

12 I think the Corps -- What aroused me last year about
13 the Corps was a list of threatening and wasteful Corps
14 projects. One was the deepening of the Delaware River,
15 which was certainly deep enough in 1973.

16 Now, for the Arkansas. Last July, I jumped in the
17 Arkansas at the point where the Poteau drains into the
18 Arkansas River. Again, a nasty, nasty river.

19 You might call me Miss Suspended Solid and, what,
20 Turbidity? Yes, that's a good one. Suspended solid and
21 turbidity 1973, Delaware River; Arkansas River, July 19,
22 what is it, 2004? Has time passed and we're still
23 dredging? My goodness.

24 There are a lot of people that have interest in this
25 river. There are people who fish in it. There are people

1 who have land on the side of it. Whether you need to
2 tamper with it again or not, I guess you will try.

3 I have my Delaware River book that was given me when
4 I gave a guided tour of Independence Hall for the
5 officials of the Delaware River District. I still cherish
6 that book. I cherish the independence that goes with
7 everyone having their say-so.

8 Let me give you a lead-in to -- I was trained as a
9 park ranger to know your resource, and you know your
10 resource by knowing the rivers around you. When I was in
11 Independence Hall, there is a creek that starts under
12 Independence Hall, flows into the Delaware called Dock
13 Creek; it's all rocked in now. My nearest
14 know-your-resource place in Philadelphia, PA, was the
15 Delaware River.

16 The total immersion. Maybe some of the Corps people
17 would like to meet me at a river and we can swim in an
18 undesignated area, unsafe. Maybe there will be a place
19 for you to go, too. That's all. Thank you.

20 COLONEL WALTERS: Thank you.

21 Allen Carter and to be followed by Greg Jones.

22 MR. CARTER: Colonel and Colonel and ladies
23 and gentlemen, I'm Allen Carter. I'm a retired biologist
24 from the Arkansas Game and Fish Commission, where I spent
25 a considerable amount of time in my career working on the

1 Arkansas River. My comments will address the
2 environmental aspects of the Arkansas River navigation
3 study.

4 The Arkansas River is a great resource for the
5 Arkansas and Oklahoma residents. It provides many
6 business and recreational opportunities. It plans -- If
7 the plans currently under consideration are completed, the
8 fishery of the river will actually benefit. Developing
9 the shipping channel to accommodate larger loads will
10 certainly benefit the present industry and the local
11 farmers. It should encourage additional industry, which
12 in turn will add jobs to the economies of both states.

13 The environmental impact statement is very
14 extensive. The time allowed for this oral comment is not
15 enough to address all of the statement. However, I can
16 say that a tremendous amount of time and effort was
17 expended to produce the document.

18 It also appears that there are no major
19 environmental problems; and in fact, the items found and
20 that needed attention have been addressed by the
21 environmental agencies in several different groups,
22 several different meetings, and solutions have been found
23 and are being found. I had the opportunity -- since I was
24 on the river an awful lot during my career, had the
25 opportunity to actually be a part of some of those

1 meetings and have that firsthand knowledge of what was
2 done.

3 The deficit in habitat units noted in the report for
4 the 12-foot channel is being addressed. This time period
5 for public comment provides the opportunity for the
6 agencies and the public to request specific items for
7 mitigation; and with that information, I'm sure the
8 habitat units will be a net positive. In Oklahoma,
9 they're a net positive at this time. In Arkansas, there
10 still needs to be some work done to come up with the
11 mitigation that's required for the project.

12 I realize that an adequate monitoring plan
13 concerning the biological issues is needed. I encourage
14 the utilization of a monitoring plan that involves all the
15 users of the system. Please remember that we're all in
16 the same boat on the river and need to work together.

17 In my past career with the Arkansas Game and Fish
18 Commission, I found it very helpful to have biologists,
19 anglers, hunters, and engineers in the same boat on the
20 river to discuss the wants, needs, and desires of
21 everyone. I did that. It worked, and it worked great.

22 This is also what's been done, though, to develop
23 this project. Again, the agencies were there. A lot of
24 folks have been in meetings and tried to figure out the
25 project. We were able to agree on many plans and adjust

1 the work projects to help and not hinder the various uses
2 of the river. The main concerns in all the development
3 plans were to maintain and even enhance environmental
4 aspects.

5 The biological opinion developed in the EIS seems to
6 be right on target. After reviewing the information for
7 all the endangered species in the area - and I believe
8 they looked at 16 total - and narrowing the concerns down
9 to a few, which actually re -- were four different
10 species, there -- a determining of no jeopardy on any
11 species is what happened.

12 The reasonable and prudent measures that are
13 required concerning the incidental take of the American
14 burying beetle seem appropriate and do not affect the
15 progress of the project.

16 The reasonable and prudent measures required
17 concerning incidental take of the least tern seem
18 extensive; however, I understand these actions would be
19 required by the U.S. Fish and Wildlife Service even if the
20 12-foot channel project is not approved. Therefore, these
21 actions should not hinder the approval of the 12-foot
22 project channel, and costs for these requirements should
23 not be charged against the project. Some of the
24 suggestions, such as building islands, by the
25 environmental agency should help the tern. These islands

1 might -- might not become a reality to help that bird for
2 many years if the channel project is not approved.

3 Recreational activities on the river help the
4 economy, especially from the local level. The river we
5 know today has provided many hours of all types of
6 recreation. However, there are several improvements that
7 will help the fishery and the angler.

8 The study team consisting of the state agencies, the
9 U.S. Fish and Wildlife Service, and the Corps of Engineers
10 has developed a scope of work that will enhance the
11 aquatic environment. These projects include notching more
12 than 250 dikes and revetments, dredging more than 30
13 silted areas that allow access to many of the backwater
14 areas that were once open and now are not, and creating
15 more than 30 islands that would provide various hab --
16 variation of aquatic habitat where none existed and also
17 create least tern habitat.

18 Notching the dikes and revetments will allow boating
19 access to many areas that have not been accessible in the
20 past. Out there on the river, we found lots of places
21 where a boat could never get into but -- unless there are
22 some notches made, and that's because the system, when it
23 was built, was not considered an environmental project at
24 all. It was only considered a navigation project.

25 Also, creating those island -- or creating those

1 notches will also create more islands that will provide
2 more backwater areas. Some specific examples of backwater
3 areas that will be accessible due to the dredging included
4 Coal Pile, Strawberry Creek, Hopewell Creek, Bull Creek,
5 and many other important oxbows along the river.

6 The study team also recommended avoiding the filling
7 of over 60 important aquatic areas. They -- the dredge
8 material will be placed in areas that now do not provide
9 good fisheries habitat, creating islands that have a
10 different shoreline and flow habits for the aquatic
11 species. This is a real plus for the fishery.

12 Considering the whole river, 445 miles in and
13 outside the channel, it is my opinion that there is not a
14 major loss of aquatic habitat and gravel as noted before.
15 Actually, the gravel dredge will be relocated in the river
16 for fish habitat for a zero net loss.

17 In addition to the aquatic habitat enhancement, the
18 deeper draft will allow the same amount of cargo moved on
19 the river to be moved in fewer barges, which will result
20 in less lock delays for the recreational users. Bass
21 fishermen should really appreciate fewer delays.

22 I encourage you to approve the project and complete
23 the notching -- the dike notching and the other projects
24 planned as mitigation. All the stakeholders, including
25 industry, have been and are willing to cooperate in any

1 way to help make the river the best it can be for all
2 users. Thank you.

3 COLONEL WALTERS: Thank you.

4 Greg Jones. On deck, Mr. Fox Wood.

5 MR. JONES: My name is Greg Jones. I'm a
6 private individual, and I own a small part of the land in
7 Oklahoma along the river.

8 And I'm sure like many of these farmers that are
9 here that I've seen and know from around, I'm -- I'm
10 asking the question to myself, why did I hear about this
11 on the radio this morning? And maybe I'm not paying close
12 enough attention.

13 And maybe the item of -- of concern here with the
14 environmental impact study is small, but I want to just
15 give my opinion and comment that it seems as though a
16 small number of people stand to benefit largely, that
17 being commercial shippers and people in industries with
18 other modes of transportation, but you're going to affect
19 hundreds and thousands of people who have invested their
20 lives and continue to live on the side of the river, and
21 for the benefit of others, that I am not sure I understand
22 yet accepting the environmental impact study. I realize
23 that's what the comment period is here for today, but I
24 question the utility of spending that kind of money when
25 only a few will benefit, many thousands will be

1 disaffected.

2 Furthermore, I have one comment as to the accident
3 occurred -- that occurred at the Arkansas bridge in
4 Oklahoma near Vian and Gore. We look at how much money
5 was expended there, a tremendous amount of money, and in
6 terms of if this is a project to help protect against
7 further accidents such as that, maybe that's one issue
8 that could be made more clear, but it seems to me that
9 you've -- you've got a channel that's not terribly used,
10 you're going to harm a lot of people, and I have serious
11 question and reservation as to why this is being pushed
12 myself. Thank you.

13 (Applause.)

14 COLONEL WALTERS: Mr. Fox Wood. That's the
15 last of the scheduled comments, and then we'll open up the
16 floor to anyone who would like to that haven't.

17 MR. WOOD: Thank you for the opportunity.

18 I represent the Tucker Model Farmers Association.
19 Our members farm between 15 and 18 thousand acres of
20 bottomland on the south bank of the Arkansas River in
21 northern Le Flore County.

22 I have looked and listened to the material offered.
23 I noticed that the burying beetle and the mussel and the
24 tern and a lot of other species are -- apparently we have
25 much concern for them. I haven't heard anything mentioned

1 about farmers or agriculture. I didn't see agriculture
2 mentioned in any of the -- any of the environmental impact
3 statement titles.

4 What I would like to know, if anyone here can tell
5 me, where will be the disposal sites of the dredge
6 material? I noticed they're all in Oklahoma. Will
7 those -- Will that material be put upon existing tillable
8 farmland?

9 And also, has any part of this study considered the
10 operation of the river, say for the past 15 or 20 years,
11 as far as flooding is concerned on agricultural property;
12 and would this new project change substantially the
13 prospect or the danger of flooding on agricultural land?

14 I have to tell you, in case you think my remarks are
15 a little bit callous, I can assure you that not a single
16 one of our members has the slightest consideration for the
17 burying beetle. And I say that as a geologist and an
18 anthropologist; that's my background, including farming.
19 And I realize that the Corps has no choice but to consider
20 the tern and every other sort of thing that might crawl or
21 swim or walk.

22 We are delighted that you have made the decision to
23 make this channel operation by not raising the river
24 level. This was our major concern when I was here in 2003
25 in this same room at a meeting. We're delighted that that

1 is the -- that is the case.

2 And I hope that maybe somebody can answer my two
3 questions. Where will the disposal of the -- will the
4 disposal be on any agricultural property; and will the
5 operation of this -- as you envision, will it -- would it
6 materially change the type of flooding that we've had on
7 the Arkansas River in the past?

8 Thank you.

9 MR. CARMAN: I'll try to answer those
10 questions.

11 (Applause.)

12 MR. CARMAN: First of all, as far as the
13 dredge disposal sites, we've tried to avoid farmland;
14 we've tried to avoid high valuable habitat land, as Rich
15 said, like bottomland hardwoods and wetlands, that kind of
16 thing; so we have made every attempt to put these dredge
17 disposal sites where they'll do the least damage to the
18 environment.

19 What was your other question?

20 MR. WOOD: Based on the operation of the
21 river in the past years and the type of flooding we've
22 experienced, would this new project -- assuming it goes
23 through and is in place and you have the program
24 completed, will there be any material change in the
25 prospect of flooding of agricultural land?

1 MR. CARMAN: This project will have very
2 little effect on any kind of flooding. It's basically
3 going to remain what it is now. All we've done as far as
4 the operation plan was change the bench from 75,000 cubic
5 feet per second to 60,000 cubic feet per second; and that
6 has a very minimal positive effect, but it's basically not
7 worth -- not worth noting. For all practical purposes,
8 it'll stay the same.

9 MR. WOOD: Thank you.

10 MR. HALL: I'd like to add one thing. If you
11 would look at Appendix A of the EIS, there are a series of
12 maps that detail where the dredging will occur and where
13 the planned dredged disposal is, so you can look at a
14 whole series of maps up and down the river and see exactly
15 where the dredging will occur and where the disposal will
16 occur.

17 MR. WOOD: Incidentally, I tried to download
18 that statement from the Web site. I've got Acrobat Reader
19 either six or seven, but it wouldn't come down. Maybe
20 it's me and maybe it's my computer, but you say you have
21 CDs that have this material on them?

22 MR. CARMAN: Yes, sir.

23 MR. WOOD: Thank you. I'll get one.

24 COLONEL WALTERS: Okay. That concluded the
25 list of comments that was given to me of people who have

1 specifically requested to make a comment by card.

2 I want to at this time open the meeting to anyone
3 else who would like to make a statement. Sir.

4 MR. STROUB: I'm Joe Stroub. I'm a farmer in
5 northeast Sebastian County, Ozark pool.

6 You made the statement in your opening remarks that
7 the pool level wasn't going to change; and then in the
8 next breath, you said it was going to store more water.
9 If more water is stored in the lakes in Oklahoma, that
10 leaves less storage capacity when you have major storm
11 events, so it would appear from that that you had to turn
12 it over here.

13 COLONEL WALTERS: Let me make a
14 clarification. The pool level of the river downstream of
15 the dam is not changed. It does, as you've noted - and I
16 think I noted, as well, at the beginning - mean that water
17 is held back longer in the flood pools of the dams in
18 Oklahoma. The dam -- The flood pools are not raised.
19 It's just held back longer, because instead of providing
20 the flow of that water at 75,000 CFS, it is provided at
21 60; and it takes about 14 days longer for that evacuation
22 to occur. I'm not trying to in any way insinuate to the
23 contrary.

24 MR. STROUB: Okay. Well, our problem, I
25 think you raise it, it isn't 75 or 60; it's 125 to 160 or

1 so. Beyond that, it's under our --

2 COLONEL WALTERS: Yeah. And I hope I made
3 that clear, because it is my -- it is our attempt to be
4 very clear with this. This -- That change does not affect
5 the -- the high end of the flows where my understanding is
6 most of the flooding problem occurs from.

7 Sir.

8 MR. PRATER: I'm Larry Prater, a poultry
9 farmer up in the mountains; so actually, this doesn't
10 affect me directly. However, I do think it will have a
11 favorable economic impact on our area. My son
12 particularly works for Bekaert Steel, and so shipping
13 steel products up the river is very beneficial to our
14 state on the economic value.

15 Also, I've traveled back and forth to Little Rock
16 extensively during the last six years. With the extra
17 tonnage that could be shipped on a deeper river, it -- I
18 think it would lessen the impact of our highway traffic
19 tremendously. Now we use trucks mainly for our
20 transportation of products, and that's the most expensive
21 way we could transport it; and with the navigation System
22 improved, we should have a better economical way of
23 transporting goods.

24 While considering that, I think we would be able to
25 maybe enhance our shipments to Cuba. Hopefully our

1 federal government will open our exports to Cuba where we
2 can move not only some of our poultry products, our
3 livestock products, and then further east, rice products.
4 We are the number one rice producer in the nation,
5 number two poultry, number two catfish, so I think we need
6 to export all that material that we can. And with the
7 waterways, I think that will be a better way of doing it.

8 Thank you.

9 COLONEL WALTERS: Thank you.

10 Sir.

11 MR. HORAN: My comments won't be just about
12 the Arkansas River Navigation system, but I'll try to
13 relate to it.

14 My name is Patrick Horan, a conservationist from
15 Fort Smith, Arkansas; and I appreciate the opportunity to
16 submit my comments to the U.S. Army Corps of Engineers
17 public hearing on a draft feasibility report and the draft
18 environmental impact statement for the Arkansas River
19 navigation study of April 2005.

20 I have attended the public scoping meetings of
21 May 15th, 2000; February 14th, 2001; and May 20th, 2003;
22 held here in Fort Smith, Arkansas; and have submitted my
23 comments on a number of issues that concern the
24 McClellan-Kerr Arkansas River Navigation System, MKARNS,
25 and Arkansas and Oklahoma.

1 The answers to my questions involve the proposed
2 Pine Mountain Dam, which would be located at River Mile
3 35.7 on Lee Creek near Natural Dam, Arkansas, in Crawford
4 County, about 15 miles north of Fort Smith, Arkansas, have
5 not been forthcoming from the U.S. -- USACE; yet I have
6 asked about this possible dam on the tributary stream of
7 upper Lee Creek and the current status of this proposed
8 project on every occasion that the U.S. Army Corps of
9 Engineers, USACE, have come to Fort Smith, Arkansas. It
10 seems that this proposed dam and impoundment project on a
11 tributary of the Arkansas River and a proposed I-49 bridge
12 just south of Trimble Lock and Dam Number 13 are not to be
13 considered as relevant to examining ways to make MKARNS
14 more reliable and to improve navigation efficiency.

15 I personally think that the public has a right and a
16 duty to identify key issues of concern that certainly
17 relate to the Arkansas River system.

18 I want to submit a sub -- Southwest Times Record
19 local newspaper article of June 16th, 2000, that now
20 retired Crawford County Judge Floyd Rogers did grant a
21 petition creating a new River Valley Regional Water
22 District despite objections by the City of Fort Smith,
23 Arkansas, and two area residents, myself included.

24 There's always been a plan to involve the USACE,
25 U.S. Corps of Engineers, in this proposed dam and

1 impoundment on upper Lee Creek, even though this stream
2 segment is classified by the State of Arkansas as an
3 extraordinary water resources -- resource and a scenic
4 river segment, and this designation prohibits any
5 impoundment now or in the future.

6 I think that any proposed projects on a tributary
7 stream of the Arkansas River should be discussed and
8 evaluated, along with the long-term plans for the MKARNS,
9 since this could affect river flow management and fish and
10 wildlife.

11 A few years ago, I also expressed my concern in a
12 letter to the Little Rock District of the USACE about the
13 location of a planned I-49 bridge over the Arkansas River
14 just south of Trimble Lock and Dam Number 13 on the east
15 side of Fort Smith, Arkansas. According to Map Sheet 25,
16 Volume 1, a large bridge will be constructed approximately
17 between River Mile 291.9 and River Mile 292, and this
18 interstate highway will bisect the existing Spring Hill
19 Park on a curve of the Arkansas River. I have long
20 maintained that this planned bridge should have been
21 located in a gap between the Spring Hill Park and the Bash
22 Grass Park to the east in order to prevent a large barge
23 and tow from having to turn and simultaneously thread the
24 piers of this bridge while lining up on Lock and Dam
25 Number 13 in adverse weather conditions.

1 A few years ago, we read about the fatal barge
2 bridge accident of May 26, 2002. And this tragedy of a
3 barge hitting the existing I-40 bridge over the Arkansas
4 River near Lock and Dam Number 16 resulted in the collapse
5 of a bridge segment and the death of 14 motorists on the
6 interstate highway, I-40, near Webbers Fall, Oklahoma.

7 A similar accident could occur if the proposed I-49
8 bridge near Lock and Dam Number 13 is not better
9 positioned according to the needs and requirements of even
10 larger barges and tows moving to and from the Mississippi
11 River to the Port of Catoosa near Tulsa, Oklahoma, using
12 the proposed deeper 12-foot navigation channel on the
13 Arkansas River. Adverse weather conditions and poor
14 visibility at night should make this complicated move on
15 the flowing river result in a similar disaster. Military
16 river training operations originating from nearby Fort
17 Chaffee could also complicate this difficult situation
18 throughout the year.

19 It should be noted that the barge disaster of
20 May 26, 2002, near Webbers Fall, Oklahoma, involved a
21 fairly straight navigation sight line to the distant Lock
22 and Dam Number 16 and was probably caused by a medical
23 condition of the captain.

24 I am personally relieved that the option of raising
25 the level of the Arkansas River by 3 feet is no longer

1 being considered. This would be a disastrous op -- option
2 for our natural and cultural resources and would enhance
3 the conditions that would result in more numerous and more
4 frequent flood events on the Arkansas River and its
5 numerous tributary streams. The disastrous floods of --
6 on the upper Mississippi River and the Arkansas River in
7 the 1990s should make us more aware and careful in our
8 plans for this major river in Arkansas and Oklahoma.

9 Thank you.

10 (Applause.)

11 COLONEL WALTERS: Ron.

12 MR. CARMAN: I really can't address the
13 bridge on I-40 that you were talking about, but I can
14 address the Pine Mountain Dam that you were referring to.
15 We are, in fact, looking at that possibility again at the
16 request of Congress. The last two or three years, we've
17 been -- Well, let me back up.

18 Back in the early '80s, we did a feasibility report
19 looking at the feasibility of building a dam on Lee Creek.
20 We've been asked by Congress to take another look at that
21 possibility, and so we are in the process of doing that.

22 Now, having said that, it'll go through the same
23 process of this Arkansas River navigation study. We will
24 have to do an EIS; we will have to go through the public
25 scoping process; and it'll have to be reviewed by the

1 public just like we're doing here; so you will have your
2 chance to comment on the Pine Mountain Dam if it goes
3 forward and if we get additional funds to keep doing the
4 study.

5 MR. PRATER: I just wanted you to realize
6 that there are other ways of improving the upper Lee Creek
7 and be aware of that in the Pine Mountain planning stages.

8 MR. CARMAN: Yes, sir, we understand that.
9 Yes, sir.

10 I-40 bridge, anybody know anything about that one?
11 I -- That one, I don't know anything about. I just can't
12 address that.

13 UNIDENTIFIED SPEAKER: U.S. Coast Guard.

14 MR. CARMAN: Yeah, that's -- You probably
15 ought to contact the U.S. Coast Guard to try to get
16 information on that.

17 MS. McSWAIN: Bring in the Coast Guard.

18 MR. CARMAN: Did that answer your question?
19 I know that didn't completely answer your question.
20 That's about the best I can do.

21 COLONEL WALTERS: Sir.

22 MR. COSNER: My name is Tom Cosner. I'm a
23 farmer in Oklahoma.

24 One of the first things that -- that I'd like to
25 comment on is the dredge disposal. I feel like that

1 the -- the disposing -- the disposal should be put on the
2 least valuable land, not just the land that's the least
3 cost to dispose of as far -- in terms of how far they pump
4 the sand. Having been around that a lot, you know, as you
5 deal with landowners, you need to see their side of it.
6 I've been around this system all my life; and when the
7 first dredging came through, it was put wherever it was
8 most economical to dispose of. The value of the land had
9 no impact on it. And I think that should be taken into
10 consideration; and, you know, instead of just condemning a
11 piece of property to dump sand on, I think you need to
12 work with the landowners and say, "Now, you know, where
13 would -- if we're going to have to do this in a given
14 area, let's put it where you want it, not just where we
15 want it."

16 As a farmer, I feel as though this is a great
17 project. South America, namely Brazil, has become our
18 major competitor. They have ocean-going vessels that go
19 inland as far as our barge system is; and we've got to
20 update our river system to remain competitive in the world
21 market. How many people drive cars that were made in '71
22 or '2 and haven't done anything to them? This system is
23 in need of -- of a little bit of work.

24 Having said that, I feel it's very important to look
25 at the -- the flows of this river. You know, when -- if

1 you're going to -- if you're going to retain more water in
2 Oklahoma, you know, your hydrologists are going to have to
3 realize that your pool may not be quite as big as it was,
4 and there may be times that you have to turn water loose
5 faster than you have in the past just to maintain -- to
6 keep those catastrophic floods from occurring. Hopefully
7 a deeper channel will carry more water during a flood. I
8 don't know. That would be a hope, but --

9 But in Oklahoma, the Public Law 566 projects have
10 all silted in. They were built 50 years ago. And now the
11 State is having to go in and dredge them out. And I
12 think, you know, that you're going to have to build the
13 cost of dredging this system into your budget from now on.
14 You do on the lower Mississippi where it runs into the
15 Gulf, and I think it's a given. And I have no problem
16 with a 12-foot channel; I think it's a great thing; but I
17 think it'll be a constant dredging process. Thank you.

18 (Applause.)

19 COLONEL WALTERS: Let me state, in response
20 to that, that the study does take into account both the
21 costs and the needs with respect to future dredging. That
22 is a major component of the study itself.

23 Anyone else?

24 MR. JOSH BRECHEEN: How many years for the
25 study of maintenance, how many years did it go into?

1 COLONEL WALTERS: The study is based on a
2 50-year life of the project.

3 MR. JOSH BRECHEEN: Maintenance for the 50
4 years.

5 MR. COVINGTON: I'm Louie Covington, and I've
6 just got a question.

7 In the backwater areas that they're talking about
8 dredging out, what are they going to do with the material?
9 They're talking about building islands, but I mean there's
10 islands there already in backwater. I mean what -- Are
11 you going to put it back over onto your property, or is it
12 going onto the private citizen?

13 MR. CARMAN: Well, it -- And Johnny, correct
14 me if I'm wrong on this. Oh, I'm sorry. But we'll --
15 We -- we will put the dredge material that -- where we
16 dredged out backwaters in the same -- in Arkansas, we'd
17 probably be putting it in the dike fields of low value.
18 In Oklahoma, we'll probably be putting it in -- up in
19 disposal areas. So we will be putting it on our property
20 is the answer to your question.

21 MR. COVINGTON: Well, when we have flooding,
22 will it not wash back in?

23 MR. CARMAN: It could wash back in the
24 system, but hopefully it'll wash down to an area where
25 sedimentation is not a problem, to deeper areas where we

1 don't have to dredge it out, so --

2 MR. COVINGTON: But a lot of the backwater
3 was deeper water, and it's filled in.

4 MR. CARMAN: Right. Right.

5 MR. COVINGTON: So I mean what -- It looks to
6 me like you're just going to keep fighting it all the time
7 if you're going to be moving it back and forth.

8 MR. CARMAN: It will be a reoccurring
9 maintenance item, you're absolutely right.

10 MR. COVINGTON: Is it feasible to move the
11 water out of the back areas, then -- or the dirt, I mean,
12 in the field?

13 MR. CARMAN: I don't know that we've looked
14 at dredging any of the backwater areas to deeper -- to
15 deeper depths. I don't think we looked at that. All
16 we're doing is trying to open them up where they've silted
17 up on the entrance. We've not looked at getting back in
18 and doing any dredging back in the backwater areas.

19 MR. COVINGTON: Okay. Thank you.

20 COLONEL WALTERS: Thank you.

21 Anyone else? Yes, ma'am.

22 UNIDENTIFIED SPEAKER: Have you built a model
23 of this, and do you know how it will change the flow?

24 We had two 100-year floods in three years, and they
25 had those gates open, I remember one day four -- they were

1 pushing 400,000 through.

2 MR. CARMAN: Yes, ma'am. We did extensive
3 modeling on looking at changing the flow operation plan.
4 I don't remember off the top of my head how many -- how
5 many models we went through.

6 UNIDENTIFIED SPEAKER: At the time, they
7 didn't know how much land would flood if they opened the
8 gates so far, and they kept opening them further and
9 further, and it flooded.

10 MR. CARMAN: We did all that modeling, yes,
11 ma'am. We did do the modeling. We do know how much land
12 will be flooded by this change in the operation plan that
13 we're proposing; and the change -- as I said earlier, this
14 change that we're proposing will have almost no effect on
15 the flooding. Any flooding you're having now will
16 probably still be there after we -- if and when we change
17 this flow -- flow plan.

18 UNIDENTIFIED SPEAKER: It won't change if you
19 make the -- you keep the lake deeper?

20 MR. CARMAN: No. The flow -- The deepening
21 the channel will not change the -- It'll have no effect on
22 flooding or such a negligible amount, it won't amount to
23 anything.

24 UNIDENTIFIED SPEAKER: Why do you need to
25 keep the lake deeper?

1 MR. CARMAN: We need to deepen the channel so
2 we can load the barges deeper and haul more goods on the
3 system.

4 UNIDENTIFIED SPEAKER: Oh, I see.

5 MS. McSWAIN: What is negligible? Will you
6 define that, please?

7 MR. CARMAN: Lynn, are you in here?

8 UNIDENTIFIED SPEAKER: He's outside. About a
9 tenth of a foot.

10 MR. CARMAN: Yeah.

11 MS. McSWAIN: Tenth of a foot. Thank you.

12 MR. CARMAN: That much.

13 UNIDENTIFIED SPEAKER: Negative or positive?

14 MR. CARMAN: It's probably both. It's --
15 According to where you're looking at.

16 COLONEL WALTERS: Anyone else? Sir.

17 MR. BRISCO: I'm Bob Brisco from Lavaca,
18 Arkansas.

19 I think you have had a good meeting here. You have
20 had a cross section of everybody's concerns.

21 I've been on the Arkansas River all my life. The
22 way it has improved and the economy, the quality of the
23 water, is certainly commendable.

24 MS. McSWAIN: No. Sorry about that one. Go
25 ahead.

1 MR. BRISCO: Also, I'd like to get to the
2 Pine Mountain project, which it looks like -- I'm glad
3 you're looking at that, and I'll give you a little
4 background. I was the mayor of Lavaca, was in Little
5 Rock, and your office called me in and wanted to know what
6 Fort Smith was doing about the Pine Mountain project. I
7 came back and found out they weren't doing anything about
8 it, but you did contact me and said at that time you had
9 your appropriations, but that's been since 1973; so that's
10 gone by the wayside, I know, but I'd like for you to
11 consider it.

12 The other thing is I'm here to bend your ears on
13 another project, and that is a port on the Bash Grass
14 River Creek down by Lavaca, because it has a greatest
15 potential for a large port facility on slackwater port,
16 and I'd like for you to get your ear on that.

17 And so I think you've had a good meeting here. I
18 think everybody's questions have been answered. And if
19 there's anything I can do to help -- By the way, if you
20 want to know about the -- I'm in the Coast Guard
21 Auxiliary, and I was the one that dispatched the boats up
22 to the bridge, and that was just one of those things that
23 happen, I suppose. I think that it doesn't have anything
24 to do with the Corps, but it does probably have to do with
25 some Coast Guard. We need to look at the hours that

1 people work and the condition of their health.

2 Thank you.

3 (Applause.)

4 COLONEL WALTERS: Anyone else?

5 All right. At this time, I'm going to close the
6 formal portion of the hearing and -- since everyone who
7 has desired to do so has had the chance to speak.

8 My staff, please stand up, those of you who are here
9 from Little Rock, the Tulsa districts. I want to make
10 sure that you're aware --

11 (Applause.)

12 COLONEL WALTERS: Should you desire to talk
13 to anyone, I would direct you to any of those individuals,
14 though they may redirect you to someone who may have
15 actual involvement in the issue of your concerns.

16 We also want to remind you that there is still
17 opportunity to submit comments in writing between now and
18 the 24th of May. We consider the comments very important.
19 They will be fully considered, and we do consider them
20 very helpful in developing the final EIS river study.

21 I want to thank you for your patience. I personally
22 want to also tell you that on behalf of myself - and I
23 know I speak, as well, for Colonel Kurka - we value these
24 sessions precisely because it is unfiltered and a chance
25 to hear from you directly rather than just from our

1 staffs, because we are responsible for the staffs who are
2 putting together many of these documents, and we want to
3 make sure that everyone has a chance for input.

4 You can also expect that the -- an additional
5 opportunity as this draft document -- I emphasize at this
6 point it is a draft, goes to final later this summer, and
7 we'll be providing public comment opportunity.

8 As noted by some, the full aspects of the mitigation
9 plan, as noted -- as we noted also in the initial
10 briefing, are not yet complete. They are still being
11 worked principally by other agencies, such as the Fish and
12 Wildlife Service, and will be released once they become
13 available.

14 In addition, there will be one more public hearing
15 on these draft items, which will take place tomorrow night
16 in Tulsa at the Henry Zarrow Regional Library; and should
17 you wish to attend or you know someone who wish to attend,
18 be happy to give you additional directions on how to get
19 there.

20 On behalf of the Corps of Engineers and on behalf of
21 the two districts involved in this project, I do want to
22 state formally that we are genuinely committed to working
23 with all stakeholders and citizens as we evaluate the
24 project and go forward should it go -- should it be
25 approved and should it be funded and approved for action

1 by the Congress.

2 Thank you very much for your participation
3 tonight --

4 (Applause.)

5 COLONEL WALTERS: -- in what is an exercise
6 of democracy. Have a wonderful evening.

7 (Wherein, at 7:54 p.m., the public hearing was concluded.)

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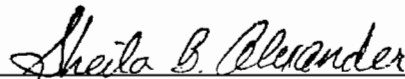
C E R T I F I C A T E

1
2 STATE OF ARKANSAS)
3)
4 COUNTY OF BENTON)

5 I, SHEILA B. ALEXANDER, Certified Court
6 Reporter, a notary public in and for the aforesaid county
7 and state, do hereby certify that the foregoing
8 proceedings were taken by me in Stenotype and were
9 thereafter reduced to typewritten form by me or under my
10 direction and supervision; that the foregoing transcript
11 is a true and accurate record of the proceedings to the
12 best of my understanding and ability.

13 I FURTHER CERTIFY that I am neither counsel for,
14 related to, nor employed by any of the parties to the
15 action in which this proceeding was taken; and, further,
16 that I am not a relative or employee of any attorney or
17 counsel employed by the parties hereto, nor financially
18 interested, or otherwise, in the outcome of this action;
19 and that I have no contract with the parties, attorneys,
20 or persons with an interest in the action that affects or
21 has a substantial tendency to affect impartiality or that
22 requires me to provide any service not made available to
23 all parties to the action.

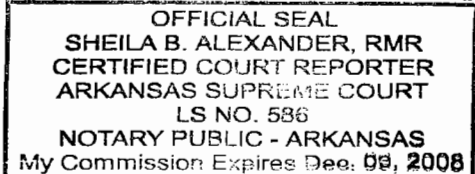
24 IN WITNESS WHEREOF, I have hereunto set my hand
25 and affixed my seal of office this 16th day of May, 2004.



SHEILA B. ALEXANDER, CCR, RMR, LS #586
NOTARY PUBLIC

In and for the County of Benton
State of Arkansas

My Commission Expires
December 9, 2008



B.3.4.3 Public Meeting in Tulsa, Oklahoma

The following transcript was recorded during the public meeting held on May 5, 2005 in Tulsa, Oklahoma.

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COPY

PUBLIC HEARING
ON THE
DRAFT
ENVIRONMENTAL IMPACT STATEMENT
FOR THE
ARKANSAS RIVER NAVIGATION STUDY

VERBATIM TRANSCRIPTION OF HEARING
taken on behalf of the U.S. Army Corps of Engineers, at
6:31 p.m. on the 5th day of May, 2005, at the Henry
Zarrow Regional Library, 2224 West 55th Street, Tulsa,
Oklahoma, before Lynette L. Olsen, a Certified Shorthand
Reporter in and for the State of Oklahoma.

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A P P E A R A N C E S

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* * * * *

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* * * * *

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I N D E X

SPEAKER	PAGE NO.
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1 COLONEL KURKA: Okay. May I please have
2 your attention. According to my watch, it is just a
3 little bit past 6:30, so I would like to welcome you to
4 tonight's meeting. My name is Colonel Miro Kurka. I am
5 the District Commander for Tulsa District, U.S. Army
6 Corps of Engineers.

7 The Corps of Engineers is preparing an
8 Environmental Impact Statement which we will refer to as
9 an EIS for the Arkansas River Navigation Study.

10 Thank you for joining us. I would like to
11 begin with some administrative matters. First, please
12 be aware that smoking is not permitted in this building.
13 Also restrooms and water fountain are located just out
14 that door.

15 Now, let me introduce some of the people who
16 are here tonight. Don't worry about writing them down
17 because we have identified all key contacts and phone
18 numbers at the back of the brochure which was provided
19 to you as you entered this meeting.

20 First, I would like to introduce
21 Mr. Ron Carman from the U.S. Army Corps of Engineers,
22 Little Rock District. He is the project manager for the
23 Arkansas River Navigation Study. Mr. Carman will be
24 providing an overview of the Arkansas River Navigation
25 Study in a few moments.

1 Next, I would like to introduce
2 Mrs. Renee Wright. She is also from Tulsa District and
3 she is the lead -- study lead -- correction. Okay. She
4 is the Little Rock District Study Lead.

5 And Mr. Ed Rossman -- where is Ed?

6 MR. ROSSMAN: Right here.

7 COLONEL KURKA: There he is. Ed -- he is a
8 Tulsa District Study Lead.

9 I would also like to introduce
10 Mr. Johnny McLean --

11 MR. MCLEAN: Right here.

12 COLONEL KURKA: -- from the Little Rock
13 District who is the environmental lead for this project.

14 And, Mrs. Sandra Stiles --

15 MS. STILES: Right here.

16 COLONEL KURKA: -- who is the environmental
17 lead for Tulsa District.

18 I would also like to introduce
19 Mr. Richard Hall representing the consulting team from
20 Parsons. Mr. Hall serves as project manager for their
21 firm in the preparation of the EIS. He will be
22 providing you with an overview of the EIS in a few
23 minutes.

24 Finally, Miss Lynette Olsen will be our
25 recorder tonight.

1 A variety of support staff are also here
2 assisting in answering any questions which you might
3 have regarding tonight's meeting and EIS process and any
4 other related issues on this study.

5 We will stay here and answer your questions
6 and take your statements as long as it takes. So we
7 will stay here as long as you have any questions to ask
8 and as long as you want to make any statements.

9 The hearing tonight is very important to
10 you, the general public, and the surrounding
11 communities, as well as for our team here at the Corps
12 of Engineers. Tonight we will continue the process used
13 to prepare the final Environmental Impact Statement.
14 This process includes bringing together the public and
15 concerned groups, as well as local, state and federal
16 agencies to learn about the proposed actions, identify
17 issues and concerns and comment on a Draft EIS. This
18 meeting is an important means of receiving feedback from
19 you, the public. Your input will assist in refining the
20 final EIS. I want to thank you all for your
21 participation tonight.

22 At this time, I would like to direct your
23 attention to the slide. During this meeting we would
24 like to give an overview of the Arkansas River
25 Navigation Feasibility Study and the Draft Environmental

1 Impact Statement or EIS. These are two different
2 documents. The primary purpose of our meeting is to
3 hear your comments on the Draft EIS which has been
4 circulated and made available for public review. This
5 is actually the most important aspect of tonight's
6 meeting is to get your comments on the Draft EIS.

7 For those of you who would like to obtain
8 and examine a copy of the Draft Feasibility Report and a
9 Draft EIS, you can do this in several ways. First, an
10 electronic copy has been posted on line at the
11 Little Rock District web page. The address is shown on
12 this slide. Second, you can request a CD from the
13 Little Rock District office at the address on the
14 handout. We do have a number of CD's here that we can
15 hand out to you tonight. And finally, you can read the
16 Draft Feasibility Report and Draft EIS at one of 22
17 libraries listed on the public notice.

18 Let me spend a few minutes explaining how
19 the meeting will be conducted tonight. This entire
20 meeting is being recorded and a transcript will be
21 prepared and become an official part of the EIS. So,
22 anything that's said here tonight will become an
23 official part of the EIS. Right now the Draft EIS is
24 three of those big binders there (indicating). So,
25 whatever is said here tonight will be added to that

1 volume.

2 As you entered, you were asked to fill out
3 an attendance card. We do this for two reasons: This
4 provides a record of those in attendance, so we can keep
5 you informed about the progress of the EIS and the
6 registration cards help us identify those who wish to
7 make a statement at the meeting.

8 If you did not fill out an attendance card
9 at the door, you may raise your hand at this time and
10 one of the staff will provide you with one.

11 We will invite any elected officials, or
12 their representatives, to speak first and then we will
13 call on other speakers in general order in which we
14 received their registration cards. After all persons
15 who have registered to speak have completed their
16 comments, I will open the floor for anyone else who
17 would like to make a comment. We will stay as long as
18 it takes to get everyone heard.

19 Before we open the floor to receive your
20 comments, we are going to provide you an overview of the
21 Draft Feasibility Study and the Draft EIS. This will
22 take about 30 minutes. We also hope that you picked up
23 copies of the printed summary information that were
24 available at the registration desk, since it will also
25 help to explain how the Draft EIS has been prepared. If

1 you did not get a copy of this information, you can pick
2 it up on your way out of the meeting tonight.

3 We would also like to call your attention to
4 the Standard Comment Sheets that are available at the
5 meeting's registration area. We encourage you to
6 comment on matters concerning the EIS that you would
7 like the study team to address in refining the final
8 EIS. Your completed comment sheets will be left in the
9 collection boxes -- your completed comments may be left
10 in the collection boxes available at this meeting. You
11 may also mail or e-mail your comments, along with any
12 other written material that you would like to enter into
13 the public meeting record, to the address shown on the
14 sheet. Comments can be submitted on comment sheets or
15 in letter form. Please be aware that all comments
16 should be submitted before close of the comment period
17 on May 24th, 2005, which is 45 calendar days from the
18 date the Notice of Availability was published in the
19 federal record on April 8th, 2005.

20 For those of you who would like to make a
21 statement tonight, we will open the floor for comments
22 at the end of the presentation. All public comments
23 will be documented as part of the EIS process. This
24 documentation will include written comments provided
25 prior to this meeting, written comments provided at this

1 meeting, oral comments provided at this meeting and all
2 additional written comments received before the close of
3 the comment period on May 24th, 2005. The EIS study
4 team will use these comments to insure that the EIS
5 addresses issues that are of greatest interest and
6 concern to the public.

7 Are there any questions on the meeting
8 purpose and procedures before we go on?

9 (PAUSE.)

10 COLONEL KURKA: All right. At this time
11 then I am gonna turn the microphone over -- no
12 microphone -- but I am going to turn the podium over to
13 Ron Carman who will provide an overview of the Arkansas
14 River Navigation Study.

15 MR. CARMAN: Thank you, Colonel Kurka.

16 As the Colonel said earlier, I am the
17 project manager on the Arkansas River Navigation Study.
18 The McClellan-Kerr Arkansas River Navigation system is
19 445 miles in length and has 18 locks and dams, including
20 Montgomery Point. The system begins at the confluence
21 of the White and Mississippi Rivers and proceeds up the
22 White River to navigation mile 10. At that point, the
23 system enters the Arkansas Post Canal and continues
24 through the canal until it reaches the Arkansas River at
25 mile 19. The system continues on the Arkansas River

1 until it reaches the Verdigris River at Muskogee,
2 Oklahoma, which is at navigation mile 395 and continues
3 on the Verdigris River for 50 miles to the head of
4 navigation at Catoosa, Oklahoma.

5 Flows on the system are primarily influenced
6 by flows on the upper Arkansas River upstream of its
7 confluence with the Verdigris River and from eleven
8 reservoirs in Oklahoma.

9 The Feasibility Study and EIS cover the
10 entire McClellan-Kerr Navigation System.

11 The Reconnaissance Study was initiated in
12 1999 as a Congressional Add to investigate flooding
13 problems in the vicinity of Ft. Smith, Arkansas.
14 Initial findings identified a need to investigate
15 operational changes to the McClellan-Kerr Arkansas River
16 Navigation System to minimize the effects of high flow
17 on navigation and which also affect local flooding. The
18 report also recommended investigating channel deepening
19 and widening of the Verdigris River to benefit
20 navigation. The -- the Reconnaissance Study was
21 completed and the Feasibility Study was started in March
22 of 2000. The Feasibility Study is being conducted at
23 full federal expense.

24 Five alternatives, including a No Action
25 Alternative, were developed for the Feasibility Report

1 and EIS. The formulation of these alternatives will be
2 further explained later in the presentation.

3 Alternative A, the No Action Alternative
4 consists of maintaining the current operations system.
5 No changes in the existing river or reservoir operations
6 would be made. The existing flow management plan would
7 remain unchanged. The existing depth of the navigation
8 channel would remain unchanged and the existing
9 navigation channel maintenance activities would remain
10 unchanged.

11 Alternative B consists of adding new dredged
12 material disposal sites in Oklahoma to supplement
13 current disposal sites which will reach capacity at some
14 locations in the near future. The existing flow
15 management plan would remain unchanged and the existing
16 depth of the navigation channel would remain unchanged.

17 Alternative C consists of adding new dredged
18 disposal sites in Oklahoma and replacing the existing
19 flow management plan with a Modified Bench Flow
20 Management Plan. The existing depth of the navigation
21 channel would remain unchanged.

22 Alternative D consists of, one, adding new
23 dredged material disposal sites in Oklahoma. Two,
24 replacing existing flow management plan with a Modified
25 Bench Flow Management Plan and, three, increasing the

1 depth of the navigation channel throughout the system
2 from 9 feet to 11 feet.

3 Alternative E consists of, one, adding new
4 dredged material disposal sites in Oklahoma. Two,
5 replacing the existing flow management plan with a
6 Modified Bench Flow Management Plan and, three,
7 increasing the depth of the navigation channel
8 throughout the system from 9 feet to 12 feet.

9 I would like to point out that the
10 deepening in -- deepening the channel in both
11 Alternative D and E would be by dredging the bottom
12 deeper and not by raising pool elevations.

13 The alternatives were evaluated to determine
14 the economic impacts. The annual benefits derived by
15 each alternative were compared to the annual cost of
16 that alternative. The alternative with the greatest
17 annual net benefits is called the National Economic
18 Development Plan.

19 As you can see from this slide, Alternative
20 E has the greatest annual net benefits and is,
21 therefore, the National Economic Development Plan. This
22 alternative has annual benefits of 22.3 million and
23 annual costs of 11.8 million or annual net benefits of
24 10.5 million. The majority of the economic benefits
25 come from navigation savings, although there are some

1 minor benefits to hydropower. The total cost of
2 Alternative E is \$160,000,000. The major costs are
3 associated with new dikes and re -- and jettys,
4 dredging, construction of the dredge disposal areas and
5 environmental mitigation.

6 Based on the economic analysis in the
7 Feasibility Study, Alternative E is proposed as the
8 recommended alternative. And as a reminder, Alternative
9 E consists of, number one, maintenance of channel depth
10 through existing dredging and disposal operations. Two,
11 Modified Bench Flow Management Plan which changes the
12 existing operation plan by reducing the bench flow from
13 75,000 cubic -- cubic feet per second to 60,000 cubic
14 feet per second at Van Buren. This reduces the number
15 of time per -- times per year that flow -- river flows
16 above 60,000 cubic feet per second by 14 days. This
17 improves navigation on the river during those times.
18 And, third, dredging where it is needed to achieve a
19 12-foot navigation channel throughout the entire length
20 of the McClellan-Kerr System, thus allowing barges to be
21 loaded to a deeper depth.

22 Now, I want -- I would also like to point
23 out that 85 to 95 -- to 90 percent of the navigation
24 system is already at 12 feet deep or deeper, so it will
25 not be necessary to dredge the entire 445 miles of the

1 system to achieve a 12-foot channel depth.

2 As stated earlier, the deadline for
3 submitting comments is May the 24th, 2005. After
4 refining the report and EIS due to the -- due to the
5 review comments, the final public review is scheduled
6 for July the 1st through the -- July the 31st of 2005.
7 The record of decision will be completed after the final
8 review.

9 Now, we will turn -- turn the podium over to
10 Mr. Rich Hall of Parsons who will provide an overview of
11 the EIS process. At the end of Mr. Hall's presentation,
12 we will open the floor to receive your comments.

13 Thank you.

14 MR. HALL: Well, thank you, Ron, very much.

15 Good evening, ladies and gentlemen.

16 My goal tonight is to give you a better
17 understanding of the actions that are evaluated in the
18 Arkansas River Navigation Study Draft EIS and how the
19 document is structured. I will try to provide you with
20 an overview -- overview of the format, contents and
21 major conclusions of the document.

22 The National Environmental Policy Act or
23 NEPA, as we like to call it, requires all federal
24 agencies to consider the possible environmental impacts
25 of proposed actions during the planning and

1 decision-making process. These considerations and the
2 resulting recommendations for major federal actions
3 affecting the quality of the human environment must be
4 documented and allow for the public involvement.

5 Implementation procedures for this law are found in the
6 US Army Corps of Engineers Regulation 200-2-2, and the
7 President's Council on Environmental Quality Guidelines.

8 Prior to writing the Draft EIS, the Corps of
9 Engineers initiated a public scoping process to solicit
10 public comments on issues and concerns that should be
11 addressed in the document. Comments were solicited
12 through mailings, media advertisements and both agency
13 and public scoping meetings. A total of 221 responses
14 were received during the EIS scoping process. EIS
15 scoping comments are used to help to define the
16 boundaries of the analysis and help focus the statement
17 on areas of concern.

18 The major issues that were -- that came
19 forward as part of the scoping process are shown on the
20 slide. They include possible impacts to the Interior
21 Least Tern and other bird and fish communities as a
22 result of the proposed action. Also, concern about
23 channel degradation, head cutting, water quality and
24 shoreline erosion. Concerns regarding the costs of
25 maintaining the increased depth of the navigation

1 channel were also expressed. The potential reduced
2 available head at hydropower facilities was another
3 concern. Also, the potential loss of riverfront parks,
4 boating access, and camping areas due to flooding and/or
5 land acquisition.

6 Finally, there were concerns over potential
7 losses of private land, including agricultural land, due
8 to possible flooding and land acquisition.

9 Environmental Impact Statements are
10 disclosure documents. They assist the decision maker
11 when determining alternative selection for federal
12 initiated projects. The intent of the EIS is to
13 describe, for the decision maker and the public, a need
14 for the project, alternatives to the proposed action, a
15 description of the affected environment, direct,
16 indirect and cumulative impacts of the alternatives and
17 mitigation measures.

18 The proposed action for this plan is defined
19 as maintaining and improving the navigation channel in
20 order to enhance commercial navigation on the system,
21 while maintaining other project purposes.

22 We are now gonna take a look at a little bit
23 of what we have in the document.

24 The EIS describes three features associated
25 with the proposed action. Navigation Channel Depth

1 Maintenance consists of maintaining the navigation
2 channel via river training structures and maintenance
3 dredging. The evaluation process for this feature
4 considered a wide variety of maintenance dredging issues
5 focused on maintaining the navigation channel to sustain
6 commercial navigation.

7 The River Flow Management Feature sought to
8 improve the safety and efficiency of commercial
9 navigation by managing the navigation system -- system --
10 excuse me -- to limit periods of sustained high flows.
11 This would be achieved by reducing the number of days
12 when the river bench flows exceeded 60,000 cubic feet
13 per second at Van Buren. The evaluation process
14 initially considered 23 separate river flow management
15 components.

16 The current river navigation -- the current
17 navigation channel limits steps -- excuse me. The
18 current navigation channel depth limits the efficiency
19 and volume of commercial navigation operations on the
20 river. The proposed navigational channel deepening
21 action allows deeper drafts to operate on the system.
22 The components presented in the draft EIS explore the
23 options of deepening the navigation channel to 10, 11 or
24 12 feet within six separate segments of their
25 system.

1 Retained components include evaluation of
2 new disposal sites for existing maintenance dredging,
3 modification of bench flow at Van Buren and 11- and
4 12-foot channel depths for the length of the navigation
5 channel. These components were used to formulate four
6 Action and one No Action Alternative.

7 Section 4 of the Draft EIS includes
8 descriptions of the existing environment that may be
9 influenced by the proposed action. The Corps undertook
10 several new substantial studies to better define the
11 affected environment on the MKARNS. These included
12 Terrestrial Habitat Evaluation, Aquatic Habitat
13 Evaluations, Mussel Surveys, Gravel Bed Surveys,
14 Geomorphology Analyses, Socio-Economic Evaluations, and
15 River Sediment Studies.

16 One of the most critical sections of the EIS
17 is the rigorous evaluation of the environmental
18 consequences or impacts that are -- that are expected to
19 occur as a result of the action. This analysis is
20 covered in Chapters 5, 6 and 7 of the Draft EIS. Some
21 of the important issues discussed in the environmental
22 consequences are included on this slide.

23 Based upon the comments received during
24 scoping, biological resources were determined to be
25 among the key environmental consequences of concern and

1 were the focus of further in-depth studies and analysis.

2 Adverse impacts to aquatic biological
3 resources would be associated with channel deepening
4 through dredging and open water disposal and dike
5 fields. Dredging the navigation channel would result in
6 a potential loss of aquatic habitat. Analysis concluded
7 major impacts from dredging were associated with the
8 potential loss of 165 acres of gravel beds, which are
9 important habitat for a variety of fish species on the
10 river, including the paddle fish. Major gravel deposits
11 occur within the system and are most common in Maumelle,
12 Morrilton and on the Verdigris River.

13 Open water disposal would also result in the
14 loss of potentially over 3,000 acres of aquatic habitat.
15 Dredging will also directly affect organisms within the
16 dredged areas, particularly within the Arkansas Post
17 Canal which is known to contain a large population of
18 common native muscles. The assessment concluded that
19 although -- although there are major impacts to aquatic
20 species and habitat, a mitigation plan is under
21 development to insure that significant impacts are
22 avoided.

23 Adverse and beneficial impacts to
24 terrestrial biological resources would be associated
25 with dredge material disposal. To better assess

1 potential impacts Habitat Evaluation Procedures or HAB
2 were conducted using technical assistance from federal
3 and state agencies. The project could result in
4 conversion of approximately 600 acres of agricultural
5 land.

6 Efforts were made to avoid locating dredge
7 disposal sites on high quality habitat. Also, it was
8 concluded that dredge material could be used to build
9 Interior Least Tern islands within the project area.
10 Although avoidance of beneficial use of dredge material
11 were optimized, some dredge disposal on land and in
12 shallow water sites would still result in major loss of
13 terrestrial and aquatic habitat.

14 A biological assessment was completed to
15 determine potential impacts on threatened and endangered
16 species that occur, or potentially occur, within the
17 study area. The study evaluated impacts to 16 species.
18 The only two species potentially affected by the project
19 were the American Burying Beetle and the Interior Least
20 Tern. The Army Corp of Engineers will make all efforts
21 to work with the Fish and Wildlife Service through
22 implementation of mitigation measures identified in the
23 Draft Biological Opinion to assure that there are no
24 adverse impacts to these species.

25 The remaining adverse spec -- impacts to

1 affected environment are considered to be minor.

2 To comply with the purpose of the National
3 Environmental Policy Act, which is "to promote effects
4 which will prevent or eliminate damage to the
5 environment," the anal -- the final analysis of the
6 Draft EIS includes development of mitigation measures.
7 These measures were applied to all elements of the
8 proposed action.

9 Mitigation for terrestrial and aquatic
10 impacts would consist of a combination of avoidance,
11 minimization, and compensation. The mitigation has been
12 developed primarily in coordination with the U.S. Fish
13 and Wildlife Service, the Arkansas Game and Fish
14 Commission and the Oklahoma Department of Wildlife and
15 Conservation.

16 For Terrestrial Habitat Mitigation, wherever
17 possible, proposed dredge material disposal sites were
18 located where they would avoid mature upland forest,
19 bottomland hardwoods or wetlands. Where sites could not
20 be located outside these three habitat types, disposal
21 sites were re-designed to avoid the most valuable
22 wildlife areas. This ultimately reduced the acreage of
23 land needed for mitigation. Two mitigation sites have
24 been identified that are adjacent to lands currently
25 managed by the Oklahoma Department of Wildlife Conser--

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1 Conservation. The total -- the total acreage created by
2 this habitat is -- is indicated on this slide.

3 Several mitigation measures will be
4 implemented to compensate for adverse impacts to aquatic
5 habitats and species. These measures are listed on the
6 slide. Key elements include relocation of disposal
7 areas to avoid valuable aquatic habitat, dike and
8 revetment notching, relocation of muscues, backwater
9 channel improvements and monitoring.

10 Mitigation For Threatened and Endangered
11 Species would focus on the Least Tern and the American
12 Burying Beetle as stated in the U.S. Fish and Wildlife
13 Service's Biological Opinion. For the Least Tern, the
14 emphasis would be on creating a series of in-river
15 islands through dredged material disposal within each
16 pool. The proposed -- the proposal calls for one island
17 per pool in the river and the annual monitoring of
18 populations. For the American Burying Beetle,
19 monitoring will be conducted to identify species
20 locations and emphasis would be on avoidance of
21 potential habitat and minimization of impacts.

22 This completes my overview of the EIS and I
23 will turn the podium back over to the Colonel.

24 COLONEL KURKA: Well, thank you for your
25 attention. We have discussed our proposed action. We

1 described the alternatives and discussed potential
2 impacts and proposed mitigation to the proposed
3 alternatives. The Draft EIS contains much more detail
4 and is not yet finalized. Now, it is your turn to
5 provide input into the draft analysis.

6 As stated earlier public involvement occurs
7 often in a NEPA process. Your other opportunities to
8 provide input are shown on this slide.

9 If you have a written statement you may read
10 it out loud, turn it in without reading it, or do both.
11 In any case, your comments will be part of the record.
12 If you turn in written comments, please write your name
13 and address on them, so we can enter them into the
14 record properly.

15 We will now begin the audience comment
16 portion of our meeting by calling for statements from
17 persons that stated they wanted to speak on attendance
18 cards. When you speak, we ask that you come forward to
19 my right, your left, over by the podium. You can either
20 sit or stand, whichever you prefer, so that everyone can
21 hear your comments and so that they can be properly
22 recorded by our recorder. I would ask that you limit
23 your presentation to a reasonable amount of time, no
24 more than five minutes, so that everyone will have an
25 opportunity to speak. To aid each speaker, we will be

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1 using a light bar. A green light will be on for the
2 first four minutes. When the yellow light comes on, you
3 have one minute remaining to complete your comments.
4 And when the red light comes on, you are at the five
5 minute point and we ask that you conclude your comments
6 at that point. If your comments cannot be completed in
7 five minutes, we request that the rest of your comments
8 be sent to us in writing.

9 We will now start with the first comment.
10 And the first card I have is from Mr. Bob Portiss.

11 UNIDENTIFIED SPEAKER: What are you gonna do
12 about that light, Bob?

13 MR. PORTISS: I don't know.

14 My name is Bob Portiss and I hold the
15 position of Port Director for the Tulsa Port of Catoosa,
16 a position I have held since 1994. I have a written --
17 I have a signed letter that I will turn in for the
18 record, but I want to go ahead and read it.

19 We are certainly pleased that you are in the
20 final stages of the proposed project to -- the final
21 study stages of the proposed project to deepen the
22 McClellan-Kerr from 9 to 12 feet. The anticipated
23 positive outcome of the benefit cost analysis and the
24 significant contributions of the project to the
25 environment confirms what the Congress believed when

1 they authorized a 12-foot channel for our waterway.
2 Especially impressive is the environmental quality of
3 the project, the notching of over 250 dikes and
4 revetments, the opening of more than 30 backwater and
5 side channels and creation of over 30 Least Tern islands
6 will make this one of the largest aquatic habitat
7 creation projects ever completed in the states of
8 Oklahoma and Arkansas.

9 The positive findings of your study and the
10 foresight of the Congress in giving its authorization
11 is, in our opinion, akin to the vision of the citizens
12 of the City of Tulsa and Rogers County when they
13 committed to build one of our nations largest ports in
14 return for the federal government's offer to construct
15 the 445 mile long McClellan-Kerr system.

16 Their initial \$21,000,000, in general
17 obligation bonds has been leveraged to generate over
18 \$700,000,000 in private investment by the 62 industrial
19 facilities currently located at the port. They
20 collectively -- collectively provide 3,000 jobs and over
21 2,000,000 tons -- and generate over 2,000,000 tons of
22 water-borne commerce per year. These numbers will be
23 compounded several times over with the completion of the
24 construction of the 12-foot channel, a rather small feat
25 given, as Mr. Carman pointed out, that over 90 percent

1 of the waterway already equals or exceeds this depth.

2 We want to thank you for your excellent work
3 on this project. And I will turn this over to you, Ron,
4 in a letter.

5 Is that okay? I saved a lot of time.

6 COLONEL KURKA: Thank you very, very much.

7 MR. PORTISS: You are welcome. Thank you.

8 COLONEL KURKA: I have one other card here,
9 but I can't tell whether the person wanted to make a
10 statement or not. Pat Crombie.

11 MS. CROMBIE: Oh, that's me. I can make a
12 -- of course, I can always talk.

13 Well, I'm a citizen. I am Pat Crombie and I
14 am a citizen from Catoosa. And it seems to me that
15 since I do belong to different environmental groups that
16 a thought might be to create the habitat for the Least
17 Tern and the beetles, et cetera, before you do the
18 dredging and the digging and all that and then everybody
19 would be happy.

20 That's all.

21 COLONEL KURKA: Thank you.

22 MS. CROMBIE: You're welcome.

23 UNIDENTIFIED SPEAKER: You get an award for
24 brevity.

25 COLONEL KURKA: At this time, I would like

1 to call on the audience, if anyone else would like to
2 make a comment or ask a question.

3 MR. CARTER: I thought I -- I though I
4 checked yes on my card. I guess maybe I didn't.

5 MR. HALL: If we missed you, I am sorry.

6 MR. CARTER: I didn't drive all the way from
7 central Arkansas for nothing.

8 And -- and Colonel, did I understand you
9 right that there is a no tolerance limit on the five
10 like there has been the last couple of meetings. Is
11 that --

12 COLONEL KURKA: We're tolerant. You don't
13 have to speak that long.

14 (LAUGHTER.)

15 MR. CARTER: I saw those signs all the way
16 over here, no tolerance on speed limit and then I had to
17 bring that up.

18 I -- my comments --

19 THE REPORTER: Sir, could you identify
20 yourself, please.

21 MR. CARTER: Yes, ma'am and -- and whenever
22 I get started. Actually, yes, ma'am. I'll do that
23 right now.

24 Colonel, ladies and gentlemen, I am Allen
25 Carter, a retired biologist for the Arkansas Game and

1 Fish Commission where I spent a considerable amount of
2 time working on the river. And actually, I will try to
3 talk fast, so everybody pay attention.

4 My comments will address environmental
5 aspects of the Arkansas River Navigation Study because
6 that's my piece. The Arkansas River is a great resource
7 for Arkansas and Oklahoma residents. It provides many
8 business and recreational opportunities. If the plans
9 currently under consideration are completed, the fishery
10 will benefit. Developing the shipping channel to
11 accommodate larger loads will certainly benefit present
12 industry and the farmers in the area. It should
13 encourage additional industry which, in turn, will add
14 jobs to the economies of both states and especially in
15 the local Arkansas River area.

16 The Environmental Impact Statement is very
17 extensive. The time allowed for this oral comment is
18 not enough to address all the statement because that
19 thing is about that deep (indicating). And I can say
20 that a tremendous amount of time, though, and effort has
21 been expended on the document. It also appears that
22 there are no major environmental problems as noted
23 earlier. In fact, these items that are found need
24 attention have been addressed by environmental agencies
25 and the solutions have been found and are being found

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1 because its a continuing document. The deficit in
2 habitat units as mentioned earlier, noted for the total
3 12-foot channel, is being addressed.

4 This time for public comment, mentioned
5 earlier, again provides the opportunity for agencies and
6 the public to request specific items for mitigation and
7 that information -- I am sure the habitat units being
8 that positive for the total project and in the Oklahoma
9 portion of the river, there is already a positive in
10 habitat units, according to the information that's
11 already been developed. And -- and the habitat units
12 again deals with the mitigation and the -- and the
13 destruction of natural habitat. There is already a
14 positive there in Oklahoma.

15 The monitoring plan, I realize, needs to be
16 addressed, all the biological issues involved. I
17 encourage the utilization of the monitoring plan that
18 involves all users in the system and please remember
19 that we are all on the same boat on the river and need
20 to work together. In my past career with the Arkansas
21 Game and Fish, I found it very helpful and, in fact,
22 it's the only time I have ever seen it, to have
23 biologists and anglers and hunters and engineers on the
24 same boat. It is unbelievable. There was a little
25 arguing going on, but they were all on the same boat.

1 This has also been done, though, on this
2 project, to speak of, so far, but at the same time there
3 hasn't been a whole lot of public involvement, ya'all,
4 and this is what this is all about, is get you all
5 involved and tell the Corps what you want.

6 A lot of people involved, though, in every
7 step of the planning. There has been a lot of agreement
8 on plans and adjusted work projects to help and not
9 hinder the various users of the river, including
10 navigation and hunters and fishermen and the Least Turn
11 and everything else. The main concerns in all
12 development plans were to maintain and even enhance
13 environmental aspects. Biological fielding seems to be
14 right on target. And that was developed by the U.S.
15 Fish and Wildlife Service. After reviewing all the
16 information for all the endangered species, you noted
17 that there is 16 different ones, narrowed it down to a
18 couple, there was a No Jeopardy Clause determined on --
19 on those two species.

20 There are reasonable and prudent measures
21 that need to be required to protect them and -- and --
22 and -- and not hurt them as far as incidental take goes
23 -- their words -- both the incidental take measures on
24 the beetle and the Tern are appropriate. However, on
25 the Tern, I understand Fish and Wildlife Service -- and

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1 I don't know if there is anybody in here tonight for
2 them or not-- but, they are gonna request the Tern be
3 helped, no matter what. And so the project that --
4 projects that are done for the Tern really, in my
5 opinion, shouldn't not be charged against the 12-foot
6 channel project and -- and also should be done.
7 However, in my opinion, too, if the 12-foot channel
8 project is not done, those Tern islands won't get done
9 in any -- any appropriate amount of time.

10 And the yellow light's on and I am not
11 through.

12 Recreational activities on the river to help
13 the economy, especially on the local level, the river we
14 know today provides many hours of recreation. There are
15 a some im -- there are a lot of improvements for the
16 recreational benefit out there have been agreed to by
17 the conservation agencies, Fish and Wildlife Service and
18 the Corps. There is over 250 dikes and revetments
19 that's gonna be notched. There is 30 silted areas that
20 are -- that are the mouth of the backwater areas that
21 are going to be dredged, and so that the fisherman, the
22 angler, the boater can get back into those backwaters
23 once again that they haven't been able to. There is
24 over 30 islands that are gonna be developed that will
25 be, of course, for the Tern, but also when an island is

1 developed in a -- where -- where there is not one, there
2 is a great amount of diversity in a shoreline habitat
3 and flow habitat for the fish.

4 Some of the places that are gonna be dredged
5 out in Oklahoma include Strawberry Creek and Hopewell
6 Creek, Bull creek.

7 Oh, no.

8 There is several dikes in the -- in the
9 Oklahoma area that will be notched as per Oklahoma
10 Wildlife Department of Conservation has requested. The
11 study team has also recommended avoiding over 60 really
12 important aquatic areas, as far as placing dredge
13 material and cut it little shorter. The Oklahoma
14 line -- the Oklahoma Department -- I mean the Oklahoma
15 section of it, all the dredge material, I understand, is
16 gonna be placed on terrestrial areas that are again not
17 as important as far as terrestrial critters go and also
18 not supposed to be placed on real important farm ground
19 either.

20 One of the things that is gonna benefit the
21 boater and the angler, especially, is that the deeper
22 draft barges are going to be able to haul the same cargo
23 as other barges that would require more barges to haul
24 and, therefore, there would be less lock delays and the
25 bass fisherman are not gonna have to sit there and wait

1 on lock delays maybe. And -- and I know some fishermen
2 have lost their tournaments because they had to sit and
3 wait for a barge to get through. So again, a plus.

4 I disagree with the word "major aquatic
5 habitat loss" because in all reality all the -- all
6 the -- I mean all the committee meetings which I have
7 actually been a part of -- because of the extensive
8 experience on the river I was asked to help on this --
9 have been to try to avoid and not harm habitat for the
10 environment.

11 I encourage you to approve the project,
12 Colonel, and -- and -- and complete the dike notching
13 and other projects that's planned as mitigation. And in
14 my opinion, all the stakeholders, including industry,
15 have been and are willing to cooperate in any way to
16 help make the river as best as it can for -- for
17 everybody. Thank you --

18 COLONEL KURKA: Thank you.

19 MR. COLLINS: -- for the extra time. It was
20 a minute and 47 seconds.

21 COLONEL KURKA: Does anyone else have -- is
22 there anyone else who would like to make a statement or
23 ask a question?

24 Yes, sir.

25 MR. LONG: Question for clarification I just

1 do it right here and respond. Mr. Carman, on this one
2 chart annual net economic benefit 10.5 million, yet you
3 alluded to about the 22 million dollars shippers would
4 save per year?

5 THE REPORTER: Excuse me. Can I have them
6 identify themselves?

7 MR. LONG: Ed Long with Johnston Port 33.

8 MR. CARMAN: Sir, I think the numbers that
9 you are referring to -- and -- and correct me if I am
10 wrong -- I think what I was trying to say and I hope I
11 said was that the -- for Alternative E that the annual
12 benefits were 22.3 million dollars and the annual costs
13 were 11.8 million. So if you subtract that 11.8
14 million from the 22.3 million, you get an annual net
15 benefit of 10.5 million. That's the different between
16 22.3 million of benefits and 11.8 million of annual
17 cost.

18 MR. LONG: Annual cost operation of --

19 MR. CARMAN: For fifty years.

20 MR. LONG: Cost of maintenance, I guess?

21 MR. CARMAN: Yes, that's right. That's part
22 of it, yes.

23 What you do is you take the \$160,000,000 and
24 you spread that cost over fifty years, but that also
25 includes your maintenance cost, as well.

1 MR. LONG: Okay. Thank you, sir.

2 MR. TAYLOR: Yes. Colonel Kurka, I am
3 Steve Taylor with Johnston's Port 33.

4 On our flow management, are we not already
5 using the Modified Bench Management Plan that was looked
6 at? I thought we were already using that now or has
7 that not been approved yet?

8 MR. CARMAN: Want me?

9 COLONEL KURKA: Go ahead.

10 MR. CARMAN: We have tested it. I don't
11 think it is used all the time. We did make a test run,
12 I believe it was last year, on that just to make sure
13 that it would work and it worked well. So, we are not
14 due -- we -- I mean that was just a test run. We
15 haven't modified the -- we haven't modified the flow
16 plan yet.

17 MR. TAYLOR: So we haven't done that and --

18 MR. CARMAN: No.

19 MR. TAYLOR: And why -- why won't we or why
20 wouldn't we now that we know it works?

21 MR. CARMAN: Because we have to finish the
22 NEPA documentation before we can implement it.

23 MR. TAYLOR: Can we implement it before we
24 dig the 12-foot channel? Let me ask that.

25 MR. CARMAN: The -- the two are tied

1 together. They're -- they're -- we -- they're --
2 they're --

3 What's the word I am trying to think of?

4 We -- we -- we can't split these things up.
5 It is piecemeal in the process. That's the word --

6 COLONEL KURKA: Correct me if I am wrong.

7 We can -- we can implement that once we get the record
8 of decision.

9 MR. CARMAN: Correct.

10 MR. TAYLOR: Okay.

11 COLONEL KURKA: Once we get the record of
12 decision from -- from General Riley, who is Chief of
13 Civil Works, we can implement that portion of it.

14 MR. TAYLOR: Without any of the rest, if --
15 if all this is --

16 COLONEL KURKA: Without digging the channel,
17 that's correct.

18 MR. TAYLOR: Thank you.

19 (PAUSE.)

20 COLONEL KURKA: Any other comments?

21 (PAUSE.)

22 You are a quiet audience.

23 Any other questions?

24 MR. TAYLOR: I -- I have another one, then.

25 COLONEL KURKA: Only one per person!

1 (LAUGHTER.)

2 MR. TAYLOR: I got three in there just to
3 begin with.

4 UNIDENTIFIED SPEAKER: He has already had
5 supper.

6 (LAUGHTER.)

7 MR. TAYLOR: Again Steve Taylor with
8 Johnston's.

9 On the engineering factor of the Verdigris
10 River, whenever we dig that out to a 12-foot channel,
11 how much of a problem in the engineering -- and may be a
12 little in depth, may be not be able to answer it -- of
13 the bank stabilization and -- and continued maintenance
14 on that situation -- does anybody have --

15 MR. CARMAN: I don't have -- I am sure we
16 have looked at that, but I don't know the answer to
17 that. I -- as far -- I am sure it has been looked at
18 and we considered the problem. That's been included in
19 the cost estimate. But as far as I know that hasn't
20 been identified as a major problem. We think we can dig
21 it out without having bank caving and that kind of
22 thing.

23 MR. TAYLOR: Okay. I don't agree, but I am
24 not an engineer.

25 COLONEL KURKA: Any other questions or

1 comments?

2 (PAUSE.)

3 COLONEL KURKA: Well, if you don't want to
4 ask your questions in this public forum, um, we will
5 stick around as long as there is anyone here to answer
6 your questions. Our team will be here as long as any of
7 you are here, um, and any of you have a question that
8 you would like to have answered.

9 We appreciate the effort each of you made to
10 attend tonight. Your comments will be fully considered
11 very helpful in developing the final Environmental
12 Impact Statement for the Arkansas River Navigation
13 Studies. Personally, I have learned a lot from
14 listening to each of your comments.

15 Please remember that if you want to send in
16 any additional written comments, we need them by May
17 24th, which is the end of the 45-day comment period.

18 The full mitigation plan is not yet complete
19 is being worked on primarily by U.S. Fish and Wildlife
20 Service and will be made available with the final
21 Environmental Impact Statement.

22 On behalf of the Corps of Engineers in the
23 Tulsa District, we are genuinely committed to working
24 with all stakeholders and citizens as we evaluate this
25 project. Thank you for your attention and your patience

1 in this very important exercise in democracy.

2 And, as I said, if I could have the Corps
3 folks and the folks from Parsons stand up, so you all
4 can see who they are. We will -- we will stay around as
5 long as any of you want us to, if you have any other
6 questions or would like to examine any of the documents
7 or have anything particular that you would like to talk
8 about.

9 Once again, thank you for coming and I wish
10 you a wonderful evening.

11

12 (Whereupon the hearing was adjourned.)

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B.3.5 Written Comments Received During the DEIS Comment Period

The following written comments were received during the comment period between April 8 and June 23, 2005.

B.3.5.1 Comments from Commercial and Industrial Organizations



ACME MANUFACTURING CORP.

6532 TOWER LANE, CLAREMORE, OK 74019

Phone (918) 266-3097 Fax (918) 266-3091

ENGINEERED PRODUCTS BY CRAFTSMEN

Mr. Johnny McLean
Little Rock District
U. S. Army Corps of Engineers
ATTN: CESWL-PR-P
P. O. Box 867
Little Rock, AR 72203

RE: **Construction of 12-Foot Channel - McClellan-Kerr Arkansas River Navigation System**

Dear Mr. McLean:

I write both as a citizen and as a customer of the products (steel) that travel over the waterway to the Port of Catoosa. Deepening of the McClellan-Kerr Arkansas River Navigation System to 12 feet will improve the efficiency of the waterway by allowing 35% more cargo to be loaded in each barge. Increased efficiency is critically important as we continue to face steep competition from foreign markets.

This project would allow us to realize lower transportation costs as well as see improved safety on our Nation's interstate highways through reducing the annual average volume of semi-trailer trucks on our aging highways. As an example, the capacity of each grain barge will be increased from 60 to 80 truckloads, and therefore each 12-barge tow will carry the equivalent of 960 truckloads. Fewer trucks on the highways also mean less pollution – a big plus for the environment – as well as decreased consumption of energy, a vital issue in these days of surging demand.

Adding capacity to the channel ultimately will improve the economic fortunes not only of the industries that use the facilities along the channel but also the communities whose job base supports all of the economic activity created by those facilities. We should do everything possible to expedite construction of the 12-foot channel, as previously authorized by Congress.

Sincerely yours,

Hal Lewis
President

CORNERSTONE FARM AND GIN CO.

Phone — 534-7120

MAIN OFFICE - PINE BLUFF, AR 71611

Farm — Cornerstone, AR

ADDRESS REPLY TO:

P. O. Box 7008

Pine Bluff, AR 71611-7008

June 23, 2005

Mr. Ron Carman
ATTN: CESWL-PR-P
Little Rock Engineer District
P.O. Box 867
Little Rock, AR 72203-0867

Re: Comments on Draft EIS for 12 Foot Channel Study
McClellan-Kerr Arkansas River Navigation Study

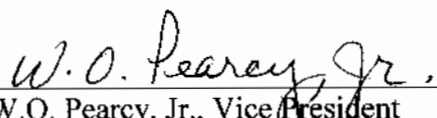
Dear Mr. Carman:

Falling trade barriers help those who can deliver the highest quality goods at the lowest cost – regardless of location. America's waterways infrastructure and barge transportation help farmers compete in the global marketplace. Farm commodities such as soybeans and corn which we sell to grain elevators in Pine Bluff, Arkansas are shipped down the Arkansas River in barges that have been light-loaded because of the restricted nine-foot navigation channel. As a result, the prices that we receive for our grains are reduced in order to compete with those shipments that originate on the Mississippi River where the barges carry much larger loads and incur less transportation costs on a per bushel basis.

We strongly support a 12' channel on the Arkansas River to allow for a level playing field for price determination of our farm commodities.

Sincerely,

CORNERSTONE FARM AND GIN COMPANY



W.O. Percy, Jr., Vice President

WOP/ph

Dal-Italia
A subsidiary of



daltile™

Mr. Johnny McLean
Little Rock District
U. S. Army Corps of Engineers
ATTN: CESWL-PR-P
P. O. Box 867
Little Rock, AR 72203

Dear Mr. McLean:


RE: **Letter of Support for Construction of 12-Foot Channel -
McClellan-Kerr Arkansas River Navigation System**

It seems that increasing the depth of the channel will improve safety on our Nation's interstate highways through reducing the annual average volume of semi-trailer trucks on our aging highways. As an example, the capacity of each grain barge will be increased from 60 to 80 truckloads, and therefore each 12-barge tow will carry the equivalent of 960 truckloads. Fewer trucks on the highways also mean less pollution – a big plus for the environment.

Deepening of the McClellan-Kerr Arkansas River Navigation System to 12 feet will also improve the efficiency of the waterway by allowing 35% more cargo to be loaded in each barge. Increased efficiency is critically important as we continue to face steep competition from foreign markets.

Dal Italia competes on a global level; therefore we must constantly look at ways to lower our manufacturing costs. This project would allow Dal Italia to realize lower transportation costs by moving larger cargo volumes in the same haul. This competitive advantage may also create opportunities for us to move other materials by barge, rather than current more cost effective modes.

Based in part on the above, I strongly encourage expediting construction of the 12-foot channel, as previously authorized by Congress.

Sincerely,
Thomas Bembenek

Purchasing Manager
Dal Italia

Dal-Italia
3801 Daltile Road
Muskogee, OK 74401
Phone: (918) 683-4043 Fax: (918) 683-4152

ARKANSAS RIVER NAVIGATION STUDY

Draft Environmental Impact Statement

Comment Sheet

If you are interested in providing comments concerning the Arkansas River Navigation Study Draft Environmental Impact Statement, please write your comments below and send to the address noted below, or leave this form in the comment sheet collection box at the Public Meeting for the Draft Environmental Impact Statement.

THIS PROJECT WOULD BE GREATLY BENEFIT TO OUR ECONOMY. IT WOULD HELP TAKE MORE TRUCK TRAFFIC OFF THE HIGHWAYS AND WOULD HELP MORE COMPANIES MOVE THEIR BUSINESS TO THIS AREA. WE ARE FOR THIS PROJECT AND WILLING TO HELP THIS PROJECT MOVE FORWARD.

SEND COMMENTS TO:
Little Rock District Corps of Engineers
ATTN: CESWL-PR-P
(Mr. Johnny McLean)
P.O. Box 867
Little Rock, Arkansas 72203

YOUR NAME: Mary Shell
Organization: FIVE RIVERS DISTRIBUTION
Address: P.O. Box F
VAN BUREN AR 72956

additional space on the back →



Great Lakes Carbon LLC

Principal Business Office:
4 Greenspoint Plaza, Suite 2200
16945 Northchase Drive
Houston, Texas 77060
Phone: (281) 775-4700
Fax: (281) 775-4744

Executive Office:
551 Fifth Avenue, Suite 3600
New York, NY 10176

Mr. Johnny McLean
Little Rock District
U. S. Army Corps of Engineers
ATTN: CESWL-PR-P
P. O. Box 867
Little Rock, AR 72203

Dear Mr. McLean:

**RE: Letter of Support for Construction of 12-Foot Channel -
McClellan-Kerr Arkansas River Navigation System**

Deepening of the McClellan-Kerr Arkansas River Navigation System to 12 feet will improve the efficiency of the waterway by allowing 35% more cargo to be loaded in each barge. Increased efficiency is critically important as we continue to face steep competition from foreign markets.

This project would allow us to realize lower transportation costs as well as see improved safety on our Nation's interstate highways through reducing the annual average volume of semi-trailer trucks on our aging highways. As an example, the capacity of each grain barge will be increased from 60 to 80 truckloads, and therefore each 12-barge tow will carry the equivalent of 960 truckloads. Fewer trucks on the highways also mean less pollution – a big plus for the environment.

As transportation modes continue to struggle with congestion and equipment shortages, any assistance is beneficial. As fuel continues to be at record highs, GLC is planning on more and more water moves to decrease overall transportation costs. The Arkansas River is currently the most draft restrictive river we travel on and GLC is in a position to benefit greatly if able to move more tons in each barge.

Based, in part, on the above, I strongly encourage expediting construction of the 12-foot channel, as previously authorized by Congress.

Sincerely,

Melinda Dillon-Vance
Transportation Manager
Great Lakes Carbon LLC

5/23/05



Inter-Chem

INTERNATIONAL CHEMICAL COMPANY

Southbridge Office Park

1867 East 71st Street

Tulsa, OK 74136-3984

Telephone (918) 496-7711

Fax (918) 492-1719

E-mail jarend@ictulsa.com

JOHN R. AREND
CHAIRMAN OF THE BOARD
AND FOUNDER

May 24, 2005

Mr. Johnny McLean
Little Rock District
U.S. Army Corps of Engineers
ATTN: CESWL-PR-P
P.O. Box 867
Little Rock, AR 72203

Dear Mr. McLean,

Re: **Letter of Support for Construction of 12-Foot Channel-
McCellan-Kerr Arkansas River Navigation System**

We have storage at Inola/Port 33 and are very active in buying and selling of products in this area.

Deepening of the McCellan-Kerr Arkansas River Navigation System to 12 feet will improve the efficiency of the waterway by allowing 35% more cargo to be loaded in each barge. Increased efficiency is critically important as we continue to face steep competition from foreign markets.

This project would allow us to realize lower transportation costs as well as see improved safety on our Nation's interstate highways through reducing the annual average volume of semi trailer trucks on our aging highways. As an example, the capacity of each grain barge will be increased from 60 to 80 truckloads, and therefore, each 12-barge tow will carry the equivalent of 960 truckloads. Fewer trucks on the highways also mean less pollution – a big plus for the environment.

Therefore, we strongly encourage expediting construction of the 12-foot channel, as previously authorized by Congress.

Sincerely,


John R. Arend

JRA:db0959

Carman, Ron R SWL

From: John Janoush [john@jantran.com]

Sent: Wednesday, June 22, 2005 2:00 PM

To: AR-OK.River.Study SWL

John Janoush
JANTRAN, Inc.
662-759-6841

john@jantran.com THE MERE FACT THAT AN 11 FT. DRAFT BARGE WOULD TAKE AN ADDITIONAL 16 TRUCKS OFF OF THE HIGHWAYS AND INTERSTATES OF THIS COUNTRY ALONE SHOULD BE INFORMATION ENOUGH TO APPROVE THE DEEPENING OF THE MCCLELLAN-KERR ARKANSAS RIVER NAVIGATION SYSTEM.

May 31, 2005

Mr. Johnny McLean
Little Rock District
U.S. Army Corps of Engineers
Attn: CESWL-PR-P
P O Box 867
Little Rock, AR 72203

Lew Meibergen
President

P.O. Box 1307
Enid, OK 73702

T 580.233.5800
F 580.234.8712

lew@wbjohnstongrain.com

Re: Letter of Support for Construction of 12-Foot Channel –
McClellan-Kerr Arkansas River Navigation System

Dear Mr. McLean:

Deepening of the McClellan-Kerr Arkansas River Navigation System to 12 feet will improve the efficiency of the waterway by allowing 35% more cargo to be loaded in each barge. Increased efficiency is critically important as we continue to face steep competition from foreign markets.

This project would allow us to realize lower transportation costs as well as see improved safety on our Nation's interstate highways through reducing the annual average volume of semi-trailer trucks on our aging highways. As an example, the capacity of each grain barge will be increased from 60 to 80 truckloads, and therefore each 12-barge tow will carry the equivalent of 960 truckloads. Fewer trucks on the highways also mean less pollution – a big plus for the environment.

Our company has had to pass up business because of not being able to handle 11-foot drafts coming off of the other river systems. We are very dependent on truck-to-barge movements and with the cost of fuel at the present time, it's imperative that we get the 12-foot draft. To give you an example of the businesses we're losing - the thing is that they're building ethanol plants in Oklahoma. We're unable to get corn out of the north by-barge because of their loading to an 11-foot draft, which we're unable to handle. We're talking about one ethanol plant using in excess of 400,000 tons of corn per year, and this would be the smallest to be built. This is just one example of many that I can give you.

continued...

Mr. Johnny McLean
May 31, 2005

Page 2

Based, in part, on the above, we strongly encourage expediting construction of the 12-foot channel, as previously authorized by Congress.

Sincerely,

A handwritten signature in cursive script that reads "Lew Meibergen".

Lew Meibergen

LM/ss

Carman, Ron R SWL

From: Jack Long [Jack.Long@SSAMarine.com]
Sent: Wednesday, June 22, 2005 3:05 PM
To: AR-OK.River.Study SWL
Subject: 12 ft channel EIS comments

An enviromentally friendly project. Only 5 to 15% of river's length will be affected by the project and virtually all of these locations are already being dredged to maintain the currently authorized 9- foot channel depth. Most of river is already 12 feet or more. Dredge material can be used to create new habitat such as nesting islands for the Least Tern.

River transportation is by far the most enviromentally friendly mode of transportation. Towboats are nine to ten times as fuel efficient and produce only about one - tenth of the air pollution as trucks. A 12 -foot channel will allow most barges to carry approximately 40 % more cargo at merely a negligible increase in fuel consumption.

I believe the enviroment will be protected and even enhanced by the conservation features of the project which I fully support.

Jack Long, Jr.
Logistic Services Inc.
9001 Lindsey Rd.
Little Rock, AR 72206
jack.long@ssamarine.com

ED LONG
BUSINESS CONSULTANT

2026 SOUTH IBA DRIVE
STILLWATER, OK 74074

405-372-2761

E-mail: edlong54@swbell.net

May 26, 2005

Johnny McLean
USACE - Little Rock
ATTN: CESWL-PR-P
P. O. Box 867
Little Rock, AR 72203

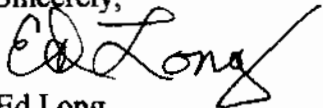
RE: Comments regarding deepening the McClellan Kerr WW to 12" depth.

Dear Mr. McLean,

The deepening of the MKARNSD from 9 foot to 12 feet is of extreme importance to the economic vitality of Central America. When many of America's jobs are going overseas because of lower costs of production and many of America's agriculture trading partners are going to other nations to buy their commodities because of lower costs, it is imperative that America do everything within our power to prevent further erosion of our economic base.

Your research has proven the payback of this investment comes back extremely fast. It is difficult to believe there could be a better investment of our tax dollars than to help keep America economically vibrant. Finally when our nation's roads are deteriorating at an extreme record and their safety is being challenged every day with increased numbers of trucks, this is a good solution to help reduce those problems. Trucks also pour thousands of pounds of pollutants into our air and the waterways are extremely environmentally friendly. Please get this job completed as soon as possible.

Sincerely,



Ed Long
Consultant Johnston's Port 33

May 24, 2005

Mr. Johnny McLean
Little Rock District
U. S. Army Corps of Engineers
ATTN: CESWL-PR-P
P. O. Box 867
Little Rock, AR 72203

RE: **Letter of Support for Construction of 12-Foot Channel -McClellan-Kerr Arkansas River Navigation System**

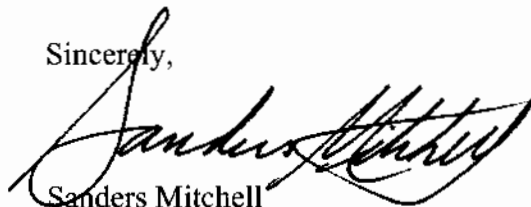
Dear Mr. McLean:

Deepening of the McClellan-Kerr Arkansas River Navigation System to 12 feet will improve the efficiency of the waterway by allowing 35% more cargo to be loaded in each barge. Increased efficiency is critically important as we continue to face steep competition from foreign markets.

This project would allow us to realize lower transportation costs as well as see improved safety on our Nation's interstate highways by reducing the annual average volume of semi-trailer trucks on our highways. As an example, the capacity of each grain barge will be increased from 60 to 80 truckloads, and therefore each 12-barge tow will carry the equivalent of 960 truckloads. Fewer trucks on the highways also mean less pollution – a big plus for the environment.

Based, in part, on the above, we strongly encourage expediting construction of the 12-foot channel, as previously authorized by Congress.

Sincerely,



Sanders Mitchell
Administrator





NORIT AMERICAS INC.
Route 3, Box 69-6
Pryor, OK 74361-9803
Tel. 918-825-5570
Fax 918-825-5665

Mr. Johnny McLean
Little Rock District
U. S. Army Corps of Engineers
ATTN: CESWL-PR-P
P. O. Box 867
Little Rock, AR 72203

Dear Mr. McLean:

RE: **Letter of Support for Construction of 12-Foot Channel -
McClellan-Kerr Arkansas River Navigation System**

We at NORIT Americas strongly support the deepening of the McClellan-Kerr Arkansas River Navigation System to 12 feet. All kinds of arguments can be made to support the endeavor but in the end it is the right thing to do to ensure the future growth of the Port of Catoosa and the companies that use the navigation channel.

Deepening could reduce our freight costs, but the real saving will be the reduced number of barges used to move our coal. The 28 barges we presently use a year could easily become 20 if the 9' draft was increased.

Based, in part, on the above, NORIT Americas strongly encourages expediting the effort for a 12-foot waterway.

Sincerely,

A handwritten signature in blue ink, appearing to read 'John Key', with a stylized flourish extending to the right.

John Key
Purchasing Agent
NORIT Americas
Pryor, Oklahoma Plant



Peavey Company
5301 West Channel Road
Catoosa, Oklahoma 74015
Office: (918) 266-1991
Fax: (918) 266-6518
Wats: (800) 364-3516

Mr. Johnny McLean
Little Rock District
U. S. Army Corps of Engineers
ATTN: CESWL-PR-P
P. O. Box 867
Little Rock, AR 72203

Dear Mr. McLean:

RE: **Letter of Support for Construction of 12-Foot Channel -
McClellan-Kerr Arkansas River Navigation System**

Deepening of the McClellan-Kerr Arkansas River Navigation System to 12 feet will improve the efficiency of the waterway by allowing 35% more cargo to be loaded in each barge. Increased efficiency is critically important as we continue to face steep competition from foreign markets.

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Based, in part, on the above, I strongly encourage expediting construction of the 12-foot channel, as previously authorized by Congress.

Sincerely,

R A Birdsong, Jr
General Manager



a ConAgra Company

Pine Bluff Sand & Gravel Company

W. SCOTT McGEORGE, PRES.

RIVER CONTRACTORS

DREDGING

POST OFFICE BOX 7008

PINE BLUFF, ARK. 71611-7008

REVETMENTS

PILE DIKES

June 23, 2005

Mr. Ron Carman
ATTN: CESWL-PR-P
Little Rock Engineer District
P.O. Box 867
Little Rock, AR 72203-0867

Re: Comments on Draft EIS for 12 Foot Channel Study
McClellan-Kerr Arkansas River Navigation Study

Dear Mr. Carman:

The Corps of Engineers has a much more important mission in this project than many people think. The basic part of the project is making the American worker competitive in world markets without pay and benefit reductions. A recent newspaper article stated there are over 200 vacant manufacturing plants in Arkansas alone. People and industries all up and down the river are dependent on the Corps to get this study done quickly and begin the project in a very orderly manner.

Representatives from the Arkansas Game and Fish, the U.S. Fish and Wildlife Service and numerous bass fishermen have partnered in this project and we encourage the Corps to perform mitigation at the same time the navigation improvements are being done. The dike notching and opening of backwaters should begin as soon as possible so those valuable areas will be available for spawning season next spring. The wildlife agencies and bass fishermen have joined industry in this study and we believe mitigation needs to be a top priority as we move forward.


International Paper, with 1,500 people at Pine Bluff, all the way up to Whirlpool, with 4,600 employees in Ft. Smith, are plants that have the potential for moving overseas. Lowering their costs of inbound raw materials as well as outbound products, in some cases, can keep these plants in the United States and Arkansas and be a good national benefit. The agricultural industry in Arkansas and Oklahoma is very large. Inbound fertilizer and outbound agricultural products will benefit tremendously from 43% more product in each barge.

Mr. Ron Carman
Page 2
June 23, 2005

We have observed this study over the past 5 years with an investment of over \$8 million in stringent compliance with the National Environmental Policy Act. We urge you to move forward quickly and wind this study up to where the 12' channel will be ready to proceed with construction. As construction begins, we would encourage you to consider postponing dredging of the Arkansas Post Canal as some agencies or groups may wish to remove some of the mussels. There is nearly a 12' channel in the center of the canal at this time. We encourage you to begin on the lower end so that shippers can begin to benefit from this project as soon as the 12' channel reaches their facility.

Sincerely,

PINE BLUFF SAND AND GRAVEL COMPANY


W. Scott McGeorge, President

SMcG/ph



KEITH GOSNEY
Vice President

Mr. Johnny McLean
Little Rock District
U. S. Army Corps of Engineers
ATTN: CESWL-PR-P
P. O. Box 867
Little Rock, AR 72203

May 26, 2005

Dear Mr. McLean:

RE: **Letter of Support for Construction of 12-Foot Channel -
McClellan-Kerr Arkansas River Navigation System**

Deepening of the McClellan-Kerr Arkansas River Navigation System to 12 feet will improve the efficiency of the waterway by allowing 35% more cargo to be loaded in each barge. Increased efficiency is critically important as we continue to face steep competition from foreign markets.

This project would allow us to realize lower transportation costs as well as see improved safety on our Nation's interstate highways through reducing the annual average volume of semi-trailer trucks on our aging highways. As an example, the capacity of each grain barge will be increased from 60 to 80 truckloads, and therefore each 12-barge tow will carry the equivalent of 960 truckloads. Fewer trucks on the highways also mean less pollution – a big plus for the environment.

Based, in part, on the above, we strongly encourage expediting construction of the 12-foot channel, as previously authorized by Congress.

Sincerely,



Keith R. Gosney
Vice President

Little Rock District Corps of Engineers
ATTN: CESWL-PR-P
P O Box 867
Little Rock, AR 72203-0867

RE: Arkansas River DEIS

June 21, 2005

Dear Sirs,

As a member of the Chamber of Commerce I'm always delighted to promote those efforts that improve the business climate and enhance employment opportunities. The dredging of the Arkansas River to improve shipping however causes concern because of the degradation of the Arkansas River and Lake Dardanelle as an immensely valuable natural resource for recreational fishing and tourism. A recent quote by a BASS Elite Fifty pro fisherman at Lake Dardanelle in May that "he'd caught more fish in practice on Lake Dardanelle than any other lake he'd ever fished" set the phone lines ringing. The value of tourism on Lake Dardanelle and the Arkansas River far outweighs the value of shipping to this area and exceeds \$100 million dollars. Your own Corps of Engineers study several years ago "National Recreational Lakes Study - Rivers of Opportunity" emphasized the value and increasing economic opportunities availed by Corps facilities.

This is why I must oppose the proposal as currently presented. Valuable fishery habitat is destined to be destroyed by the spoil from dredging. Very little money is designated for remediation and that small amount is front loaded into the early years of the 50 year proposal. The river is already under assault environmentally as previously planned notched dikes and revetments have been canceled. Deepening the channel and raising the dikes will only serve to further degrade the backwater habitat necessary for game fish that draw sportsmen from around the nation.

Unless the Corps sufficiently funds remediation, restores previously cancelled river improvements and fully funds maintenance and improvement of shoreline park facilities heretofore reduced from the budget, I cannot support the DEIS. I'm sure you are also aware that the proposal violates Corps rules and laws, certainly a matter not to be overlooked.

Cordially,



Chuck Gordon
Chairman
DART Committee (Dardanelle Aquatic Resource Team)

Russellville Chamber of Commerce
80 Ridgeline Drive West
Russellville, AR 72802



SOLVAY FLUORIDES

A SUBSIDIARY OF SOLVAY CHEMICALS, INC.

May 20, 2005

Mr. Johnny McLean
Little Rock District
U. S. Army Corps of Engineers
ATTN: CESWL-PR-P
P. O. Box 867
Little Rock, AR 72203

Dear Mr. McLean:

RE: **Letter of Support for Construction of 12-Foot Channel -
McClellan-Kerr Arkansas River Navigation System**

Deepening of the McClellan-Kerr Arkansas River Navigation System to 12 feet will improve the efficiency of the waterway by allowing 35% more cargo to be loaded in each barge. Increased efficiency is critically important as we continue to face steep competition from foreign markets.

This project would allow us to realize lower transportation costs as well as see improved safety on our Nation's interstate highways through reducing the annual average volume of semi-trailer trucks on our aging highways. As an example, the capacity of each grain barge will be increased from 60 to 80 truckloads, and therefore each 12-barge tow will carry the equivalent of 960 truckloads. Fewer trucks on the highways also mean less pollution – a big plus for the environment.

Based, in part, on the above, we strongly encourage expediting construction of the 12-foot channel, as previously authorized by Congress.

Sincerely,

David L. McMillan
Administrative Services Manager

Solvay Fluorides, LLC
A Subsidiary of Solvay Chemicals, Inc.
5010 North Skiatook Road, Catoosa, OK 74015
Tel: 918.266.4085 FAX: 918.266.4084
www.solvaychemicals.us



Story & Associates

10011 East 39th Street, Tulsa, Oklahoma 74146
Telephone: (918) 610-1135 • Fax: (918) 660-8068 • E-Mail: JStory@tulsarealtors.com
Internet: <http://www.home.mindspring.com/~johnstory>

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June 10, 2005

Johnny McLean
Little Rock District
U. S. Army Corps of Engineers
ATTN: CESWL-PR-P
P. O. Box 867
Little Rock, AR 72203

Re: **Letter of Support for Construction of 12-Foot Channel;
McClellan-Kerr Arkansas River Navigation System**

Dear Mr. McLean:

Representing second and third generation family involvement in promoting economic development on the McClellan-Kerr Navigation system, we are excited about the prospect of deepening of the entire navigation system to 12 feet. We understand that this will improve the efficiency of the waterway by allowing 35% more cargo to be loaded in each barge. Increased efficiency is critically important as we continue to face steep competition from foreign markets.

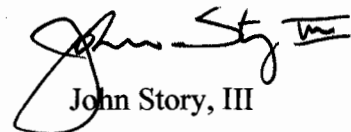
This project will allow us to realize lower transportation costs as well as see improved safety on our Nation's interstate highways by reducing the annual average volume of semi-trailer trucks on our aging highways. As an example, the capacity of each grain barge will be increased from 60 to 80 truckloads, and therefore each 12-barge tow will carry the equivalent of 960 truckloads. Fewer trucks on the highways also means less pollution – a big plus for the environment.

We strongly support the construction of the 12-foot channel, in order to promote job stability and growth, as well as continued economic development on the navigation system!

Respectfully,



John "Jack" Story, Jr.



John Story, III



June 20, 2005

Mr. Johnny McLean
Little Rock District
U. S. Army Corps of Engineers
ATTN: CESWL-PR-P
P. O. Box 867
Little Rock, AR 72203

Dear Mr. McLean:

RE: **Letter of Support for Construction of 12-Foot Channel -
McClellan-Kerr Arkansas River Navigation System**

Deepening of the McClellan-Kerr Arkansas River Navigation System to 12 feet will improve the efficiency of the waterway by allowing 35% more cargo to be loaded in each barge. Increased efficiency is critically important as we continue to face steep competition from foreign markets.

This project would allow us to realize lower transportation costs as well as see improved safety on our Nation's interstate highways through reducing the annual average volume of semi-trailer trucks on our aging highways. As an example, the capacity of each grain barge will be increased from 60 to 80 truckloads, and therefore each 12-barge tow will carry the equivalent of 960 truckloads. Fewer trucks on the highways also mean less pollution – a big plus for the environment.

Based, in part, on the above, we strongly encourage expediting construction of the 12-foot channel, as previously authorized by Congress.

Sincerely,

A handwritten signature in black ink, appearing to read "John M. Dolan". The signature is written in a cursive, flowing style.

John M. Dolan
Plant Manager
Port of Catoosa Demonstration Facility



Terra Nitrogen Limited Partners
Verdigris Plant
6066 East 540 Road
Claremore, OK 74019
Telephone: (918) 266-1511

A Terra Industries Inc. Subsidiary

May 23, 2005

Mr. Johnny McLean
Little Rock District
U. S. Army Corps of Engineers
ATTN: CESWL-PR-P
P. O. Box 867
Little Rock, AR 72203

Dear Mr. McLean:

RE: **Letter of Support for Construction of 12-Foot Channel –
McClellan-Kerr Arkansas River Navigation System**

Deepening of the McClellan-Kerr Arkansas River Navigation System to 12 feet will improve the efficiency of the waterway by allowing 35% more cargo to be loaded in each barge. Increased efficiency is critically important as we continue to face steep competition from foreign markets.

This project would allow us to realize lower transportation costs as well as see improved safety on our Nation's interstate highways through reducing the annual average volume of semi-trailer trucks on our aging highways. As an example, the capacity of each barge will be increased from 60 to 80 truckloads, and therefore each 12-barge tow will carry the equivalent of 960 truckloads. Fewer trucks on the highways also mean less pollution – a big plus for the environment.

Terra Nitrogen routinely ships approximately 500,000 tons per year of nitrogen fertilizer by barge down the Arkansas River system. We need expand competitive transportation that will allow the least cost delivery of this fertilizer to our American farmers to economically produce the needed quantity of food for our nation.

We strongly encourage expediting construction of the 12-foot channel, as previously authorized by Congress. It is my understanding that the channel is mostly at this level now and it will take a short period of time and relatively a low cost effort to knock down the high points. Every day that goes by – puts more burden to transport on the road system, clogging our roads and burning more fuel per delivered ton (and adding more cost to everyone).

Please let me know what it will take to move this project forward and what an updated time line could look like.

Sincerely,

Dallas C. Robinson
Plant Manager
Terra Nitrogen – Verdigris Plant

Cc: Bob Portis – Tulsa Port of Catoosa

H:/MyDocuments/Port of Catoosa/US Army Corp of Eng 052305 5/23/05 10:30 CDT DCR



May 5, 2005

CITY OF TULSA-
ROGERS COUNTY
PORT AUTHORITY

OFFICERS:

JAMES G. GOODWIN
Tulsa
Chairman

STEPHEN J. KISSEE
Claremore
Vice Chairman

CHARLES G. MECKFESSEL
Tulsa
Secretary-Treasurer

MEMBERS:

STEVEN J. ADAMS
Catoosa

ROBERT H. CHITWOOD
Tulsa

ED FARISS
Tulsa

JAMES M. HEWGLEY, JR.
Tulsa

EDWARD F. KELLER
Tulsa

JACK D. MOONEY
Claremore

JON R. STUART
Tulsa

EXECUTIVE
DEPARTMENT:

ROBERT W. PORTISS
Port Director

RICHARD A. VOTH
Deputy Port Director

Mr. Ron Carman, Project Manager
Arkansas River Navigation Project
U.S. Army Corps of Engineers
P. O. Box 867
Little Rock, AR 72203

Dear Mr. Carman:

We are certainly pleased that you are in the final study stages of the proposed project to deepen the McClellan-Kerr Arkansas River Navigation System from nine (9) to twelve (12) feet. The anticipated positive outcome of the benefit/cost analysis and the significant contributions of the project to the environment confirms what the Congress believed when they authorized a 12-foot channel for our waterway.

Especially impressive is the environmental quality of this project. The notching of over 250 dikes and revetments, the opening of more than 30 backwaters and side channels, and creation of over 30 Least Tern islands will make this one of the largest aquatic habitat creation projects ever completed in Oklahoma and Arkansas.

The positive findings of your study and the foresight of the Congress in giving its authorization is akin to the vision of the citizens of the City of Tulsa and Rogers County when they committed to build one of our Nation's largest Port's in return for the Federal Government's offer to construct the 445- mile long McClellan-Kerr. Their initial \$21.2 in general obligation bonds has been leveraged to generate over \$700 million in private investment by the 62 industrial facilities currently at the Port that collectively provide 3,000 jobs and over 2 million tons of waterborne cargo per year. These numbers will be compounded several times over with the completion of construction of the 12-foot channel, a rather small feat given that over 90 % of the waterway already equals or exceeds this depth.

Thank you for your excellent work!

Sincerely,

Robert W. Portiss
Port Director

RWP:cg



Venture Coke Company, L.L.C.
P.O. Box 2187
Houston, Texas 77252-2197
Telephone: (832) 488-3278
Fax: (918) 662-3413
Mobile: (281) 433-4294
E-Mail: Jeff.W.Burke@ConocoPhillips.com

May 23, 2005

Mr. Johnny McLean
Little Rock District
U. S. Army Corps of Engineers
ATTN: CESWL-PR-P
P.O. Box 867
Little Rock, AR 72203

Dear Mr. McLean:

RE: **Letter of Support for Construction of 12-Foot Channel -
McClellan-Kerr Arkansas River Navigation System**

Deepening of the McClellan-Kerr Arkansas River Navigation System to 12 feet will improve the efficiency of the waterway by allowing 35% more cargo to be loaded in each barge. Increased efficiency is critically important as we continue to face steep competition from foreign markets.

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Based, in part, on the above, we strongly encourage expediting construction of the 12-foot channel, as previously authorized by Congress.

Sincerely,

Jeff W. Burke
Director of Logistics

B.3.5.2 Comments from Elected Officials



Brad Henry
Office of the Governor
State of Oklahoma

May 11, 2005

Mr. Johnny McLean
Little Rock Dist. Corps of Engineers
ATTN: CESWL-PR-P
P.O. Box 867
Little Rock, Arkansas 72203

Dear Mr. McLean:

I am pleased to learn that the Corps of Engineers is in the final stages of a study that will look at the feasibility of deepening the McClellan-Kerr Arkansas River Navigation System from nine to twelve feet. I believe that the results of this study will show that this project will have significant benefits to the environment, businesses that use the waterway and the State of Oklahoma as a whole.

From an environmental standpoint, the importance of this project is clearly evident. The notching of over 250 dikes and revetments, the opening of more than 30 backwater and side channels and the creation of over 30 Least Tern islands will make this one of the most significant aquatic habitat creation projects ever completed in Oklahoma and Arkansas.

The work on this study and the authorization of Congress for this project is similar to the vision of U.S. Senators John L. McClellan and Robert S. Kerr, and the cities and counties along the route who pledged resources to complete the waterway. Currently there is approximately \$4 billion in private investment on port and terminal facilities along the system. There are over 85 water dependent industries actively using the public and private ports that provide 5,000 jobs for Oklahomans. The successful completion of this study will certainly add to the viability of the system and improve the shipping services for these industries.

Sincerely,

A handwritten signature in black ink that reads "Brad Henry".

Brad Henry
Governor
State of Oklahoma



OFFICE
OF THE
MAYOR

June 21, 2005

Ron Carman, USACE-PT-P
Arkansas River Navigation System Study
700 West Capital Avenue
Little Rock, AR 72203

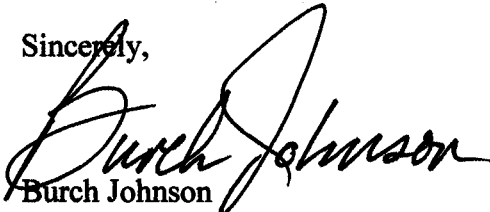
Re: Draft Feasibility Report and Draft Environmental Impact Statement on the Arkansas River Navigation Study

Dear Mr. Carman,

I am writing this letter to request that the Rector Brake pool on mile markers 130 and 131 be included in the mitigation process for the above mentioned study. This area has always been considered one of the most desirable in Maumelle due to its beauty and great fishing.

However, over time, the average depth of this pool has dropped from 8'-9' in 1993 to 3'-5' today. It appears this trend will continue and prevent Rector Brake from being a usable fish and wildlife habitat or used for any other purpose. I feel this would be a great detriment to the City of Maumelle. Please consider the dredging of this pool back to a depth of 8' or 9' as part of your mitigation requirement. Your consideration of this request is greatly appreciated.

Sincerely,


Burch Johnson
Mayor

ED WILKINSON

SENATOR
6TH DISTRICT
OFFICE: 479-996-4171
HOME: 479-996-4260

POST OFFICE BOX 610
GREENWOOD, ARKANSAS 72936-0610

June 13, 2005



THE SENATE
STATE OF ARKANSAS

CHAIRMAN:
JUDICIARY
MEMBER:
JOINT BUDGET
LEGISLATIVE COUNCIL
EFFICIENCY
SENATE INTERIM COMMITTEE ON CHILDREN
& YOUTH
STATE AGENCIES & GOVERNMENTAL
AFFAIRS

U. S. Army Corps of Engineers
Little Rock District
700 West Capitol Avenue
Little Rock, AR 72203

Attn: Johnny McLean

Dear Mr. McLean:

I am submitting comments regarding the Arkansas River Navigation Study mitigation plan that I wish to be included in the official record. I strongly support the proposed plan to lower the McClellan-Kerr Arkansas River Navigation System to the 12-foot depth of the Lower Mississippi.

I also respectfully ask that the Vache Grasse Creek project (Mile Marker 288 on the Arkansas River Navigation System) be included in this project. For many years (since 1940), the leadership in Sebastian County has worked to have this area dredged so that we could have a port and marina. We believe the cost would be minimal versus the economic impact. City and county leaders attended the June 8, 2005 public comment hearing in Fort Smith and brought this project to the attention of Mr. Ron Carman, Project Manager.

I would greatly appreciate the Army Corps of Engineers giving my request for the inclusion of this project every consideration. If I can provide any additional information, please let me know, as I am very interested in seeing this project come to fruition.

Sincerely,

A handwritten signature in cursive script that reads "Ed Wilkinson".

Ed Wilkinson
State Senator

EW:pw

cc: Mr. Bob Briscoe, 909 East Main, Lavaca, AR 72941

B.3.5.3 Comments from Federal Agencies



United States Department of the Interior

BUREAU OF INDIAN AFFAIRS

Eastern Oklahoma Regional Office

P.O. Box 8002

Muskogee, OK 74402-8002

IN REPLY REFER TO:

Division of Environmental
Safety and Cultural Resources

JUN 13 2005

Mr. Johnny L. McLean
U.S. Army Corps of Engineers
Little Rock District
P.O. Box 867
Little Rock, Arkansas 72203-0867

Dear Mr. McLean:

On June 6, 2005, the Bureau of Indian Affairs (BIA), Eastern Oklahoma Regional Office (EORO), received a public notice from the U.S. Army Corps of Engineers (COE) inviting comments on the deepening of the McClellan Kerr Arkansas River Navigation System within the jurisdiction of the Little Rock District, Arkansas. The EORO has no comments regarding the Arkansas Riverbed modifications.

Five Federally recognized Tribes reside near the project areas and have been provided the public notice by copy of this letter. As the Tribes may have environmental concerns relating to the modification to the Riverbed channel, it is recommended that the COE coordinate directly with the Tribes on any of their concerns. For your reference, the contact addresses for the Tribes are enclosed.

Thank you for contacting the BIA. If additional information is needed, please contact Mr. Bobby Coleman, Division Chief, Division of Environmental, Safety and Cultural Resources, EORO, at (918) 781-4660.

Respectfully,

Janna
Regional Director

Enclosure

Honorable Chadwick Smith
Principal Chief, Cherokee Nation
P.O. Box 948
Tahlequah, Oklahoma 74465

Honorable George Wickliffe
Chief, United Keetoowah Band of Cherokees
P.O. Box 746
Tahlequah, Oklahoma 74465

Honorable Ron Sparkman
Chairman, Shawnee Tribe
P.O. Box 189
Miami, Oklahoma 74355

Honorable Bill Anoatubby
Governor, Chickasaw Nation
P.O. Box 1548
Ada, Oklahoma 74821

Honorable Gregory E. Pyle
Chief, Choctaw Nation of Oklahoma
P.O. Drawer 1210
Durant, Oklahoma 74702-1210

2005 APR 29 10:32

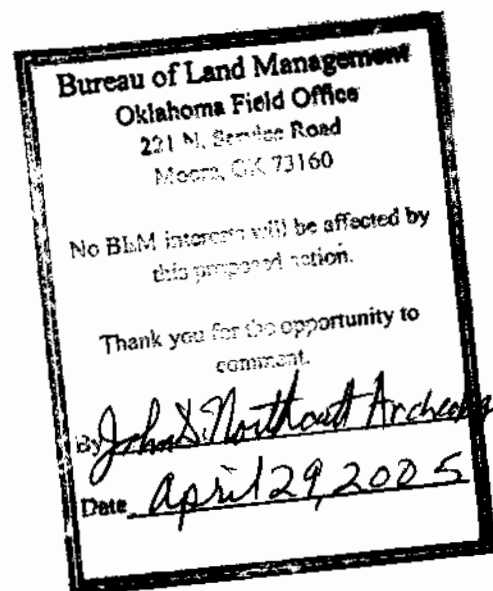
PWK No Comment
4-29-05

JAM - No Comment
4-29-05

Notice of **PUBLIC HEARINGS**

On the **DRAFT ENVIRONMENTAL IMPACT STATEMENT AND DRAFT FEASIBILITY REPORT**

For the **ARKANSAS RIVER NAVIGATION STUDY**



(See Back for Details)

DATES:	May 3, 2005	May 4, 2005	May 5, 2005
LOCATIONS:	Little Rock Regional Chamber of Commerce 200 E. Markham Ave. Little Rock, AR	Latture Conf. Center Univ. of Ark., Ft. Smith Grand Ave. & 50 th St. Fort Smith, AR	Henry Zarrow Regional Library 2224 W. 51 st St. Tulsa, OK
TIME:	Registration - 5:30 P.M. – 6:30 P.M. Presentation and Public Comments – 6:30 P.M.		

Note: Directions to the facilities are included on the last page.



Department of Energy
Southwestern Power Administration
One West Third Street
Tulsa, Oklahoma 74103-3519

May 24, 2005

Ron Carman, CESWL-PR-P
U.S. Army Corps of Engineers, Little Rock District
P.O. Box 867
Little Rock, AR 72203-0867

Dear Mr. Carman:

Southwestern Power Administration (Southwestern) offers the following comments on the Tulsa and Little Rock Districts' Draft Feasibility Report and Environmental Impact Statement for the Arkansas River Navigation Study. Southwestern representatives have attended several workshops and public meetings for the study and have reviewed the study documents available on your website.

The channel deepening features of the National Economic Development Plan appear to have no impacts to hydropower; however, the flow management features have the potential for significant impacts. While your analysis shows alternatives other than the recommended plan have greater overall net hydropower benefits, the recommended plan shows the greatest increase in benefits at the storage projects, which we believe to be beneficial.

Southwestern supports the recommended plan features calling for the creation of least tern nesting habitat with dredge spoil material. Once the Biological Opinion currently being negotiated is finalized, we believe the Tulsa and Little Rock Districts, in consultation with the U.S. Fish and Wildlife Service, should quickly identify potential island locations that can be developed utilizing both maintenance dredging material and the additional material available from the channel deepening efforts. Also, future operations and maintenance plans and budgets should provide for the needed replenishment and/or maintenance of those islands.

Thank you for the opportunity to provide our comments. If you have any questions please contact David Kannady at (918) 595-6682 or david.kannady@swpa.gov.

Sincerely,

A handwritten signature in cursive script that reads "Bethel J. Herrold".

Bethel J. Herrold
Lead Hydraulic Engineer
Division of Scheduling & Operations



United States Department of the Interior

OFFICE OF THE SECRETARY
Office of Environmental Policy and Compliance
P.O. Box 26567 (MC-9)
Albuquerque, New Mexico 87125-6567



IN REPLY REFER TO:

June 14, 2005

9043.1
ER 05/0347

Colonel Wally Z. Walters
District Engineer
U.S. Army Corps of Engineers
Little Rock District
P.O. Box 867
Little Rock, Arkansas 72203-0867

Dear Colonel Walters:

The U.S. Department of the Interior (DOI) has reviewed the Draft Environmental Impact Statement (Draft EIS) for the Arkansas River Navigation Study on the McClellan Kerr Arkansas River Navigation System (MKARNS) in several counties in Arkansas and Oklahoma. The DOI offers the following comments and recommendations for your consideration as you prepare the final document.

Recreational Resources

There are numerous federally funded Land and Water Conservation Fund (LWCF) park properties within the study area. We recommend the U.S. Army Corps of Engineers (Corps) consult directly with the officials who administer the LWCF program in the states of Arkansas and Oklahoma to determine if this project will have any potential conflicts with section 6(f)(3) of the LWCF Act (Public Law 88-578, as amended). The administrator for the LWCF program in Arkansas is Bryan T. Kellar, Director, Outdoor Recreation Grants Program, Department of Parks and Tourism, One Capitol Mall, Little Rock, Arkansas, 72201. The administrator for the LWCF program in Oklahoma is Kristina Marek, Oklahoma Tourism and Recreation Department, Director of Division of Conservation and Planning, 15 North Robinson, 6th floor, Oklahoma City, Oklahoma 73102.

For questions related to the LWCF projects in the State of Arkansas, please contact Jim Krejci, National Park Service, Midwest Regional Office, 601 Riverfront Drive, Omaha, Nebraska, at 402-661-1560. For projects in Oklahoma, contact Roger A. Knowlton, at the same office, at 402-661-1558.

Fish and Wildlife Resources

General Comments

The action components for the selected alternative, deepening and maintaining the MKARNS to a 12-foot navigation depth, are projected to have significant adverse impacts on both terrestrial and aquatic fish and wildlife resources. These impacts would include the loss of terrestrial habitat due to the disposal of dredged material in upland sites and the loss of aquatic habitat due to disposal of dredged material in aquatic sites, the construction and raising of river training structures, and the removal and alteration of gravel bars. Adverse effects to freshwater mussel patches and beds (*i.e.*, mussel concentration areas) are also anticipated from dredging activity and the aquatic disposal of dredged material. However, through appropriate project design modifications and mitigation these habitats can be conserved and possibly even restored at many locations along the Arkansas River. With long-term monitoring, adaptive management, and maintenance, appropriate mitigation and project design features could provide both conservation and restoration of impacted habitats within this system.

Currently, a complete assessment of adverse impacts and a specific mitigation plan have been developed only for those impacts resulting from disposal of dredged material at terrestrial sites within the floodplain of the navigation system in Oklahoma. The terrestrial mitigation plan presented in the Draft EIS was developed through close coordination among the U.S. Fish and Wildlife Service (FWS), Corps, Arkansas Game and Fish Commission (AGFC), and the Oklahoma Department of Wildlife Conservation (ODWC). Implementation of the terrestrial mitigation plan would provide adequate and appropriate mitigation to avoid, minimize, and compensate for terrestrial resource impacts.

Conversely, the assessment of the environmental effects of the proposed Navigation Channel Deepening and Channel Maintenance features on aquatic fish and wildlife resources (*e.g.*, side channel and slack water habitats, gravel bars, and mussel concentration areas) has not been completed. The preliminary analysis presented in the Draft EIS indicates a substantial, with-project deficit in habitat units (about 430 habitat units). However, the specific variables used to assess these impacts are still being fine-tuned and the final analysis is likely to differ considerably from that presented in the Draft EIS. Additionally, mitigation measures addressing impacts to gravel bars and freshwater mussel concentration areas have not been thoroughly developed. Until the final analysis is completed, an adequate plan to mitigate impacts to aquatic resource impacts cannot be developed.

Because a complete mitigation plan for aquatic resource impacts has not been developed and is not included in the Draft EIS and feasibility report, the existing economic analysis of net benefits and costs that was used to determine the National Economic Development plan could not have included all necessary costs for mitigation features. An estimate of the cost of all mitigation features should be included in the final economic analysis of project alternatives once a complete mitigation plan for aquatic resources has been developed.

The DOI believes that the effects of the modifications to river flow management and channel depths, and the continued operation and maintenance of the navigation system on the fish and wildlife resources in the study area (including the reservoirs, wildlife management areas, downstream segments of the rivers, and in the main stem of the navigation channel), will likely have long-term consequences that cannot be adequately identified or appropriately assessed without long-term studies and extensive monitoring efforts. The Corps should utilize the authorities provided under section 906(b) of the 1986 Water Resources Development Act (WRDA) and section 306 of WRDA 1990 to seek full Congressional authorization and funding for an adaptive “Environmental Management Program” in order to perform long-term studies and monitoring of the fish and wildlife resources associated with the navigation system.

A long-term monitoring program would serve to: (1) facilitate the development of appropriate conservation measures that would maintain and restore the habitat value of the fish and wildlife resources associated with the navigation system; (2) assess the true magnitude of the cumulative impacts from the proposed modifications to channel depths and river flow management, and from maintenance and continued operation of the system; and (3) identify and address any unanticipated mitigation needs. Due to the necessity of a long-term monitoring program to ensure adequate compensation for impacts to fish and wildlife resources, the DOI believes that the estimated cost of the long-term monitoring program and an estimate of the funds that would be needed to address mitigation needs identified through long-term monitoring should be considered in the Corp’s benefit:cost analysis for ARNS.

Endangered Species Act Comments

The FWS provided the Corps a revised Draft Biological Opinion in February 2005. The FWS is nearing completion of formal section 7 consultation for the following four species: (1) the interior least tern; (2) the American burying beetle; (3) the bald eagle; and (4) the pallid sturgeon. The outcome of this consultation should be incorporated into the Final EIS.

Fish and Wildlife Coordination Act Comments

The DOI, through the FWS, and its State Natural Resource Agency partners have been actively involved with the Arkansas River Navigation Study (ARNS) over the last several years. Together, they have participated in numerous site visits, meetings and conference calls and have frequently provided important planning information.

The FWS previously provided the Corps general planning information in a planning aid report dated April 2, 2001. Further planning information was provided in planning aid letters dated September 29, 2003 (pertaining to general habitat and species concerns and anticipated impacts), March 1, 2004 (pertaining to concerns involving the expedited schedule of the project and insufficient time to properly evaluate project impacts, examine alternatives, and develop appropriate mitigation measures), May 5, 2004 (pertaining to aquatic habitat assessment methodology), June 15, 2004 (pertaining to dredging and dredged material disposal activities), and May 11, 2005 (pertaining to freshwater mussel impacts). A preliminary Draft Fish and Wildlife Coordination Act (FWCA) Report was provided in February 2005 and a final

coordination act report is currently being prepared that will provide more specific planning information related to fish and wildlife resource concerns.

The FWS continues to have frequent coordination with the Little Rock and Tulsa District Corps, private consultants, ODWC, and the AGFC pertaining to planning efforts on the ARNS. The FWS's overall planning goal is to conserve important fish and wildlife resources for the benefit of the American people, while facilitating balanced development. This goal is supported by language in the FWCA and other authorities. The FWCA establishes fish and wildlife conservation as a coequal purpose of water resource development projects and states that fish and wildlife resources shall receive equal consideration with other features of water resources development programs. The DOI appreciates the Corps staff's receptiveness to comments and concerns provided to date by the FWS and its state partners. However, due to the expedited planning schedule of the project, a number of aquatic fish and wildlife resource issues remain unresolved.

The effects of the proposed hydrologic and geomorphic modification of the Arkansas River ecosystem have not been fully assessed, but could be substantial. Future dredging along with associated deepening and scouring of the river channel could eliminate gravel shoals, an essential habitat component. Prior to construction of the MKARNS, gravel bars were plentiful as gravel movement was unimpeded and there was little gravel being removed from the system. Gravel is important spawning habitat for numerous species of fish, such as paddlefish, shovelnose sturgeon, and most species of darters. Results of the aquatic habitat impacts analysis demonstrate a positive relationship between fish abundance and the amount of gravel and sand/gravel mixture available. Accordingly, reducing the amount of gravel in the channel through dredging and construction or modification of training structures would have a major adverse impact to fishes and other aquatic organisms.

Dredging also will directly affect many remaining mussel concentration areas. Mussel populations in the MKARNS have already been significantly reduced due to habitat alteration caused by initial dredging of the navigation channel and associated construction of locks and dams. Commercial harvesting of mussels and recent establishment of non-native zebra mussels in the navigation system continue to impact mussel populations. Many of the locations where mussels remain will be affected by dredging and dredged material disposal, including a substantial mussel bed in the Arkansas Post Canal where there are an estimated 2 million mussels remaining.

Disposal of dredged material in certain aquatic habitats, such as backwater areas, will have significant adverse impacts unless efforts are taken to avoid or minimize disposal in high quality habitats. Such habitats are essential to many species of fish and wildlife for resting, foraging, and as reproduction and nursery areas, or as refugia from high flows. Prior to construction of the MKARNS, natural backwater and oxbow habitats provided these important functions. Most of the backwater areas that remain are now within dike fields or are behind revetments that are and will be subject to accretion and future dredged material disposal. There has been an ongoing effort in Arkansas to restore and maintain many of these high quality habitats through measures like dike notching that facilitate removal of accreted sediments. The aquatic habitat impacts analysis revealed that a positive relationship exists between fish abundance and water depths in

diked disposal fields. Reducing water depths in dike fields through dredged material disposal would have a major adverse impact to fishes and will contribute to the cumulative loss of these habitats, causing further degradation of important fish and wildlife resources throughout the MKARNS.

Construction of new training structures and modification of existing training structures designed to trap transported sediments will cause additional sediment accretion and loss of backwater areas. These measures will increase the rate of habitat loss and add to the cumulative loss of fisheries, backwater habitats, side channels, and land bridging of islands that has occurred since initial project completion.

The FWS, ODWC, and the Corps cooperatively developed a list of 10 potential compensatory mitigation sites that could be used to offset impacts to terrestrial fish and wildlife resources. Two of those sites, as determined through a Habitat Evaluation Procedures analysis, fulfilled the acreage and habitat quality requirements needed to compensate for unavoidable impacts. As discussed in the Draft EIS, these two mitigation sites were preferred by all parties involved in the assessment because they are adjacent to lands currently managed by ODWC (the Billy Creek and Choteau Units of the McClellan-Kerr Wildlife Management Area), and would therefore facilitate management by ODWC. In accordance with section 3 and 4 of the Fish and Wildlife Coordination Act, the DOI requests that the Corps begin coordination with the FWS and the ODWC on the development of a General Plan (*i.e.*, agreements that make project lands available to the FWS or State for fish and wildlife management purposes) for these two mitigation sites.

The costs associated with implementation and maintenance of an appropriate fish and wildlife resource mitigation plan should be cost-shared at rates reflecting the purpose causing the loss, in accordance with section 906 (c) WRDA 1986, section 333 WRDA 1992, and section 2 (d) of the FWCA. Additionally, in accordance with sections 906 (a) (1) (A) and 906 (a) (1) (B) WRDA 1986, mitigation should be performed prior to or concurrent with project implementation.

Summary Comments

The DOI has a continuing interest in working with the Corps to ensure that impacts to resources of concern to the DOI are adequately addressed. The FWS, in particular, will continue to cooperate with the ODWC, AGFC, and the Corps in the assessment of potential impacts to fish and wildlife resources and in the development of a detailed mitigation plan. Completion of the navigation project will likely take 4-6 years and require extensive maintenance adjustments for many years following its completion.

Routine, ongoing monitoring of mitigation measures over the life of the project will help ensure those measures are viable and effectively offset unavoidable impacts to important fish and wildlife resources. Implementation of a long-term, adaptive monitoring plan is essential to accurately evaluating potential environmental impacts and ensuring the success of mitigation measures. With long-term monitoring and adaptive management, mitigation and project design features can be adjusted to facilitate both conservation and restoration of important fish and wildlife resources of the Arkansas River system.

The DOI believes that the Draft EIS is missing certain components pertaining to predicted fish and wildlife resource impacts and measures to be implemented to offset unavoidable impacts. In order to ensure that fish and wildlife resources receive appropriate consideration, the Corps should:

- fully assess and describe potential impacts to aquatic fish and wildlife resources in the Final EIS;
- develop a specific mitigation plan for aquatic resource impacts through interagency coordination that would minimize, avoid, and fully compensate for project impacts, and include the mitigation plan in the Final EIS;
- develop a long-term monitoring plan through interagency coordination and include a description of the long-term monitoring plan in the Final EIS;
- address how mitigation needs identified through the long-term monitoring program will be met;
- incorporate the results of formal consultation under section 7 of the Endangered Species Act into the Final EIS; and,
- include the cost of aquatic resources mitigation features, the long-term monitoring program, and an estimate of the funds that would be needed to address mitigation needs identified through long-term monitoring in the final benefit:cost analysis for ARNS.

Due to the incomplete aquatic resource impacts analysis and the lack of a final mitigation plan for these impacts, the overall position of the FWS on ARNS is still being formulated. The FWS will continue to participate with ODWC, AGFC, and the Corps in the assessment of potential impacts to fish and wildlife resources and the development of a detailed mitigation plan.

The DOI remains hopeful that the aquatics impacts analysis can be completed soon, in order for the Corps, AGFC, ODWC and FWS to more accurately determine the environmental impacts of the project and develop appropriate mitigation measures to offset unavoidable aquatic resource impacts. Dependent upon time allowed by the expedited schedule, the FWS intends to provide additional input through both this environmental documentation process and the other environmental review processes. The development of appropriate mitigation measures through coordinated efforts with the Corps, ODWC, and AGFC remains the first priority of the DOI and FWS.

If you or your staff have any questions in the continuing planning process, please have your staff contact Lindsey Lewis at the FWS's Arkansas Field Office and Ken Collins at the Oklahoma Field Office. Their phone numbers are 501-513-4489 and 918-382-4510, respectively.

We appreciate the opportunity to review and comment on this Draft EIS.

Sincerely,

A handwritten signature in black ink, appearing to read "Stephen R. Spencer". The signature is written in a cursive style with a large, sweeping "S" and "P".

Stephen R. Spencer, Ph.D.
Regional Environmental Officer



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS, TX 75202-2733

MAY 24 2005

Mr. Johnny McLean
Little Rock District
US Army Corps of Engineers
P.O. Box 867
Little Rock, AR 72203-0867

Dear Mr. McLean:

In accordance with our responsibilities under Section 309 of the Clean Air Act, the National Environmental Policy Act (NEPA), and the Council on Environmental Quality (CEQ) Regulations for Implementing NEPA, the U.S. Environmental Protection Agency (EPA) Region 6 office in Dallas, Texas, has completed its review of the Draft Environmental Impact Statement (DEIS) for the Arkansas River Navigation Study. The DEIS evaluates the potential environmental impacts associated with the proposed maintenance and improvements to the navigation channel for the McClellan-Kerr Arkansas River Navigation System, while maintaining the other project purposes which include: flood control, recreation, hydropower, water supply, and fish and wildlife.

EPA rates the DEIS as "EC-2," i.e., EPA has "**Environmental Concerns and Requests Additional Information in the Final EIS (FEIS).**" EPA has identified environmental concerns and informational needs to be included in the FEIS to complement and to more fully insure compliance with the requirements of NEPA and the CEQ regulations. Areas requiring additional information or clarification include: wetland impacts, aquatic resource impacts, and mitigation.

Our classification will be published in the Federal Register according to our responsibility under Section 309 of the Clean Air Act to inform the public of our views on proposed Federal actions. Detailed comments are enclosed with this letter, which more clearly identify our concerns and the informational needs requested for incorporation into the FEIS. If you have any questions, please contact Mike Jansky of my staff at 214-665-7451 or e-mail him at jansky.michael@epa.gov for assistance.

EPA appreciates the opportunity to review the DEIS. Please send our office five copies of the FEIS when it is sent to the Office of Federal Activities, EPA (Mail Code 2252A), Ariel Rios Building, 1200 Pennsylvania Ave, N.W., Washington, D.C. 20460.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Rhonda Smith".

Rhonda M. Smith, Acting Chief
Office of Planning and
Coordination (6EN-XP)

Enclosure

Internet Address (URL) • <http://www.epa.gov>

Recycled/Recyclable • Printed with Vegetable Oil Based Inks on Recycled Paper (Minimum 25% Postconsumer)

**DETAILED COMMENTS
ON THE
DRAFT ENVIRONMENTAL IMPACT STATEMENT (DEIS)
FOR THE
ARKANSAS RIVER STUDY
ARKANSAS AND OKLAHOMA**

BACKGROUND

The proposed action is to maintain and improve the navigation channel in order to enhance commercial navigation on the McClellan-Kerr Arkansas Navigation System. Implementation of the proposed action would expect to result in beneficial as well as adverse impacts to the environment. The preferred alternative, Alternative E, was selected based on a evaluation of beneficial and adverse impacts associated with implementing any of the alternatives considered. The Army's preferred plan provides for a balance between benefits and impacts that result in a project with minimal adverse impacts and still achieves the purpose of the study.

COMMENTS

Volume 1, Section 5.8.2.2.2. Wetlands: This section of the DEIS states that “...*the hydrology of wetlands associated with the MKARNS may experience minor variations. Inundation of lower elevation wetlands and bottomland hardwoods may decrease in frequency, which could adversely impact these ecosystems.*” The Final EIS should more clearly evaluate these potential long-term, indirect, wetland functions and values impacted by the project. Consequently, please provide an explanation of the “no impact” conclusion under the wetlands heading in Table 8-1.

Volume 1, Section 5.8.2.2.3 Aquatic Resources - Rivers: The EIS should describe the mitigation requirements necessary to compensate for impacts to streams and surrounding riparian areas. Please identify in the Final EIS mitigation for these unavoidable impacts.

Volume 1, page 8-17, first paragraph: Since the proposed mitigation of forested hardwood consists of wetlands creation, the Final EIS should contain additional information on the wetlands mitigation plan, such as the proposed depth of created wetlands, the species to be planted, monitoring to be conducted, and the success criteria for a period of five years.

B.3.5.4 Comments from Individual Citizens

ARKANSAS RIVER NAVIGATION STUDY

Draft Environmental Impact Statement

Comment Sheet

If you are interested in providing comments concerning the Arkansas River Navigation Study Draft Environmental Impact Statement, please write your comments below and send to the address noted below, or leave this form in the comment sheet collection box at the Public Meeting for the Draft Environmental Impact Statement.

I am FOR the 12 ft draft
along the McClellan-Kerr Arkansas
River Navigation System. I feel
a greater depth increase would
provide efficient shipping on
the river

Larry Alman

SEND COMMENTS TO:
Little Rock District Corps of Engineers
ATTN: CESWL-PR-P
(Mr. Johnny McLean)
P.O. Box 867
Little Rock, Arkansas 72203

YOUR NAME: LARRY ALMAN

Organization: SOL ALMAN

Address: P.O. Box 1111
LITTLE ROCK AR 72203

additional space on the back →

June 10, 2005

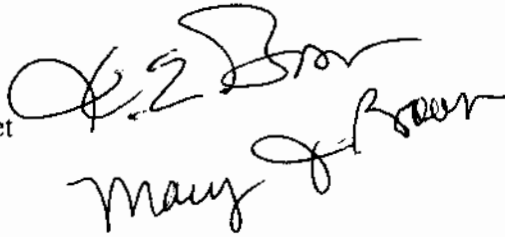
Ron Carman, USACE-PT-P
Arkansas River Navigation System Study
700 West Capital Avenue
Little Rock, Arkansas 72203

As residents of Maumelle, my wife and I would like to comment on the need for improving the conditions in Rector Brake pool, adjacent to Mile Markers 130 – 131 of the Arkansas River. During the few years we have boated in and around Rector Brake we have noticed a rapid change in the depth of water and also a change in the water quality. The Rector Brake pool is rapidly silting-in, receives minimal fresh water, and is stagnant. We have been told that Rector Brake was once a good fishing area, but is no longer.

We recently attended the June 2005 meeting regarding the proposed activities for improving navigation in the Arkansas River. It is our understanding that mitigation will be necessary to offset excavation and environmental damages to fish and wildlife. As such, we would like to request that the USACE give careful consideration to improving the water quality of the Rector Brake pool for fish and wildlife habitat.

Thank you for your consideration.

Ken Bown and Mary Bown
Phone: 803-0860
Email: kebown@sbcglobal.net
80 Belle River Point
Maumelle, Arkansas 72113



Handwritten signatures of Ken Bown and Mary Bown. The signature for Ken Bown is written above the signature for Mary Bown.

June 22, 2005

Comments on DRAFT EIS for 12 Foot Channel Study
McClellan-Kerr Arkansas River Navigation System

My concern with the Draft EIS is that the basis for the mitigation plan is a "worst case" condition that maximizes the amount of mitigation required. The plan assumes that all of the dredging indicated on the base survey will be done.

By sequencing the work on the dikes and revetments, the amount of dredging can be reduced, thus reducing the environmental impact of constructing the 12 foot channel. Any reduction in dredging and disposal impacts should reduce the associated mitigation and monitoring costs. In other words, environmental impacts that were assumed in the planning process, but do not occur, should not be mitigated.

A methodology should be in place to account for reductions in environmental impacts during the construction phase of the project

BR-M1

8.3.2.1
comment noted
Appd c

Donald G. Bratton
Donald G. Bratton, PE

June 11, 2005

Ron Carman, USACE-PT-P
Arkansas River Navigation system Study
700 West Capital Avenue
Little Rock, Arkansas 72203

RE: Mile Markers: 130, 131 (Rector Brake)

Dear Sir:

My wife and I moved to Maumelle in 1983 to retire, choosing the location because of the lovely view of Pinnacle Mountain, the view of the Bay and access to the Arkansas River from this Bay, all within 100 yards of our back door.

In the beginning the water at this point where we had constructed a small dock for us to tie up our flat bottom boat, was approximately eight foot deep. The Crappie, bass and bream were abundant and provided a great deal of recreation for myself and neighbors in the area, as well as many local fisherman outside our immediate area.

Sometime later we (a neighbor and I) had Williams Company of Hot Springs build a nice deck with patio to hold our bass boat and party barges and "life was good" with many hours of shared recreation with family and friends and fishing was great, for us mostly catch and release.

Over the last twenty years the in and out flow with no flow through has left a silt build up leaving the Bay with a depth of two feet or less at this end. Using the boats to access the river is tricky and the once abundant fish are now gone. "Life is not so good". The future view, not so long coming, will be a Bay of mud with no navigable water.

The property investments of all the residents on the Bay are in jeopardy. No water, no fish, very little wildlife, which was the heart of our area.

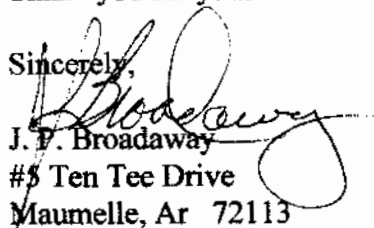
It is my understanding that there is a solution under consideration relating to the above referenced. "Mitigation" for environmental impact of the raising of the River could be accomplished by the dredging of our pool to a renewed depth of eight or nine feet.

I sincerely believe another alternative that could be considered would be to make a small cut through at the south west end of the Bay and this would cause movement of the silt as it flowed through to the east.

I implore you to consider one of these solutions in the interest of those residents living on the Rector Brake Pool, as well as other fisherman in Maumelle and surrounding areas who want to enjoy what we once had.

Thank you for your consideration.

Sincerely,


J. F. Broadaway
#5 Ten Tee Drive
Maumelle, Ar 72113

FISHERIES ANSWERS BY AC

5901 KENTUCKY ROAD

BENTON, AR 72015

501-316-2682

FISHERIESANSWERS@SBCGLOBAL.NET



Statement for Corps Of Engineers Public Meeting Concerning Arkansas River Navigation Study May, 2005

Ladies and Gentlemen:

I'm Allen Carter, a retired biologist for the Arkansas Game and Fish Commission where I spent a considerable amount of time working on the river. My comments will address environmental aspects of the Arkansas River Navigation Study.

The Arkansas River is a great resource for Arkansas and Oklahoma residents. It provides many business and recreational opportunities. If the plans currently under consideration are completed, **the fishery will benefit**. Developing the shipping channel to accommodate larger loads will certainly benefit the present industry and farmers. It should encourage additional industry, which in turn will add jobs to the economies of both states.

The environmental impact statement is very extensive. The time allowed for this oral comment is not enough to address all of the statement; however, I can say that a tremendous amount of time and effort was expended to produce the document. It also appears that there are no major environmental problems. In fact, the items found that needed attention have been addressed by the environmental agencies and solutions have been and are being found.

The deficit in habitat units noted for the 12-foot channel project is being addressed. I understand there is a deficit in the report simply because the mitigation needed on the river has not been completely identified. This time period for public comment provides the opportunity for the agencies and the public to request specific items for mitigation and with that information, I'm sure the habitat units will be a net positive.

I realize that an adequate monitoring plan concerning the biological issues is needed. I encourage the utilization of a monitoring plan that involves all users of the system. Please remember that we are all in the "same" boat on the River and need to work together. In my past career with Arkansas Game and Fish Commission, I found it was very helpful to have biologists, anglers, hunters, and engineers in the same boat on the river to discuss the wants, needs, and desires of everyone. This is also what has been done to develop the plan for this project. A lot of people have been involved in every step of the planning. We were able to agree on many plans and adjust the work projects to help and not hinder the various users of the river. The main concerns in all plan development were to maintain and even enhance environmental aspects.

The biological opinion seems to be right on target. After reviewing the information for all endangered species in the area, narrowing the concerns down to a few and then determining no jeopardy on any species is appropriate. Reasonable and prudent measures that are required concerning "incidental take" of the American Burying Beetle seem appropriate and do not affect progress of the project. The reasonable and prudent measures required concerning "incidental take" of the least tern seem extensive; however, I understand these actions would be required by the US Fish and Wildlife Service even if the 12-foot channel project is not approved. Therefore, these actions should not hinder the approval of the 12-foot channel project and the cost for these requirements should not be charged against the project. Some of the suggestions (i.e. building islands) by the environmental agencies should help the tern. These islands might not become a reality for many years if the channel project is not approved.

Recreational activities on the river help the economy, especially on the local level. The river we know today has provided many hours of all types of recreation. However, there are several improvements that will help the fishery and the angler. The study team consisting of representatives from

the state conservation agencies, US Fish and Wildlife Service, and Corps of Engineers has developed a scope of work that will enhance the aquatic environment. These projects include: notching more than 250 dikes and revetments, dredging more than 30 silted areas to allow access to many backwater acres that were once open, and creating more than 30 islands that will provide a variation of aquatic habitat where none existed and also create least tern habitat. Notching the dikes and revetments will allow boating access to many areas that have not been accessible in the past and will also create more islands. Some specific examples of backwater areas that will be accessible due to the dredging include Coal Pile, Strawberry Creek, Hopewell Creek, Bull Creek, and many other important oxbows along the river.

The study team also recommended avoiding the filling of over 60 important aquatic areas. The dredge material will be placed in areas that now do not provide good fishery habitat, creating islands that will have different shorelines and flow habitats for the aquatic species. This is a real plus for the fishery of the river.

In addition to the aquatic habitat enhancement, the deeper draft will allow the same amount of cargo moved on the river to be moved in fewer barges which will result in less lock delays for the recreational user. Bass fishermen should really appreciate that!

I encourage you to approve the project and complete the dike notching and other projects planned as mitigation. As mentioned previously, all stakeholders, including **INDUSTRY**, have been and are willing to cooperate in any way possible to help make the river the best it can be for all users.

Allen Carter

Carman, Ron R SWL

From: tommy cauley [fishfinder@alltel.net]
Sent: Sunday, May 22, 2005 7:21 AM
To: AR-OK.River.Study SWL
Subject: dredging

it seems as though their is alot of expecting,guessing, and or trying is all of this we as tax payers and fisherman need to know the correct or get the facts taht are known and not alot of expecting -we want the facts and what ever it takes-it also seems that the state of ok. is gonna reep more benifits tahn us and most of the dredging will take place here-to help them get more stuff up to them or what ever and make them more money-the guys on the barges do not spend a dime -they are never off the boat while traveling through our state -maybe stopping for fuel—that industry alone will be the only ones coming out in this -----i am afraid the dredging will cause more silt to form in the mouths of shallow water areas and prevent access to us as well as the fish-and i do have alot of other concerns also-----the corp has gotten better -just a little better-----at working with the public but still seems that they figure out A WAY around all these things and we as john q-public do not have the time and money to run aroundto fight all of this bullshit yall throw at us all the time -----if i had the time and or money i would be raising hell with you all the time -----we need someones who cares about all instead of passing the buck and no clear answers all the time-----listen to us the tax payers !!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!---i do want to know more.

Tommy Cauley
Fish Finder Service
fishfinder@alltel.net
www.greersferry.com/fishfinder

5/24/2005

18 Riverwood Place
Maumelle, AR 72113
June 20, 2005

Mr. Ron Carman, USACE-PT-P
Arkansas River Navigation System Study
700 West Capital Avenue
Little Rock, AR 72203

Re: Mile Markers 130, 131 (Rector Brake)

Dear Mr. Carman:

It is our understanding that you are proposing to raise the navigational level of the Arkansas River from 9 to 12 feet. It is our further understanding that, as part of that project, you are required to mitigate for environmental impact. We respectfully request that you proceed with your consideration of dredging Rector Brake back to a depth of 8 to 9 feet.

We live in the River Run Subdivision of Maumelle and have been concerned for some time with the declining level of Rector Brake. While we do not live directly on the Brake, we believe its maintenance and upkeep affects the entire neighborhood. Our Property Owners Association owns land on the Brake and we all enjoy its beauty and tranquility.

Thank you in advance for your assistance in this matter.

Respectfully yours,


David and Carol Chesser

SENIOR CONSULTANTS

J. Clif Christopher,
M. Div., CFRE
Paul M. Gardner,
Ph.D., CFRE

CONSULTANTS

Walt Eilers, *M.A.*
Joe B. Hatcher, *Ph.D.*
Michael A. Hedges, *M.A.*
David C. Lewis, *D. Min.*
Joseph W. Park, *M.B.A.*

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Fred M. Perkins, Jr., *AIA*
Architecture
Shelly Russell, *P.A.*
Accounting

June 14, 2005

Mr. Ron Carmen ASACE-PT-P
Arkansas River Navigation System Study
700 W. Capitol Avenue
Little Rock, AR 72203

Dear Mr. Carmen:

I am writing you to encourage the Corps of Engineers to consider dredging the Rector Brake (Marker 130, 131) area in your upcoming improvements to the Arkansas River.

I have lived on the river in this area for the last three years. In just that short period of time I have watched this beautiful area slowly deteriorate. The pool is slowly filling with sediment and if allowed to continue will render this area unsuitable for recreation and wildlife. For instance, three years ago I could always lower my boat lift to take my boat fishing. This year I've often been unable to do so because of the shallow water underneath. Where we used to see beautiful water against the shoreline, in many places we just see mud. It hurts to watch this spot enjoyed by those who live there and countless others who boat in and out, slowly die. We do not know where to turn other than to your office.

I am fully aware that your primary responsibility is for navigation and I am addressing a recreational and environment concern. I can only hope that somehow the Corps can see a way to create a win-win for everybody.

I would welcome the opportunity to speak or even work with you regarding this matter. I feel that every neighbor in this area would be willing to do so as well. Please do not hesitate to call on me. I am sorry I missed the discussion meeting last week, but I and my neighbors were informed of it about three hours before it started. We couldn't adjust schedules. Given another opportunity we'd be delighted to meet with you.

Thank you for your consideration. I look forward to hearing from you and working with you.

Sincerely,



J. Clif Christopher
60 Norfolk Drive
Maumelle, AR
501-803-0572 (Home)
501-681-4828 (Cell)

July 17, 05

Dear Sirs

I am a Resident of 33 Riverwood
Cov. I have lived here 12 yrs.

This issue is very important to
us.

mile marker: 130, 131 (Rector Brake)
needs to be fixed. =

Please consider this critical,
problem to us.

Thank You
Tina Marie Cooper
33 Riverwood Cv.
Mannelle, Ar. 72113



Have you noticed how shallow our river pool has become?

Over the past several years, the depth of the pool known as Rector Brake which runs behind the Maumelle Country Club as well as many of our neighborhoods has gone from an average depth of 8' – 9' in 1993 to 2' – 5' today. An area the old timers tell us use to be one of the best fishing areas on the river is rapidly silting in. This process can be expected to continue, damaging property values and ultimately making Rector Brake unusable as a fish and wildlife habitat or for any other purpose.

You may be aware of the problem, you may not be aware of a possible solution. The Corps of Engineers is proposing to raise the navigational level of the river from 9' to 12'. As a part of that project, they will be required to “mitigate” for environmental impact. In other words, if they hurt the river in one place, they will have to improve the river in another. One of the improvements they are considering is the dredging of our pool back to a depth of 8 – 9 feet.

What can you do?

~~The U.S. Army Corps of Engineers has extended the comment period~~ through June 23 on the *Draft Feasibility Report and Draft Environmental Impact Statement on the Arkansas River Navigation Study*, so the response time is very short!

Please let the Corps know it is critical that they include the Rector Brake pool in the mitigation process by sending a personal letter to...

Ron Carman, USACE-PT-P
Arkansas River Navigation System Study
700 West Capital Avenue
Little Rock, Arkansas 72203

Refer to: Mile Markers: 130, 131 (Rector Brake)

It is vital that we act now! Please encourage your neighbors. If you have questions, contact me:

Steve Scott
68 Norfolk Drive
Maumelle, AR 72113

851-0402
steve@scottagri.com

ARKANSAS RIVER NAVIGATION STUDY

Draft Environmental Impact Statement

Comment Sheet

If you are interested in providing comments concerning the Arkansas River Navigation Study Draft Environmental Impact Statement, please write your comments below and send to the address noted below, or leave this form in the comment sheet collection box at the Public Meeting for the Draft Environmental Impact Statement.

Need to discuss dredge disposal. Should be put on least valuable land not just least cost of disposal.

As a farmer in Oklahoma I feel as though this is a great project. South America (Brazil) has become our major competitor. Ocean going vessels travel inland as far as many of our barges on our current system. We need to update our river system to remain competitive. Not many people drive 30yr. old cars.

Having said that I feel it is very important to maintain river flows that don't increase flooding and would hope that a deeper channel would increase carrying capacity of the system.

SEND COMMENTS TO:

Little Rock District Corps of Engineers

ATTN: CESWL-PR-P

(Mr. Johnny McLean)

P.O. Box 867

Little Rock, Arkansas 72203

YOUR NAME:

Tom F Cosner

Organization:

Address:

HC 64 Box 660

Arms OK 74936

additional space on the back →

19 June, 2005

Ron Carman
USACE-PT-P
Arkansas River Navigation System Study
700 West Capital Avenue
Little Rock, Arkansas 72203

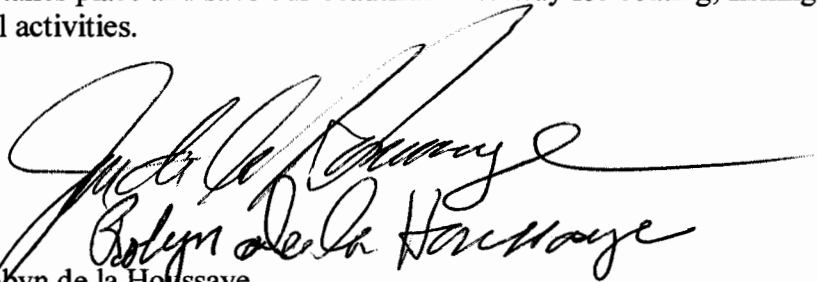
Mr. Carman,

We've been recently informed of the Draft Feasibility Report and Draft Environmental Impact Statement on the Arkansas River Navigation Study. We have lived at #1 Crystal Mountain Lane in Maumelle, AR 72113 for over thirteen years. We use the river and the area of Rector Brake quite often and the amount of silt fill-in has been tremendous (several feet in some areas) during this period. The president of our Property Owners Association has contacted the Corp of Engineers about run-off from a new development and construction sites in this area and was informed the Corp had no jurisdiction in this area.

However, the Corp's draft feasibility report indicates they will be required to mitigate the environmental impact to other areas of the river when deepening the navigational channel to 12 feet. With that in mind, we are requesting consideration of dredging the Rector Brake from Mile Marker 128.6 to 130.4 back to a depth of 8-9 feet. This will put the depth of Rector Brake back to its depth around ten years ago.

It is critical to the neighborhoods along this area of the river that the Rector Brake pool be included in the Corp's mitigation process. We appreciate anything you can do to ensure this takes place and save our beautiful waterway for boating, fishing and other recreational activities.

Sincerely,



Jon and Robyn de la Houssaye
#1 Crystal Mountain Lane
Maumelle, AR 72113
Ph: 501/851-1235
Cell 501-831-1814

Carman, Ron R SWL

From: C.A. DOUGLAS JR. [nimrodfishing@yahoo.com]

Sent: Wednesday, May 11, 2005 6:29 PM

To: AR-OK.River.Study SWL

Subject: plan to deepen Arkansas River channel

I am totally opposed to dredging the river .As I feel it will cost too many tax payer dollars and hurt our fishery. If they put that fill behind jetties, it will destory important fish spawning habitat. The money could be spent wiser and help more people. I feel this is more pork barrel spending to benefit a select few at the cost of all.

C.A.Douglas (nimrodfishing@yahoo.com)

Yahoo! Mail Mobile

Take Yahoo! Mail with you! Check email on your mobile phone.

5/16/2005

Carman, Ron R SWL

From: ROBERT EPPERSON [rkepperson@msn.com]
Sent: Saturday, April 30, 2005 9:12 AM
To: AR-OK.River.Study SWL
Subject: decrease in wetlands

Please put me on your mailing list. I am interested in the change of our wetlands area we enjoy year round. Waterfowl, fish etc. When the river gets high on pool 14 our wetlands fills and creates wonderful waterfowl habitat. When the high water goes down the area reseeds and natural plants return. If the project goes through I understand the high water time will be reduced dramatically. This will dry up our wetlands. Our area is half way between lock and dam 13 and 14. It is called the old river channel on the east side of the river between Arkoma OK and Braden OK. How many feet would it change the tail water flow on pool 14 if the project goes through? Or compared to now, how much of the high water days would be decreased? Or, if you don't know who might have the answer? Thanks. RK Epperson.

5/16/2005

From: ROBERT EPPERSON [mailto:rkepperson@msn.com]

Sent: Tuesday, May 17, 2005 5:38 PM

To: Porath, Rebecca

Subject: Re: Corps of Engineers Arkansas River Navigation Study DEIS mailing list

Please put me on your postal mailing list. As an environmental scientist how do you think the river project would effect the river produced wetlands? Mr. Carman in a letter, stated that" only approx. 14 days a year would the bench be reduced from 75000 to 60000". Does this mean that traffic is usually halted at 75000 cfs now? And by being able to bring it down to 60000 the traffic would be allowed to navigate? My real question is: Is the tail water level or pool level only going to change during the 75000 bench level, by your control? When the river started getting faster than 60000, what do you do then? Halt traffic and let it start flowing normally without controlling it? Contrary to your mission we need and enjoy some high water time to keep waterfowl, plants, the whole eco system balanced. I was unable to make the last meeting held at Fort Smith. I could have asked these questions then. If you have any comments I would appreciate them. Thanks for reading this. Robert Epperson

From: ROBERT EPPERSON [<mailto:rkepperson@msn.com>]

Sent: Saturday, April 30, 2005 9:12 AM

To: AR-OK.River.Study SWL

Subject: decrease in wetlands

Please put me on your mailing list. I am interested in the change of our wetlands area we enjoy year round. Waterfowl, fish etc. When the river gets high on pool 14 our wetlands fills and creates wonderful waterfowl habitat. When the high water goes down the area reseeds and natural plants return. If the project goes through I understand the high water time will be reduced dramatically. This will dry up our wetlands. Our area is half way between lock and dam 13 and 14. It is called the old river channel on the east side of the river between Arkoma OK and Braden OK. How many feet would it change the tail water flow on pool 14 if the project goes through? Or compared to now, how much of the high water days would be decreased? Or, if you don't know who might have the answer? Thanks. RK Epperson.

5/18/2005

GERALD GEDDES

17 Breezewood Cove

Maumelle, AR 72113

II (501) 851-4239

Email amilhope1@sbcglobal.net

June 16, 2005

Ron Carman, USACE-PT-P
Arkansas River Navigation System Study
700 West Capital Avenue
Little Rock, Arkansas 72203

Dear Mr. Carman:

Thank you for the opportunity to learn about the Arkansas River Navigation Study Group.

This letter is to reinforce what we said during the meeting as relating to Rector Brake in Pool 7. Twenty years ago, this was an EXCELLENT fishing area with good depth. Now it is very difficult to catch any bass in this area, there are some catfish and bream, but small. We would like to encourage your group to deepen this area so we again can enjoy the fishing habitat that used to exist in this area.

The Rector Brake mitigation plan is shown on your handout at Arkansas River Mile 131 left bank. We strongly support the deepening of this area as part of the mitigation plan.

We appreciate any help you can give to restore this area to its former depth to again enhance our fishing productivity.



Gerald (Jerry) Geddes

Carman, Ron R SWL

From: Suzy Gieringer [scgier@cox-internet.com]

Sent: Thursday, June 23, 2005 4:58 PM

To: AR-OK.River.Study SWL

Dear Mr. Carman:

I am writing in support of moving forward with the nine-foot navigation channel on the McClellan-Kerr. I am a housewife, mother, grandmother and great-grandmother who is interested in the economy and the environment for my family and neighbors.

For years my husband has worked to enhance navigation on the McClellan-Kerr Arkansas River Navigation System creating jobs and a better way of life for those of us in Arkansas and Oklahoma. Because of his keen interest and efforts, I am very familiar with the many benefits economical and environmentally friendly navigation brings to our people. I am well aware that river transportation is by far the most environmentally friendly mode.

Towboats are nine to ten times as fuel efficient and produce only about one-tenth of the air pollution as trucks do. The needed 12-foot navigation channel on the Arkansas will allow existing barges to carry up to 43% more cargo with resultant energy savings, reduced cost of shipping, reduction in greenhouse gasses plus other environmental advantages. Rising fuel costs, the national fuel shortage, and overcrowded highways should encourage the most efficient use of our waterway.

Continuing bi-partisan congressional support means the project can be accomplished to the benefit of our people and the nation. It is time for the Corps to move forward with this project that is so vital to the economy and the environment of this region.

Sincerely yours,

Suzanne C. Gieringer
33 Excelso Way
Hot Springs Village, AR 71909

6/24/2005

Carman, Ron R SWL

From: Wally Gieringer [wagier@cox-internet.com]
Sent: Thursday, June 23, 2005 4:31 PM
To: AR-OK.River.Study SWL
Subject: Navigation Study

Mr. Carman:

I am writing in support of the twelve-foot navigation channel that will mean so much to the lives of people in the Arkansas River Basin area - environmentally and economically.

Recent news stories in the Arkansas Democrat/Gazette quoted Tricia Anslow of the Corps who reportedly said the final mitigation "number will be higher than \$11.6 million" Further, "that mitigation won't stop at that number" ! In the same article Johnny McLean reports the 5 million cubic yards of sediment is the "worst case figure" and "the actual amount may be substantially smaller".

Seems to me that less dredging would mean less mitigation required. It is time to move on with this environmentally friendly project that has so many environmental enhancements.

Only 5% to 15% of the river's length will involve dredging and virtually all of these locations are already being dredged to maintain the currently authorized 9-foot channel depth. As the Corps well knows, most of the river is already at least 12-feet deep. Material from additional dredging will be strategically placed so as not to impair any sensitive ecological features. Some dredged material will even be used to create new habitat such as nesting islands for the Least Tern. Other features include enhancement of aquatic breeding areas.

Please encourage your associates at the Corps to move forward with this project that will mean a better way of life for the people of this region.

Wallace A. Gieringer
33 Excelso Way
Hot Springs Village, AR 71909

6/23/2005

Ron Carran, USAACE-PT-P
Arkansas River Navigation System Study
700 West Capital Avenue
Little Rock, Arkansas 72203

Dear Mr Carran:

It is very important to me and to the many citizens of Maumelle that you include Rector Brake in the mitigation process. Mile Markers 130 + 131 are in bad need of dredging. The fishing basin has been very good for almost two years due to silt.

Please place Rector Brake pool (mile marks 130 + 131) in your deliberation.

Sincerely,

Dr. John W. Gray
48 Norfolk Dr.
Maumelle, AR 72113

**Willis and Carolyn Gray
34 Riverwood Cv
Little Rock, AR 72113
(501) 803-9496**

June 10, 2005

Ron Carman, USACE-PT-P
Arkansas River Navigation System Study
700 West Capitol Avenue
Little Rock, AR 72203

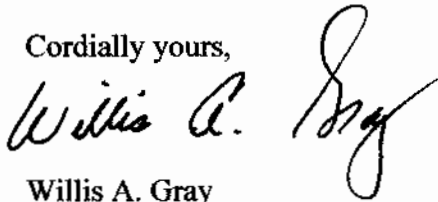
In Re: Mile Markers: 130, 131 (Rector Brake)

Over the past several years, the depth of the pool known as Rector Brake which runs behind the Maumelle Country Club as well as many of our neighborhoods has gone from an average depth of 8 – 9 feet in 1993 to 2 – 5 feet today. It is rapidly silting in and can be expected to continue, damaging property values and ultimately making Rector Brake unusable as a fish and wildlife habitat or for any other purpose.

Being a very concerned homeowner in this area, we feel it is critical that you include the Rector Brake pool in the mitigation process which would include dredging the pool back to a depth of at least 8 – 9 feet!

Thank you for your consideration in this very important matter.

Cordially yours,



Willis A. Gray

Carman, Ron R SWL

From: B. J. Hardy [TheMan@arkwest.com]
Sent: Wednesday, May 11, 2005 12:49 PM
To: AR-OK.River.Study SWL
Subject: Navigation Project

I am adamantly opposed to dredging another three feet out of the Arkansas River because of the large scale destruction of fish spawning habitat and the filling in of backwater areas with dredging debris.

Thanks,

BJ Hardy
POB 52
Plainview, AR 72857

5/16/2005

May 4, 2005
Fort Smith, Arkansas

ARKANSAS RIVER NAVIGATION STUDY

Draft Environmental Impact Statement

Comment Sheet

If you are interested in providing comments concerning the Arkansas River Navigation Study Draft Environmental Impact Statement, please write your comments below and send to the address noted below, or leave this form in the comment sheet collection box at the Public Meeting for the Draft Environmental Impact Statement.

MY NAME IS PATRICK HORAN, A CONSERVATIONIST FROM FORT SMITH, ARKANSAS AND I APPRECIATE THE OPPORTUNITY TO SUBMIT MY COMMENTS TO THE U.S. ARMY CORPS OF ENGINEERS PUBLIC HEARING ON A DRAFT FEASIBILITY REPORT AND THE DRAFT ENVIRONMENTAL IMPACT STATEMENT OF THE ARKANSAS RIVER NAVIGATION STUDY OF APRIL 2005. I HAVE ATTENDED THE PUBLIC SCOPING MEETINGS OF MAY 15, 2000 AND FEB 14, 2001 AND MAY 20, 2003 HELD HERE IN FORT SMITH, ARKANSAS AND HAVE SUBMITTED MY COMMENTS ON A NUMBER OF ISSUES THAT CONCERN THE "M^S CLELLAN - KERR ARKANSAS RIVER NAVIGATION SYSTEM" (MKARNS) IN ARKANSAS & OKLAHOMA. THE ANSWERS TO MY QUESTIONS INVOLVING THE PROPOSED PINE ME. DAM WHICH WOULD BE LOCATED AT RM 35.7 ON LEE CREEK NEAR NATURAL DAM, ARKANSAS IN CRAWFORD COUNTY ABOUT 15 MILES NORTH OF FORT SMITH, ARKANSAS HAVE NOT BEEN FORTHCOMING FROM THE USACE. YET, I HAVE ASKED ABOUT THIS POSSIBLE DAM ON THE TRIBUTARY STREAM OF UPPER LEE CREEK AND THE CURRENT STATUS OF THIS PROPOSED PROJECT ON EVERY OCCASION THAT THE U.S. ARMY CORPS OF ENGINEERS (USACE) HAVE COME TO FORT SMITH, ARKANSAS. IT SEEMS THAT THIS PROPOSED DAM & IMPROVEMENT PROJECT ON A TRIBUTARY OF THE ARKANSAS RIVER AND A PROPOSED I-49 BRIDGE JUST SOUTH OF TRIMBLE LOCK & DAM (NO. 13) ARE NOT TO BE CONSIDERED AS RELEVANT TO "EXAMINING WAYS TO MAKE THE MKARNS MORE RELIABLE AND TO IMPROVE NAVIGATION EFFICIENCY". I PERSONALLY THINK THAT THE PUBLIC

SEND COMMENTS TO:
Little Rock District Corps of Engineers
ATTN: CESWL-PR-P
(Mr. Johnny McLean)
P.O. Box 867
Little Rock, Arkansas 72203

YOUR NAME: PATRICK HORAN (CONT →)

Organization: CONSERVATIONIST

Address: 423 SOUTH 18TH ST.
FORT SMITH, ARKANSAS
72901

additional space on the back →

(Encl.) "Southwest Times" (PAGE 1-3)
Record "newspaper" of JUNE 16, 2000

Additional Comments

(CONT →)

HAS A RIGHT AND A DUTY " (3) TO IDENTIFY KEY ISSUES OF CONCERN " THAT CERTAINLY RELATE TO THE ARKANSAS RIVER SYSTEM.

I WANT TO SUBMIT A "SOUTHWEST TIMES RECORD" LOCAL NEWSPAPER ARTICLE OF JUNE 16, 2000 THAT NOW RETIRED CRAUFORD COUNTY JUDGE FLOYD ROGERS DID GRANT A PETITION CREATING A NEW "RIVER VALLEY REGIONAL WATER DISTRICT" DESPITE OBJECTIONS BY THE CITY OF FORT SMITH, ARK. AND 2 AREA RESIDENTS, MYSELF INCLUDED. THERE HAS ALWAYS BEEN A PLAN TO INVOLVE THE USACE IN THIS PROPOSED DAM AND IMPOUNDMENT ON UPPER LEE CREEK EVEN THOUGH THIS STREAM SEGMENT IS CLASSIFIED BY THE STATE OF ARKANSAS AS AN EXTRAORDINARY WATER RESOURCE (EWR) AND A SCENIC RIVER SEGMENT, AND THIS DESIGNATION PROHIBITS ANY IMPOUNDMENT NOW OR IN THE FUTURE.

I THINK THAT ANY PROPOSED PROJECTS ON THE TRIBUTARY STREAMS OF THE ARKANSAS RIVER SHOULD BE DISCUSSED AND EVALUATED ALONG WITH THE LONG-TERM PLANS FOR THE MCKARNS SINCE THIS COULD AFFECT RIVER FLOW MANAGEMENT & FISH & WILDLIFE.

A FEW YEARS AGO I ALSO EXPRESSED MY CONCERN IN A LETTER TO THE LITTLE ROCK DISTRICT OF THE USACE ABOUT THE LOCATION OF THE PLANNED I-49 BRIDGE OVER THE ARKANSAS RIVER JUST SOUTH OF TRIMBLE LOCK & DAM (NO. 13) ON THE EAST SIDE OF FORT SMITH, ARKANSAS. ACCORDING TO MAP SHEET 25 (VOL I) A LARGE BRIDGE WILL BE CONSTRUCTED APPROX. BETWEEN RM 291.9 AND RM 292 AND THIS INTERSTATE HWY WILL BISECT THE EXISTING SPRINGHILL PARK ON A CURVE OF THE ARKANSAS RIVER. I HAVE LONG MAINTAINED THAT THIS PLANNED BRIDGE SHOULD HAVE BEEN LOCATED IN A GAP BETWEEN THE SPRINGHILL PARK AND THE VACHE GRASSE PARK TO THE EAST IN ORDER TO PREVENT A LARGE BARGE & TOW FROM HAVING TO TURN AND SIMULTANEOUSLY THREAD THE PIERS OF THIS BRIDGE WHILE LINING UP ON LOCK & DAM NO. 13 IN ADVERSE WEATHER CONDITIONS. A FEW YEARS AGO WE READ ABOUT THE FATAL BARGE / BRIDGE ACCIDENT OF MAY 26, 2002 AND THIS TRAGEDY OF A BARGE HITTING THE EXISTING I-40 BRIDGE OVER THE ARKANSAS RIVER NEAR LOCK & DAM NO. 16 RESULTED IN THE COLLAPSE OF A BRIDGE SEGMENT AND THE DEATH OF 14 MOTORIST ON THE INTERSTATE HIGHWAY I-40 NEAR WEBBERS FALLS, OKLAHOMA.



printed on recycled paper

(PAGE 2-3)

(CONT →)

May 4, 2005
Fort Smith, Arkansas

ARKANSAS RIVER NAVIGATION STUDY

Draft Environmental Impact Statement

Comment Sheet

If you are interested in providing comments concerning the Arkansas River Navigation Study Draft Environmental Impact Statement, please write your comments below and send to the address noted below, or leave this form in the comment sheet collection box at the Public Meeting for the Draft Environmental Impact Statement.

(CONT →)

A SIMILAR ACCIDENT COULD OCCUR IF THE PROPOSED I-49 BRIDGE NEAR LOCK & DAM (NO. 13) IS NOT BETTER POSITIONED ACCORDING TO THE NEEDS & REQUIREMENTS OF EVEN LARGER BARGES & TOWS MOVING TO & FROM THE MISSISSIPPI RIVER TO THE PORT OF CADDOSA NEAR TULSA, OKLAHOMA USING THE PROPOSED DEEPER 12 FOOT NAVIGATION CHANNEL ON THE ARKANSAS RIVER. ADVERSE WEATHER CONDITIONS & POOR VISIBILITY AT NIGHT COULD MAKE THIS COMPLICATED MOVE ON THE FLOWING RIVER RESULT IN A SIMILAR DISASTER. MILITARY RIVER TRAINING OPERATIONS ORIGINATING FROM NEARBY FORT CHAFFEE COULD ALSO COMPLICATE THIS DIFFICULT SITUATION THROUGHOUT THE YEAR. IT SHOULD BE NOTED THAT THE BARGE DISASTER OF MAY 26, 2002 NEAR WEBBERS FALLS, OKLAHOMA INVOLVED A FAIRLY STRAIGHT NAVIGATION SIGHT LINE TO THE DISTANT LOCK & DAM NO. 16 AND WAS PROBABLY CAUSED BY A MEDICAL CONDITION OF THE CAPTAIN.

I AM PERSONALLY BELIEVED THAT THE OPTION OF RAISING THE LEVEL OF THE ARKANSAS RIVER BY 3 FEET IS NO LONGER BEING CONSIDERED. THIS WOULD BE A DISASTROUS OPTION FOR OUR NATURAL & CULTURAL RESOURCES AND WOULD ENHANCE THE CONDITIONS THAT WOULD RESULT IN MORE NUMERIOUS AND MORE FREQUENT FLOOD EVENTS ON THE ARKANSAS RIVER AND ITS NUMEROUS TRIBUTARY STREAMS. THE DISASTROUS FLOODS ON THE UPPER ~~ARKANSAS~~ MISSISSIPPI RIVER AND THE ARKANSAS RIVER IN THE 1990'S SHOULD MAKE US MORE AWARE & CAREFUL IN OUR PLANS FOR

SEND COMMENTS TO:

Little Rock District Corps of Engineers

ATTN: CESWL-PR-P

(Mr. Johnny McLean)

P.O. Box 867

Little Rock, Arkansas 72203

YOUR NAME:

PATRICK HORAN THIS MAJOR RIVER IN ARKANSAS & OKLAHOMA.

Organization:

CONSERVATIONIST

Address:

423 SOUTH 18TH ST
FORT SMITH, ARKANSAS
72901

additional space on the back →

(PAGE 3-3)

Carman, Ron R SWL

From: JAMESPOSSE@aol.com
Sent: Wednesday, May 11, 2005 3:33 PM
To: AR-OK.River.Study SWL
Cc: amearly@uark.edu; Robert.Neyland@navy.mil; george@arkansasheritage.org
Subject: Arkansas River Navigation Study-Draft EIS Comment

Dear Mr. Carman:

I have reviewed the Draft Environmental Impact Statement on the Arkansas River Navigation Study (DEIS) specifically with regard to submerged cultural resources in the form of historic shipwrecks. I found its treatment of this type of cultural resource to be comprehensive in both nature and scope. However, several of these shipwrecks were associated with the Civil War and would currently be under the purview and/or ownership of the U.S. Navy or the GSA.

Therefore, your subsequent Mitigation Plans and Programmatic Agreements for this type of resource, as described in Chapter 8, Appendix D and elsewhere, should include consultation with the Naval Historical Center for Phase II and III investigations carried out on sites that are their property (i.e., Union and Confederate gunboats and transports). Your attention to this matter is greatly appreciated. And Thank you for allowing me this opportunity to review your document.

Sincerely,

Stephen James
Principal
Panamerican Consultants, Inc.
15 S. Idlewild
Memphis, TN 38104

901-274-4244 Phone
901-274-4525 Fax
901-229-4200 Cell

CC:
Dr. Robert Neyland, Naval Historical Center
Dr. Ann Early, Arkansas State Archaeologist
Mr. Charles McCluskey, Arkansas Historic Preservation Program

Confidentiality Notice:

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June 18, 2005

Mr. Ron Carman
USACE-PT-P
Arkansas River Navigation System Study
700 West Capital Avenue
Little Rock, Arkansas 72203

Recently we have been informed of the Draft Feasibility Report and Draft Environmental Impact Statement on the Arkansas River Navigation Study. We have lived at #1 Crystal Mountain Cove in Maumelle for twelve years. We owned our lot five years prior to that.

We use the river and the area of Rector Brake a great deal and the amount of silt fill-in has been tremendous (several feet in some areas) during this period. The President of our POA has contacted the Corp of Engineers about run-off from a new development and construction sites and was informed the Corp had no jurisdiction in this area.

However, the Corp's draft feasibility report indicates they will be required to mitigate the environmental impact to other areas of the river when deepening the navigational channel to 12 feet. With that in mind, I am requesting consideration of dredging the Rector Brake from Mile Marker 128.6 to 130.4 back to a depth of 8-9 feet. This will put the depth of Rector Brake back to its depth around ten years ago. We are aware that Congress has set aside money to rehabilitate areas that have deteriorated due to work on the main channels of rivers.

When we first had our boat dock put in with the Corp's permission our water depth was 6 feet. Now our dock is practically sitting on the mud and the areas surrounding all of the docks in our area are building up each day.

It is critical to the neighborhoods along this area of the river that the Rector Brake pool be included in the Corp's mitigation process. Please consider this matter and help us to resolve it to the best interest of we who have invested a great deal of time and money to help keep our waterways the best and safest.

Sincerely,

Bill Jett
Wanda Jett

Bill and Wanda Jett
#1 Crystal Mt. Cove
Maumelle, AR (501-851-3600)

6-20-2005

Ron Keltner
14 Riverwood Pl.
Maumelle Ar. 72113

Ron Carmen, USACE-PT-P
Arkansas River Navigation System Study
700 West Capital Ave.
Little Rock, Ar. 72203

Re: Mitigation of Rector Brake, Mile Marker 130 , 131.

Dear Mr. Carmen

My wife and I have lived on Rector brake since 1989. We have seen the depth of water gradually diminish over the years. The water behind our house is now about one foot on a good day. At this moment my boat dock is sitting on the ground. Fishing has become very poor.

I would very much appreciate your consideration in dredging Rector Brake as would all of the other property owners and others that use Rector brake.

Sincerely Yours)


Ron Keltner



Mr. Clarence J. Kuhn
6 Ten Tee Dr.
Maumelle, AR 72113-6445

E-10-05

Re: Mike Markers - 130-131 Rector Brake
We live on 18th Fairway of
Maumelle CC golf course.
When we moved in 23 yrs
ago we could go out & catch
Crappie in Rector Brake
now it is so filled in
fish do not move in.
This condition needs
your attention & correction

CJ Kuhn

June 20, 2005

Mr. Ron Carman, USACE-PT-P
Arkansas River Navigation System Study
700 West Capital Avenue
Little Rock, AR 72203

Dear Mr. Carman:

I am writing to express my concern about the "silting in" of Rector Brake on the Arkansas River (mile markers 130-131) in response to the *Draft Feasibility Report and Draft Environmental Impact Statement on the Arkansas River Navigational Study*. It is my understanding the Corp of Engineers is proposing to raise the navigational level of the river from 9 feet to 12 feet, and as part of that proposal there is the possibility of dredging Rector Brake. It has silted in from a 8-9-foot-deep pool to a 3-5 foot deep pool between 1993 and today. I am writing to express my strong support of dredging Rector Brake back to a 8-9-foot-deep pool. This action will improve this part of the Arkansas River as a fishery and will mitigate damage done to other parts of the Arkansas River.

Thank you for considering my request during this comment period.

Sincerely,



Stephen A. Leslie, PhD
PG #1803

FOR THE RECORD

Colonel Wally Walters
District Engineer- Little Rock District

Dear Colonel Walters,

Looks like I misspoke regarding mitigation measures on the Arkansas River Navigation Project. Mitigation measures and locations were in the DEIS as Johnny McLean pointed out to Frank Leone and as Mr. Allen Carter pointed out to me after the meeting. I just didn't read far enough. The document is really hard to follow. This letter you can put on the record if you wish, I apologize for not documenting my comments enough.

Sincerely,



Bob Limbird

I first want to say that it is evident that this is a hastily prepared document, in which the Corps uses a lot of assumptions and statements that additional field work is necessary to evaluate changes they are proposing in this draft EIS. I know and you know that this is a politically driven project by an Oklahoma Senator.

I have a lot to say so I will get on with it. The proposed plan is for a 12-foot navigational channel, however, the system is allowed for a 3-foot overdraft, so actually the channel will probably be dredged to 15 feet initially to facilitate maintaining a 12-foot depth.

CHAD
5, 5-87
6586A

Dredging records indicate 10 million cubic yards of material have been dredged since 1971; this new plan will dredge 10.98 million cubic yards during the 5-year development period to maintain a 12-foot channel. This amount of sediment is the equivalent of 6,000 acres or the size of Lake Conway or for folks up here roughly the size of Nimrod and Blue Mountain Lakes combined. This sand, gravel and sediment will be deposited off-channel behind newly raised dikes and rock walls (revetments) on land and into backwater habitats. Backwaters are the primary nursery areas on the Arkansas River. The Corps has little knowledge of the amount of contaminants that will be contained within these dredge spoils. These contaminants will be disposed of on land and in waters off the channel. A tremendous amount of turbidity (muddy water) will also be released during the dredging and disposal off-channel.

Mitigation sites are being evaluated but none are listed in this draft EIS. Mitigation costs are accounted for in the total cost but locations and planned actions are not revealed in this draft. The mitigation plan for aquatic impacts in Arkansas still has a deficit in Habitat Units. No before-project monitoring is to be done-- only after the fact monitoring. What good is it to monitor a change if you do not know what was present before the changes were made?

The Corps lists the detrimental effects of this project:

1. Loss of side channel and slack water habitat resulting from open water dredge disposal in dikes fields.
2. Loss of side channel and slack water habitat resulting from raising dikes and revetments which will accelerate fill rates
3. Removal of /or changing gravel bars through dredging
4. Headcutting in tributary streams
5. Loss of mussel beds by dredging and filling
6. Contaminants.

The Corps states in this draft that they think based on models and assumptions that they can recreate gravel bars in other locations to mitigate for gravel being dredged out of the channel, this is an assumption and it is hard to duplicate Mother Nature. Gravel studies were based on studies on Pool 2 where only 1-5% of the pool is composed of gravel where on Pool 8 50% of the pool is gravel which is the indication that more mountainous tributaries contribute more and larger gravel than the lowland tributaries, but ^{their} gravel models are based on the lower Pool 2.

The proposed project will construct 89 new dikes and revetments and modify or raise 92 dikes and revetments. These structures will move sediment from one place in the navigation channel to another location downstream and dredging will be necessary 4 times a year for lock and dam approaches and at least 1 time a year at modified structures. Maintenance dredging and disposal is estimated to require the dredging of approximately 580,000 cubic yards of sediment a year until the project stabilizes. The construction of new dikes and raising dikes and revetments will allow for more transport of sediment and more sedimentation than is now present on the river because

the system is somewhat stabilized at the present time. To say that the mitigation and construction of new dikes and revetments will increase fishing opportunities is not taking into consideration that the project will suffer from increased sedimentation rates due to unknown rates of scouring, higher sediment loads and reaction of ~~the~~ ^{flow} river to new structures. The raising of revetments and dikes will make some areas now accessible less accessible to the fisherman. The Corps has acknowledged locations of new and modified structures but the corresponding mitigation features are not available so that their location to new structures is not comparable.

According to this study, proposed barge drafts do not meet current design guidance for clearance over the concrete sill of locks and to afford clearance changes ~~in~~ entrance and exit speeds will be required. An increase in maintenance costs are expected from potential damage to structures and equipment by handling tows that will be heavier than the present equipment is designed to handle. Special operations of raising the navigation pools were necessary to assist in testing barges navigating downstream of Lake Dardanelle.

“According to the data and computed values, it appears that deeper draft vessels on the waterway could experience more difficult navigation conditions; all 15 projects on the system would fail to meet the upstream approach clearance requirements of 4-6 feet above the guard wall ports, operation changes are necessary at Lock 2 to reduce dangers of collision with ~~miter~~ ^{upper} gate. “Increasing the draft of barges will adversely affect the maneuverability of the tow as it travels upstream. The change to an 11.5 foot draft could alter the out draft and draw, and thus increase the chance that entering barges could strike the upper guard wall. Exiting tows could get pinned against the guard wall due to these forces. (Section 3-14)

Finally, fishing in Arkansas on the Arkansas River contributes at least \$50 million per year (USFWS-2001-Ark 449 million) to the Arkansas economy and the Corps of Engineers wants to change and/or ruin some of the backwater aquatic habitat (spawning and nursery areas) on the river, spending \$160 million to derive a ~~\$12~~ ^{10.4} million annual profit. Somewhere someone's thinking has gone awry.

June 21, 2005

Dear Mr. Carman,

I have the following additional comments concerning the Arkansas River Navigation study. The Corps of Engineers (COE) stated the impacts as a result of dredging and deepening the channel on page 8-18.

- 1) Loss of side channel/slack water habitat (bass, sunfish, and minnow habitat) resulting from open water dredge disposal in dike fields.
- 2) Loss of side channel/slack water habitat resulting from raising dikes and revetments which accelerates fill rates (raising dikes and revetments also disconnects and separates the channel from the floodplain.)
- 3) Removal of gravel bars from channel through dredging.
- 4) Impacts to aquatic organisms and habitat through dredging.

Other impacts the COE expects include: incision and head cutting in tributary streams (destroying habitat in those streams from sloughing banks; impacts to freshwater mussels; and contaminants in dredge spoil areas. Altogether you have listed 8 expected impacts from the channel deepening project, but you left out shortening the period of fishing opportunities available due to decreasing the backwater areas fill rate by 50 years.

I want to discuss these impacts a little.

1) Depositing, filling in open water areas in dike fields with dredge spoils will indeed cause loss of habitat for species of fish less tolerant to flowing water (they would be pushed out of backwaters if not suffocated first into areas having more flow). This includes your sunfish family (largemouth and spotted bass, bluegill, redear, green, orange-spotted, longear sunfishes, and warmouth. It would also include your small recently spawned fish of all species plus minnows, shad, darters, spotted gar and carp. In Technical Report H-72-3, a COE report, DISPOSAL OF DREDGE SPOIL, written by the U.S. Waterways Experiment Station in Vicksburg, Miss. (page 41-42) states the short term effects include turbidity (muddy water) causing reduced light penetration, flocculate plankton algae, decreased availability of food for fish and other organisms, sediment buildup destroying spawning areas, smothering of bottom organisms, reduction of bottom habitat diversity, reducing food supplies and reducing vegetative covering, oxygen depletion- suffocating organisms, release of noxious materials such as methane, sulfides and metals. This project is expected to take 5 years to complete so will these effects be short term? Pipeline dredges discharging continuously over a period of time into the same or adjacent location in backwaters may extend short-term effects for a long time. The deposition of polluted materials in backwaters leaves the possibility of long term effects to water quality and associated flora and fauna.

2) The COE has estimated that with the present 9-foot channel backwaters behind dikes in Pools 2,7, and 12 will not be filled in for 102 to 141 years. A 12-foot channel with raised dikes and revetments would be filled in 50 years according to statements in two public meetings. This effectively cuts the lifespan of backwater areas into half the time.

I would think that the COE would have learned from past mistakes i.e. the "1993 flood of the Mississippi and Missouri Rivers." Charles Belt, a hydrologist, who analyzed the 1973 Mississippi River flood found that the flood crest was a 200-year event even though the flow was only a 30-year event. Belt concluded, "that the constriction of the river channel with levees and raised dikes and revetments contributed to the record flood event." Constriction of the river

channel by raising revetments and dikes, a separation from the floodplain and a loss of braided channels creates a watershed with little room left for a flooding river to spread out and dissipate the energy and volume of its flow. Filled in backwaters (50 year lifespan) as a result, speed and volume of runoff in the constricted channel increases leading to narrower high peaks in flow. The COE talks of reconnecting to the backwater through dike notching while they are disconnecting from the flood plain by raising dikes and revetments as backwaters become filled with dredge spoils and sediment. Sediment deposition can reduce individual and collective pools water storage capacity and floodwaters in river's system of pools for which the river was originally designed to control will be released into a channel now less capable of containing these discharges.

Dennis Stephens, Chief Hydrological Engineering for the COE St. Louis District stated "you are a fool if you don't say, levees and other man-made constrictions (raised dikes and revetments) reduce storage and conveyance capacity causing water elevations to rise higher in the channel." RIVER CROSSINGS, Volume 12, #5, Sept/Oct 2003.

Studies on the Mississippi suggest that multi-billion dollar investments to force the Miss. River into even tighter channels has raised flood crests and created a false sense of security. (Stavins and Jaffee, 1990) AMERICAN ECONOMIC REVIEW 90:337-349.

3) Removal of gravel bars. Approximately 165 acres of gravel bars will be removed from the navigation channel. The small spaces in between gravel allow for use of all species that spawn on rock and gravel. There have been locations found on the Arkansas River gravel bars that are important spawning locations for paddlefish. Regardless of barge traffic these areas are important spawning locations. The COE intends to recreate gravel bars, good luck! Dumping gravel in locations where they historically have not been found is wasted effort. Size of gravel bar formation is determined by flow, water depth and lots of variables.

4) Impacts to aquatic organisms and habitat through dredging. It is evident that a lot of backwater habitat will be unusable after the area is used for dredge disposal even though it would be used with the 9-foot channel, the river is relatively stable now since its end of construction in the late 1960's. Although areas of less value have been selected for dredge spoil disposal, all backwater areas are presently used by some species of fish and wildlife. Lesser value or not, it is still going to be displaced by dredge disposal.

The COE has not investigated the impacts to freshwater mussels sufficiently enough to state, "the Arkansas River is not real good mussel habitat", Johnny McLean. The Arkansas River provided many commercial fishermen and part-time mussel takers with a good flow of income for about 5 years until the market in Japan disappeared due to a virus in their cultured pearl oysters. The Maple Leaf (most abundant commercial species) in the Arkansas River was bringing from \$.90 to \$1.50 per pound of shell. There are still some pretty large beds of mussels in and close to the navigation channel and those off the channel face being killed by dredge spoil disposition.

Finally all mitigation in Arkansas consists entirely of dike notching and island construction. Mitigation should include backwater habitat restoration by re-establishing native aquatic plants, installation of woody cover in backwaters and improving backwaters not just notching dikes and relying on the river to do its thing.

Sincerely,

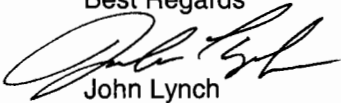


Lynch, John

Mr.. Carman

My name is John Lynch. My family and I moved to #3 Samantha Lane in February of 2001. I have 1.7 acres that runs back to Rector Brake,(Mile Markers 130,131). When we first moved up here it was beautiful, we watched deer swim across the Brake and a lot of other wildlife. We also took out a boat and enjoyed the sunset cruises. The water back then was adequate to navigate the Brake.Now it is so shallow you can't get a decent boat through it.. We no longer see the wildlife and the sunset cruises. I heard from friends it used to be an excellent place to fish. I very seldom see anyone try to fish here anymore. My family and I would greatly appreciate it if you would include Rector Brake(Mile Markers:130,131) in the mitigation process and dredging our pool.

Best Regards



John Lynch
Sr. Vice President
Branch Manager
(501) 975-1817
((877) 517-8625

June 23, 2005

Mr. Ron Carman, USACE-PT-P
Arkansas River Navigation System Study
700 West Capital Avenue
Little Rock, AR 72203

Dear Mr. Carman:

We are Maumelle residents with riverfront property in the Rector Brake area of the Arkansas River. We attended the meeting in Little Rock concerning the Arkansas River Navigation Study and found it informative and well presented. The maps were especially helpful to a layman (me) in understanding the enormous scope of the River project.

Our focus concerns pool 7 and mile marker 131.0L and specifically the Rector Brake area. We have lived in our Belle River subdivision home for approximately six years. Our concern is the silting in of the Rector Brake cove. We enjoy using our canoe in the cove and have noticed how shallow it has become. This has troubled us for several years and until we attended the Navigational Study meeting we were not sure whom to approach on this matter.

We were happy to see the meeting well attended by the River Run and Belle River residents of Maumelle. Our request is similar to the majority of the residents in these subdivisions; for the Corp to add the dredging of Rector Brake to the work projects listed in the feasibility report/environmental impact statement of The Navigational Study. We recollected seeing question marks on the maps and the habitat assessment tables. I believe the question marks concerned dredging and was in reference to the resonance agency recommendation.

We see a fraction of the people fishing compared to six years ago. We also see fewer white pelicans, egrets and blue herons. We are concerned about the habitat health of the Rector Brake area.

Thank you for your considering Rector Brake as an improvement project. Hundreds of riverview and riverfront residents have a stake in the restoration and periodic maintenance of this portion of the river.

Sincerely,



Kevin McKiever
Kitty Harvill
66 Norfork Drive
Maumelle, AR 72113

Carman, Ron R SWL

From: Harry McWater [hmcwater@valuelinx.net]
Sent: Monday, May 30, 2005 2:39 PM
To: AR-OK.River.Study SWL
Subject: Arkansas River deis

I am a little confused as to what the revised/extended deis is to cover, so I shall make my comments based on the original questions which were #1 deepening the channel to 12 feet, #2 what and where to put dredged material, #3 increasing spawning areas and habitat area for fish, #4 increasing recreational areas.

The river not being deep enough for large barges is much like building an interstate that will only withstand 50,000lb trucks, it is not a wise decision. Fortunately, in this instance the problem does not require a complete rebuilding of the system, just simply dredging. This may not be as simple as it sounds nor cheap, however it makes sense and should be done.

Obviously there will be a great deal of material to be disposed of which will require the purchase of adjacent property for disposition of initial as well as future dredging. Costly, yes, but again it is needed.

While I am all for commerce, I use the river for fishing and recreation. I see this river as mine just as much as it is the corps. To that end, I think the corps has hurt more than helped in the last decade or more. Fish population is way down from the highs of the 1970's and therefor so is boating activity. To work toward an equitable solution, the corps should take dredge material and create parks/camping areas that are high enough to avoid flooding as well as leaving or creating gaps in levys to allow fish into areas for spawning.

In short and summation, I am all for each question as long as each is dealt with fairly and equitably. Remember, this is my river too!

Harry McWater
Alma,Ar

6/1/2005

Ron Carman, USACE-PT-P
Arkansas River Navigation System Study
700 West Capital Avenue
Little Rock, Arkansas 72203

June 17, 2005

Dear Mr. Carman,

I am writing in regard to the Arkansas River Navigation System study which you are conducting. I am a Maumelle resident with property on the Rector Brake pool (mile markers 130 and 131) of the Arkansas River. This pool has seen a significant decrease in average depth from about eight to ten feet in 1993 down to about three to five feet at present. Along with my neighbors, I am very concerned about this trend. We already have trouble with stagnant areas around the bank and are worried that conditions will certainly get worse.

We have been made aware of the Corp of Engineers proposal to raise the navigational level of the Arkansas River and the required "mitigation" for environmental impact. We are asking that the Rector Brake Pool at Mile Markers 130 and 131 be included in the project. We know this is our best hope to restore this section of the River to its former condition. Your approval of this project is critical to ensure continued enjoyment for ourselves, our neighbors and outdoorsmen who frequent this area.

We appreciate you attention to this matter and are confident you will help us protect this section of the River from further damage and ensure that it remains the beautiful wildlife habitat we enjoy so much. I am enclosing a letter from my nine-year-old daughter who wanted to add her voice of support for this project.

Sincerely,



Linda Parker
72 Norfolk Drive
Maumelle, AR 72113

Dear Mr. Carman,
I have noticed our river has gotten very shallow. I ask
that your company deepen it. It is critical that you
include the Rector Brake Pool in this process.

I care about our water,
Rebecca Parker
72 Norfolk Dr
Maumelle, AR 72113



Carman, Ron R SWL

From: Ron Plate [rplate@jwnutt.com]
Sent: Tuesday, June 14, 2005 2:22 PM
To: AR-OK.River.Study SWL
Subject: River

I feel the channel at 12' is a good idea and I have no problem with it. However, I would like to see the Corp and AGFA work together to make sure we protect the fishing in Ark.

I would love it see the Corp when dredging the Little Rock pool, dredge out the back water area down stream from Murry park. There is a good back water area there but it is silked in and can not be used.

Thanks

Ron Plate
North Little Rock

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6/14/2005

Carman, Ron R SWL

From: Ron Plate [rplate@jwnutt.com]
Sent: Wednesday, May 11, 2005 3:57 PM
To: AR-OK.River.Study SWL
Subject: Study

I have seen the presentation and appreciate what this will do for the AR economy with a 12' channel. However, we need to protect the fishing on the AR river. We must make sure you work with the AR Game and Fish to make sure this happens.

Ron Plate
North Little Rock, AR

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5/16/2005

6/13/05-

I'm enclosing a letter
from Steve Scott, which
is self-explanatory.

We would appreciate
you help on this.

Mr. Rexaud & I live at
32 Riverwood Ln. on

The water Sincerely
Betty Rexaud

Have you noticed how shallow our river pool has become?

Over the past several years, the depth of the pool known as Rector Brake which runs behind the Maumelle Country Club as well as many of our neighborhoods has gone from an average depth of 8' – 9' in 1993 to 2' – 5' today. An area the old timers tell us use to be one of the best fishing areas on the river is rapidly silting in. This process can be expected to continue, damaging property values and ultimately making Rector Brake unusable as a fish and wildlife habitat or for any other purpose.

You may be aware of the problem, you may not be aware of a possible solution. The Corps of Engineers is proposing to raise the navigational level of the river from 9' to 12'. As a part of that project, they will be required to “mitigate” for environmental impact. In other words, if they hurt the river in one place, they will have to improve the river in another. One of the improvements they are considering is the dredging of our pool back to a depth of 8 – 9 feet.

What can you do?

The U.S. Army Corps of Engineers has extended the comment period through June 23 on the *Draft Feasibility Report and Draft Environmental Impact Statement on the Arkansas River Navigation Study*, so the response time is very short!

Please let the Corps know it is critical that they include the Rector Brake pool in the mitigation process by sending a personal letter to...

Ron Carman, USACE-PT-P
Arkansas River Navigation System Study
700 West Capital Avenue
Little Rock, Arkansas 72203

Refer to: Mile Markers: 130, 131 (Rector Brake)

It is vital that we act now! Please encourage your neighbors. If you have questions, contact me:

Steve Scott
68 Norfolk Drive
Maumelle, AR 72113

851-0402
steve@scottagri.com

6/14/05

Mr. Ron Carman, USACE-PT-P
Arkansas River Navigational System Study
700 West Capital Avenue
Little Rock, Arkansas 72203

Re: Dredging Rector Brake Pool to Its Previous Depths

Dear Mr. Carman,

My name is Nick Sachse. I have lived in Maumelle near the Arkansas River since 1998.

As I believe you are aware, the pool along the Maumelle shore referred to as Rector Brake Pool (mile markers 130, 131) appears to be rapidly silting in. I understand from those who came before me this body of water was once a highly desirable fish & wildlife habitat with average water depths in the 8' to 9' range as recently as twelve years ago. Taking this into consideration, this once magnificent pool appears to be rapidly on its way to becoming nothing more than an undesirable swamp with a current average depth of a mere 3' to 5' in many areas.

I have observed this apparent silting process firsthand as I live near this section of the river and have fished in these waters for the past seven years. I am surprised, disappointed, and quite frankly alarmed by how shallow Rector Brake Pool has become with no apparent end in sight.

Thus, I respectfully urge the Corps to please include dredging Rector Brake Pool to its previous depths as part of the environmental impact mitigation process associated with the proposed project to raise the navigational level of the river.

This would without question represent a much needed major improvement to this section of the river making this pool once again capable of sustaining a healthy fish & wildlife population and, with continued support, set the stage for generations to come.

I know very many others share my concerns for the future of this body of water and the surrounding environment.

Thank you very much for your consideration in this matter.

Sincerely,



Nick Sachse
25 Belle River Circle
Maumelle, AR 72113

Carman, Ron R SWL

From: Spinnerbait2blde@aol.com
Sent: Tuesday, May 10, 2005 7:53 PM
To: AR-OK.River.Study SWL
Subject: Ark River Project

We know we have a great resource here on the Arkansas River. For too many years, we have grumbled and griped about how the fishing has declined. The Arkansas River held several fishing records, including national prominence. The waters behind the dikes and revetments have dried up as the structures performed exactly as they were supposed to. The silt, sand was filtered out of the channels for the most part, and has kept the channels open. We are now entering a new era, where we have more people than ever wanting to use the river for a wide variety of purposes--boating, fishing, PWC, skiing, picnics on the shorelines, holiday celebrations, and that is just some of the list. But, the navigation system is first and foremost, to reduce flooding, and provide barges with an acceptable means of transporting goods up and downstream.

I for one, would love to see more of the communication between AGFC and COE. While the COE and AGFC work together to improve usage, it should be remembered that the Arkansas River system needs to be updated to provide a more well rounded usage between business and pleasure.

Thank you,
Alan Sarna

5/16/2005



Scott & Associates
AGRICULTURAL MARKETING, INC.

One Innwood Circle, Suite 210
Little Rock, AR 72211
501-224-1700
Fax 501-224-1980

Mr. Ron Carman
U.S. Army Corps of Engineers
P.O. Box 867
Little Rock, AR 72203

Dear Mr. Carman:

Following your presentation at the Little Rock public meeting on May 3, I had the opportunity to visit with you and Colonel Walters. My concern is whether or not a particular back water would be included in the habitat improvement portion of your project.

I explained there are a number of families (mine included) that live on the north bank of a back water called Rector Brake at about the 131 mile mark in Pool 7. The water behind our homes, which the old timers tell us once was a prime fishing spot and spawning ground, has been silting in very rapidly over that last several years, the result of the upriver end of Rector Brake being cut off from the river channel by the addition of dirt and mooring piles. My neighbors and I are very concerned and are hopeful this important ecological area will be included in the habitat improvement portion of your project.

One of your associates who's name I failed to get, said that he thought the pool in question was on the list but was not sure. He promised to get us an answer but as yet we have not heard. I know you are bound to be busy but I would greatly appreciate your help in this matter.

Sincerely,

Steven H. Scott
501.224.1700
steve@scottagri.com

Carman, Ron R SWL

From: Steve Scott [steve@scottagri.com]
Sent: Wednesday, May 04, 2005 2:20 PM
To: AR-OK.River.Study SWL
Subject: Habitat Improvement

Project Managers

I attended the public meeting you held in Little Rock last night and thought it was very well run. .

After the meeting, I had a conversation with Colonel Walters and Ron Carman. This email is basically a recap of what was discussed..

I explained there are a number of families (mine included) that live on the north bank of a back water called Rector Brake at about the 131 mile market in Pool 7. The water behind our homes, which the old timers tell us once was a prime fishing spot and spawning ground, has been silting in very rapidly over that last several years. This is the result of the upriver end of Rector Brake being cut off from the river channel by the addition of dirt and mooring piles.

Floods in the past, most notably the big one we had in the 80's would from time to time flush the pool and slow the process. It is my understanding that deepening of the channel to 12' would lessen the chance of there being such floods in the future. Regardless of what happens with the proposal, it is obvious we are only a few years away from a real problem. My neighbors and I are hopeful that this important ecological area will be included in the habitat improvement portion of your project.

Mr. Carman then introduced me to one of his associates and unfortunately I did not get the name. His associate said he thought that our pool was on the list but he was not sure. Mr. Carman said he would find the answer and he or one of his associates would get back to me. I left my name and phone numbers with Mr. Carman. If our pool is not on the list, I would be interested in knowing who compiled the list and what steps we would need to take in order to plead our case.

Thanks for your help. By the way, both Colonel Walters and Mr. Carman showed a genuine interest in my problem which I certainly appreciate.

Steven H. Scott
851-0402
224-1700

5/16/2005

Carman, Ron R SWL

From: Seaman Donald [Donald.Seaman@bekaert.com]

Sent: Wednesday, June 22, 2005 3:10 PM

To: AR-OK.River.Study SWL

Subject: 12 ft channel

Gentlemen:

I'm hearing negative words about this project and I'm confused! Where else can you find a project that improves an existing system (the river transportation) and provides more benefits to the ecology than it does the system? It doesn't alter very much of the existing river system but it forces such things as creating new habitat and protecting existing habitat. I know there are economic issues but in this project the ecology and the economy both benefit. We need more projects of this nature.

Don Seaman
Associate Engineer
Bekaert Corporation
Rogers, AR

Carman, Ron R SWL

From: Phillip W. Sexton [phils@cswnet.com]
Sent: Sunday, May 15, 2005 7:58 PM
To: AR-OK.River.Study SWL; "blanche lincoln"@lincoln.senate.gov;
senator.pryor@pryor.senate.gov; boozman.congress@mail.house.gov
Subject: Dredging the Arkansas

Hello to all ,
Pleas excuse my one message to all stating my opinion.

I oppose the deeping of the Arkansas river channel. It will be harmful to the river as a fishery and block the rivers access at many points. It would turn the river into a ditch that would most likely need continued yearly dredging to keep the channel at depth. My local BASS club also opposed it. The main beneficiaries of the project would seem to be Oklahoma. I am contacting my state senator and representatives to also ask for their help in opposing this waste of tax dollars. I have also sent Gov. Huckabee a letter asking for his help in opposing this project.

Leave the Arkansas River alone.

Sincerely,

Phillip W. Sexton

14 June, 2005

Ron Carman
USACE-PT-P
Arkansas River Navigation System Study
700 West Capital Avenue
Little Rock, Arkansas 72203

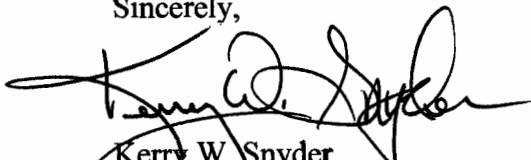
Mr. Carman,

I've been recently informed of the Draft Feasibility Report and Draft Environmental Impact Statement on the Arkansas River Navigation Study. I have lived at #10 Crystal Mountain Lane in Maumelle, AR 72113 for over seven years. I use the river and the area of Rector Brake a great deal and the amount of silt fill-in has been tremendous (several feet in some areas) during this period. I have personally contacted the Corp of Engineers about run-off from a new development and construction sites and was informed the Corp had no jurisdiction in this area.

However, the Corp's draft feasibility report indicates they will be required to mitigate the environmental impact to other areas of the river when deepening the navigational channel to 12 feet. With that in mind, I am requesting consideration of dredging the Rector Brake from Mile Marker 128.6 to 130.4 back to a depth of 8-9 feet. This will put the depth of Rector Brake back to its depth around ten years ago.

It is critical to the neighborhoods along this area of the river that the Rector Brake pool be included in the Corp's mitigation process. I appreciate anything you can do to ensure this takes place and save our beautiful waterway for boating, fishing and other recreational activities.

Sincerely,



Kerry W. Snyder
#10 Crystal Mountain Lane
Maumelle, AR 72113
Ph: 501/851-0474

Carman, Ron R SWL

From: Darrell Speakes [dspeakes@yahoo.com]
Sent: Tuesday, May 10, 2005 9:16 PM
To: AR-OK.River.Study SWL
Subject: Dredging

I would like for you to know that I am opposed to any dredging of the Arkansas River. I have always loved fishing the river and have enjoyed many days of recreation on the river with my children. The dredging action would be detrimental to fish and other marine life in the river. It is time to care more for the other animals of this planet than just trying for progress no matter the cost. Please reconsider the plan to dredge the river.

Sincerely

Darrell Speakes
247 Greene 416 Road
Marmaduke, AR 72443
dspeakes@yahoo.com
870-761-2626

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Stay connected, organized, and protected. Take the tour:
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Daniel Stehle
27 Crystal Mountain Lane
Maumelle, AR 72113
(501) 803-9687

June 14, 2005

Ron Carman , USACE-PT-P
Arkansas River Navigation System Study
700 West Capital Avenue
Little Rock, AR 72203

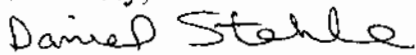
RE: Mile Markers: 130,131 (Rector Brake)

Mr. Carman,

I'm a resident of Maumelle Heights in Maumelle, Arkansas. I'm concerned with the water level of the pool on the Arkansas River at mile markers 130 and 131 known as Rector Brake. It has come to my attention that over time the water level has dropped some 4 to 5 feet due to silting, damaging property values and destroying this areas fish and wildlife habitat. I would appreciate Rector Brake area being included in the *Draft Feasibility and Draft Environmental Impact Statement on the Arkansas River Navigation Study*.

I would like to see the water level restored to preserve the beauty of this area, property values, and fish and wildlife habitat.

Thank you for your time.

Sincerely,

Daniel Stehle

BRIDGES, YOUNG, MATTHEWS & DRAKE PLC

ATTORNEYS AT LAW

A PROFESSIONAL LIMITED COMPANY

P. O. BOX 7808

315 EAST EIGHTH AVE.

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WRITER'S DIRECT E-MAIL:
joestrode@bridgesplc.com

WRITER'S DIRECT LINE:
870-541-6115

June 21, 2005

U.S. Corps of Engineers
Planning Branch
700 West Capitol, Room 7500
Little Rock, AR 72201

VIA TELEFAX NO. 501-324-5605
AND FIRST CLASS MAIL

Gentlemen:

I understand the Corps of Engineers is currently studying a proposal to increase the depth of the navigation channel on the Arkansas River from 9 feet to 12 feet. I also understand the Corps is weighing the options of increasing the channel depth by dredging, by raising the level of the river, or both.

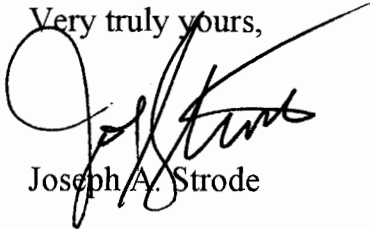
I am strongly opposed to any effort by the Corps to raise the normal pool level of Pool 2 on the Arkansas River. I have discussed this issue with many property owners along the river, and with members of hunting clubs that lease land, and they are unanimously and strongly opposed to any increase in the normal pool level of the river in this area.

Flood stage in Pool 2 occurs at a gage elevation of 31 feet at the gage at Pendleton. In recent years the level of the river at Pendleton has been between 26 and 28 feet for much of the time, which is within 3 to 5 feet of flood stage. Enclosed is a chart I printed from the internet today, showing that today, June 21, the Pendleton gage is at 27.65 feet, which is within 3.35 feet of flood stage during the early summer. For the last month, the lowest gage elevation has been 26.4 feet.

It should be readily apparent that any increase in the normal pool elevation of Pool 2 will result in flood conditions in this area of the Arkansas River far too frequently, and will be a great inconvenience and economic burden to owners and users of property near the river. If the pool level is increased, the ordinary high water mark will be perilously close to flood stage.

June 21, 2005
Page 2

I have no objection to increasing the depth of the navigation channel by dredging.

Very truly yours,

Joseph A. Strode

JAS:ar
Enclosure
JS5320-001

cc:w/enc.

Senator Blanche Lincoln
Senator Mark Pryor
Congressman Marion Berry
Congressman Mike Ross



Water Resources

Data Category: Geographic Area:

USGS 07265280 Arkansas River at Pendleton, AR

PROVISIONAL DATA SUBJECT TO REVISION

Available data for this site

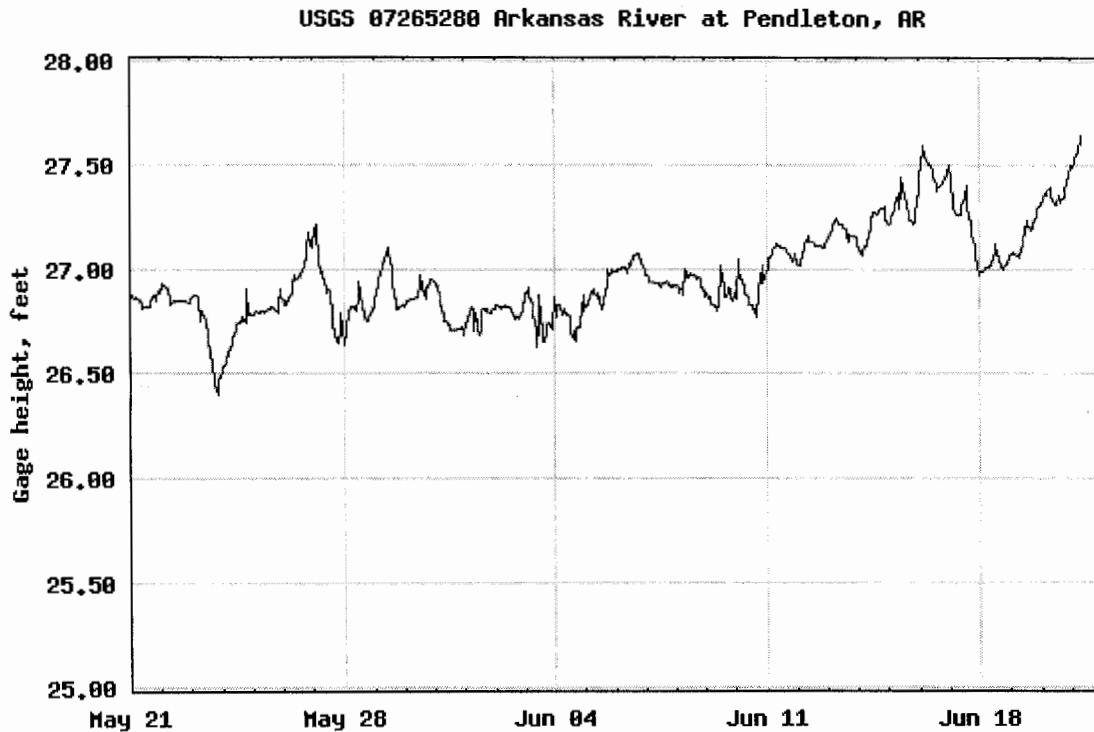


Station operated in cooperation with the US Army Corps of Engineers Little Rock District

Available Parameters All 1 parameters available at this site 00065 Gage height (DD 01)	Output format <input type="text" value="Graph"/>	Days <input type="text" value="31"/> (1-31)	<input type="button" value="get data"/>
---	--	--	---

Gage height, feet

Most recent value: 27.65 06-21-2005 09:00



[Download a presentation-quality graph](#)

Parameter Code 00065; DD 01

[Questions about data](#)
 [Arkansas NWISWeb Data Inquiries](#)
[Feedback on this website](#)
[Arkansas NWISWeb Maintainer](#)
[USGS Real-Time Water Data for Arkansas](#)

[Top](#)
[Explanation of terms](#)

Hans L. Vanhaute
3 Riverland Cove
Maumelle, Arkansas 72113

June 15, 2005

Ron Carman, USACE-PT-P
Arkansas River Navigation System Study
700 West Capital Avenue
Little Rock, Arkansas 72203

Reference: Mile markers: 130, 131 (Rector Brake)

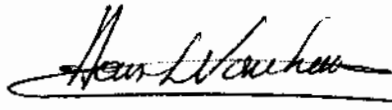
Dear Sir:

The pool known as Rector Brake, which runs behind many of our neighborhoods, has gone from an average depth of about 9 feet in 1993 to about 4 feet today.

I am concerned because I believe the process of silting in will continue and eventually make Rector Brake unusable as a fish and wildlife habitat, or for any other purpose. In addition, this process will also negatively affect the property values of the surrounding areas.

It has been brought to my attention that the Army Corps of Engineers is proposing to raise the navigational level of the river from 9 to 12 feet. I would like to suggest that as part of the mitigation process for the increased navigational level, Rector Brake be dredged back to a depth of 9 feet.

Sincerely,

A handwritten signature in black ink, appearing to read "Hans L. Vanhaute", with a long horizontal flourish extending to the right.

Hans L. Vanhaute

June 17, 2005

Mr. & Mrs. Stephen A. Ware
44 Norfolk Dr.
Maumelle, Arkansas 72113

Mr. Ron Carman, USACE-PT-P
Arkansas River Navigation System Study
700 West Capital Avenue
Little Rock, Arkansas 72203

Dear Mr. Carman:

I understand that there is a study going on for the *Draft Feasibility Report and Draft Environmental Impact Statement on the Arkansas River Navigation Study*. Our property borders the Arkansas River at Mile Markers: 130, 131 Rector Blake. I've noticed over the last few years how the river has become shallower by our property.

My husband and I would really appreciate it if you would include this part of the river in your study and include it in the dredging.

Sincerely,

A handwritten signature in cursive script that reads "Mary Ellen Ware". The signature is written in black ink and is positioned to the right of the word "Sincerely,".

Mary Ellen Ware



W. DOUGLAS WILLIFORD
President

June 21, 2005

Mr. Ron Carman, USACE-PT-P
Arkansas River Navigation System Study
700 West Capital Ave.
Little Rock, AR 72203

Dear Ron:

I have lived on Rector Brake, 64 Norfork Drive, Maumelle, AR, 72113, for 10 years and owned the land for two (2) years before. As you are aware Rector Brake is filling up. The water depth has gone from 9'- 10' in the deepest area to 3' - 5' presently. The majority of the Brake cannot be traveled by using a regular Bass boat, forget going to Maumelle golf course. The number of fishermen who fish this area has dropped considerably. Wildlife has declined and recreation use has declined.

My understanding from several fishermen who have fished this area for many years are that the spawning beds have been negatively affected. The bass have dropped and what was a great crappie area is now almost gone. This area is located at mile markers 130 and 131 (Rector Brake).

Thanks in advance for your close consideration on dredging our pool back to the earlier depth of 9' to 10'.

Sincerely,

Doug Williford

dw/mgc

June 14, 2005

Ron Carmen, USACE-PT-P
Arkansas River Navigation System Study
700 West Capital Avenue
Little Rock, Arkansas 72203

Dear Mr. Carmen,

My name is Dr. Michael D. Zweifler. I have owned a town home at #8 Ten Tee circle since 1990.

I along with my friend and neighbor Mr. J.P. Broadaway have enjoyed fishing in the Rector Brake area for as many years. We have actually "adopted" the area and have become concerned over time about silt movement, and shifting to the point of not only the inability to navigate, but more importantly the environmental impact.

My letter sir, is to voice my support of my fellow sportsman, to support Mr. Broadaways involvement in encouraging your consideration to help us preserve this most beautiful and environmentally important section of the Arkansas River.

Sincerely,

Dr. Michael D. Zweifler
#8 Ten Tee Circle
Maumelle, AR 72113

B.3.5.5 Comments from Interest Groups

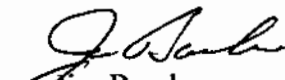
**SATURDAY'S BASS CLUB
RUSSELLVILLE, AR.**

We, the membership, of Saturday's Bass club of Russellville, AR would like to hereby express our opposition to the proposed navigation project on the Arkansas River. Our club regularly fishes the Arkansas River system, primarily Pool 9, Lake Dardanelle and the Ozark Pool. We firmly believe that the new flow proposal and deepening of the channel as outlined in Draft EIS would have a decidedly negative and detrimental impact on the quality of fishing and recreation along the Arkansas River.

The disposal of dredge soils into the backwaters of the river system and ultimate siltation would destroy the fish spawning and refuge areas that the Arkansas Game and Fish Commission and the Corps of Engineers worked to create along this waterway. The economic benefits from this fishery are estimated at approximately \$445 million dollars annually. The Bassmasters Elite 50 Tournament held on Lake Dardanelle last year generated \$1.6 million dollars to the local Russellville and Dardanelle economies. Not bad for a five day event.

We hope that the Corps of Engineers would closely examine the cost/benefit aspects of this project and ultimately abandon this endeavor. Your support for the anglers and recreational users of this resource is needed and appreciated.

Sincerely,


Jim Bowles
President

NAME	ADDRESS	PHONE
John Touber	10331 Branch Lane Dandanelly, AR 72834	479-229-2803
John Harris John HARRIS	709 Forrestwood Ct. Russellville, AR. 72801	479-967-1739
Robert L. Pfeiffer	#9 Alexis Lane Russellville, Ark. 72802	479-890-4943
Larry K. Hudnall	327 Kathy Dr. Russellville, AR 72802	479-890-6906
Thomas H. Halland	4805-SR-249 Pottsville AR. 72858	479-967-4318
Scott Dull	81 Mullins Drive Russellville, AR 72802	479-890-5648
Matt McCarrie	6480 SR 326 Russellville, AR 72802	479-641-1803
J. T. Keene	2003-S. THATCHER AVE RUSS. 72802	479-890-6172
Bon Reed	800 S. KNOXVILLE AVE Russellville, AR 72801	479-967-1700
William J. Cox J.	101 BARBORK LANE RUSSELLVILLE, AR 72802	479-968-2740
Benford Reunion	10548 Pin OAK Loop Belleville, Ar. 72824	479-495-5427
J. R. Perez	591 H. Lass Rd. Russellville, Ark. 72802	479-968-6170
Frank S. Spanawis	305 W. TUCKER Rd POTTVILLE, AR. 72858	479-890-8009
Michael Brown	3103 Honeysuckle Ln. Russellville AR	479-968-7753

May 19, 2005

Mr. Johnny McClean
Little Rock District Corps of Engineers
Environmental Planning Section
P.O. Box 867
Little Rock, Arkansas 72203-0867

Dear Mr. McClean,

I'm a member of the BFL & Great Country Bass Club and I'm writing to express my concern over the Draft Environmental Impact State (DEIS) that you recently released regarding the Arkansas River Navigation Project.

Specifically, I am deeply concerned about the major adverse impacts to the aquatic environment of the Arkansas River that will result from this project. Even with the current 9-foot channel, the backwaters that are so important to bass and other sport fish are rapidly disappearing. Many areas of the river that once provided plentiful catches fifteen years ago are now dry land, covered in trees and shrubs. The proposed project guarantees that even more sediment will be dumped into the remaining backwaters, accelerating the destruction of critical fisheries habitat.

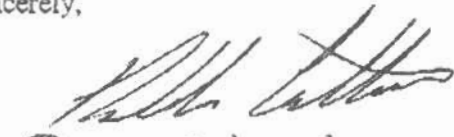
I realize that some attempts will be made to mitigate for the loss of fisheries habitat. However, the tentative list of proposed mitigation efforts is incomplete and inadequate, and does not provide sufficient fisheries benefits to overcome the negative impacts of the project. Even the DEIS states that a net loss of aquatic habitat will result from the project. Furthermore, the very fact that the mitigation component of the plan was not completed by the release of the DEIS indicates to me that fisheries are not of concern to the Corps of Engineers.

In addition to the notched dikes, anglers need to see an honest effort by the COE to improve fisheries habitat, not merely ways to slow down the ultimate destruction of that habitat. Critical backwaters need to be fully restored, with efforts to introduce native plants, brush and rock piles. Off-site, terrestrial disposal sites should be used in the Arkansas portion of the river, as in the Oklahoma section. In addition to habitat improvements, openings for boat traffic to important backwaters should be dredged frequently, not just once during the life of the project.

Finally, I realize that the purpose of the Arkansas River Navigation Project was to provide for navigation. However, navigation didn't fund the construction of this project alone. We all did. The fact that 18.5 million people visited the McClellan-Kerr Arkansas River Navigation System in 2002 indicates that recreation is equally important economically, if not more so, as navigation to the people of Arkansas and Oklahoma.

Thank you for the opportunity to comment. I trust that you will consider the implications of this project on the aquatic community and take the necessary actions to spare the Arkansas River fisheries from further loss.

Sincerely,



Robbie Cathcart

ARKANSAS RIVER NAVIGATION STUDY

Draft Environmental Impact Statement

Comment Sheet

If you are interested in providing comments concerning the Arkansas River Navigation Study Draft Environmental Impact Statement, please write your comments below and send to the address noted below, or leave this form in the comment sheet collection box at the Public Meeting for the Draft Environmental Impact Statement.

Mr McLean,

I am president of Arkansas Bass Federation and writing to express our concern over the (DEIS) Draft Environmental Impact Statement that you recently released regarding the Arkansas River navigation project.

Specifically, I am deeply concerned about the major adverse impacts to the aquatic environment of the Arkansas River that will result from this project. Even with the current 9-foot channel, the backwaters that are so important to bass and other sport fish are rapidly disappearing many areas of the river that once provided plentiful catches fifteen years ago are now dryland, coniferous trees and shrubs. The proposed project guarantees that even more sediment will be dumped into the remaining backwaters, accelerating the destruction of critical fisheries habitat.

I realize that some attempts will be made to mitigate for the loss of fisheries habitat. However, the tentative list of proposed mitigation efforts is incomplete and inadequate, and does not provide sufficient benefits to overcome the negative impacts of the project. Even the DEIS states that a net loss of aquatic habitat will result from the project. Furthermore, the very fact that the mitigation component of the plan was not completed by the release of the DEIS indicates to me that fisheries are not of concern to the Corps of Engineers.

SEND COMMENTS TO:

Little Rock District Corps of Engineers
ATTN: CESWL-PR-P
(Mr. Johnny McLean)
P.O. Box 867
Little Rock, Arkansas 72203

YOUR NAME:

Bobby DAVENPORT
President

Organization:

ARKANSAS BASS Federation

Address:

309 South Wood
Stuttgart, AR 72160
bobbyd@arfb.net



Additional Comments

In addition to the silted dikes, anglers need to see an honest effort by the CDF to improve fisheries habitat, not merely ways to slow down the ultimate destruction of that habitat. Critical backwaters need to be fully restored, with efforts to introduce native plants, brush and rock piles. Off-site, terrestrial disposal sites should be used in the Arkansas portion of the river, as in Oklahoma section. In addition to habitat improvements, openings for boat traffic to important backwaters should be dredged frequently, not just once during the life of the project.

Finally, I realize that the purpose of the Arkansas River navigation project was to provide navigation. However, navigation didn't fund the construction of this project alone. We all did. The fact that 18.5 million people visited the McClellan-Kerr Arkansas River navigation system in 2002 indicates that recreation is equally important economically, if not more so, as navigation to people of Arkansas and Oklahoma.

Please in all you do to study these comments remember the youth that will come behind us to use these good God-given waters we leave behind.

Thank you for the opportunity to comment. I trust that you will consider the implications of this project on the aquatic community and take the necessary actions to spare the Arkansas fisheries from further loss.

Tight lines

Bob Owen



June 24, 2005

Mr. Johnny McClean
Little Rock District Corps of Engineers
Environmental Planning Section
P.O. Box 867
Little Rock, Arkansas 72203-0867

Dear Mr. McClean,

I'm a member of the ARKANSAS BASS FEDERATION and I'm writing to express my concern over the Draft Environmental Impact State (DEIS) that you recently released regarding the Arkansas River Navigation Project.

Specifically, I am deeply concerned about the major adverse impacts to the aquatic environment of the Arkansas River that will result from this project. Even with the current 9-foot channel, the backwaters that are so important to bass and other sport fish are rapidly disappearing. Many areas of the river that once provided plentiful catches fifteen years ago are now dry land, covered in trees and shrubs. The proposed project guarantees that even more sediment will be dumped into the remaining backwaters, accelerating the destruction of critical fisheries habitat.

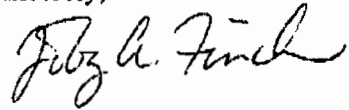
I realize that some attempts will be made to mitigate for the loss of fisheries habitat. However, the tentative list of proposed mitigation efforts is incomplete and inadequate, and does not provide sufficient fisheries benefits to overcome the negative impacts of the project. Even the DEIS states that a net loss of aquatic habitat will result from the project. Furthermore, the very fact that the mitigation component of the plan was not completed by the release of the DEIS indicates to me that fisheries are not of concern to the Corps of Engineers.

In addition to the notched dikes, anglers need to see an honest effort by the COE to improve fisheries habitat, not merely ways to slow down the ultimate destruction of that habitat. Critical backwaters need to be fully restored, with efforts to introduce native plants, brush and rock piles. Off-site, terrestrial disposal sites should be used in the Arkansas portion of the river, as in the Oklahoma section. In addition to habitat improvements, openings for boat traffic to important backwaters should be dredged frequently, not just once during the life of the project.

Finally, I realize that the purpose of the Arkansas River Navigation Project was to provide for navigation. However, navigation didn't fund the construction of this project alone. We all did. The fact that 18.5 million people visited the McClellan-Kerr Arkansas River Navigation System in 2002 indicates that recreation is equally important economically, if not more so, as navigation to the people of Arkansas and Oklahoma.

Thank you for the opportunity to comment. I trust that you will consider the implications of this project on the aquatic community and take the necessary actions to spare the Arkansas River fisheries from further loss.

Sincerely,

A handwritten signature in cursive script that reads "Fitz A. Finch". The signature is written in black ink and is positioned below the word "Sincerely,".

**Shawn Gordon, President
Mill Creek Bass Club
803 Knights Court
Russellville, AR 72801**

May 19, 2005

Mr. Ron Carman
U. S. Army Corps of Engineers
Little Rock Engineer District
P. O. Box 867
Little Rock, AR 72203-0867

Dear Mr. Carman:

We are writing to you today in opposition of the proposed navigation project on the Arkansas River. Our bass club (39 members) fishes the Arkansas River on a regular basis. We believe the proposed flow regime and deepening of the channel outlined in the Draft EIS will have a negative effect on the quality of fishing on the Arkansas River.

While reviewing the Draft EIS, we noted that the Corps of Engineers biologists agreed with our fears that the navigation project would negatively affect the Arkansas River fishery. In Chapter 5 of the Draft EIS, page 5-87, the following statement was written: "Results from the Aquatic Impact Analyses illustrates a positive relationship between fish abundance and the depth of dike pools and the amount of gravel and sand-and-gravel mixture available. It implies that reducing water depth in a dike field through dredged material disposal and reducing the amount of gravel in the channel through dredging will have a major impact to those fishes".

Our local fisheries biologists have told us that recreational fishing adds approximately \$455 million dollars a year to the Arkansas economy. In its current state, the Arkansas River is an extremely valuable resource. In 2004, the Bass Anglers Sportsman's Society (B.A.S.S.) held an Elite 50 bass tournament (professional competition) on Lake Dardanelle. Officials of B.A.S.S. have told us that the tournament generated \$1.6 million dollars into the local economy. B.A.S.S. is holding another Elite 50 tournament in May, 2005. This event will once again bring in much needed revenue to the local economy. The B.A.S.S. Elite 50 tournament is an example of only one event that generates revenue. Hundreds of amateur fishing tournaments are held annually on the Arkansas River. These amateur events probably produce revenues in excess of \$30 million dollars annually. According to the Draft EIS, the proposed navigation project will only produce a \$10 million dollar benefit annually. We feel that the recreational fishery is worth far more than the predicted benefit produced by the proposed navigation project.

We fear that if the Corps approves the navigation project, the loss of backwater habitat through the placement of dredge spoils and siltation will have a negative impact on the Arkansas River fishery. If so, we believe that State of Arkansas will lose millions of dollars in revenue that is generated from recreational fishing.

We hope that the Corps of Engineers closely examines the revenue generated by recreational fishing before approving a project that may drastically alter the aquatic habitat of the Arkansas River.

Sincerely,



Shawn A. Gordon
President, Mill Creek Bass Club



The Worldwide Authority on Bass Fishing
P.O. Box 10000 • Lake Buena Vista, Florida 34747 • (407) 566-2277 • FAX (407) 566-2072

June 23, 2005

Mr. Johnny McClean
Little Rock District Corps of Engineers
Environmental Planning Section
P.O. Box 867
Little Rock, Arkansas 72203-0867

Dear Mr. McClean,

After reviewing the Draft Environmental Impact Statement (DEIS) and Feasibility Study for the Arkansas River Navigation Project, BASS would like to offer the following comments on behalf of our 21,000 Arkansas and Oklahoma members and our 525,000 members worldwide.

The characterization of this project by members of the navigation industry as a fishery improvement project is a gross misrepresentation and misleading to the public. The navigation project will have major adverse impacts to the aquatic environment. Although these impacts could be mitigated with fishery enhancements, the current mitigation component of the plan is inadequate to provide sufficient benefits to overcome the long-term detrimental impacts to fisheries habitat resulting from project activities. Furthermore, we do not believe that the comments and recommendations from the state fisheries staff were given reasonable consideration for incorporation into the plan. The fact that the aquatic mitigation component is incomplete demonstrates that the DEIS cannot be considered an adequate study, and is possibly in violation of the NEPA process.

The methods used to calculate habitat benefits are unreasonable and overly optimistic. Specific problems with the habitat unit calculations that need correction include:

- 1) Disposal of spoil material anywhere in the aquatic environment should be assessed as a negative impact, rather than incorrectly credited as a benefit. The creation of spoil islands and other "minimization" efforts do nothing to replace lost fisheries habitat.
- 2) The dike filling rates are non-linear, NOT linear as the DEIS suggests, with the greatest impacts occurring the first ten years. The result will actually be a much earlier loss of habitat than currently calculated according to the spreadsheet.
- 3) Angler and boater access, although important, do not improve fisheries habitat and should not be credited as such.
- 4) In several instances the area of benefit (acres) is greatly exaggerated, which causes major, irrational habitat unit calculations



The proposed mitigation activities used to calculate habitat benefits of the project are deficient at best. Anglers expect additional mitigation measures that effectively offset the negative project impacts, while restoring some of the habitat already lost during past navigation activities. The following mitigation measures should be incorporated into the project plan:

- Use offsite disposal areas for the Arkansas portion of the river. Removing channel sediment from the system should not be confused with fisheries enhancement, but is necessary to maintain the current status of fisheries habitat.
- Notch existing dikes to restore previous fisheries habitat and any new river training structures that could potentially destroy existing aquatic habitat.
- Restore old channel cut-offs and isolated backwaters that became separated from the river due to previous navigation activities.
- Dredge entry shoots to existing backwaters on an annual basis for angler access.
- Maintain relocated gravel habitat over the life of the project.
- Begin efforts to restore impacted backwaters by re-vegetating with native aquatic plants and adding woody debris.
- Use an independent science review panel to evaluate proposed, and recommend additional, mitigation measures through the life of the project.

The \$11,644,000 for mitigation over the course of the 50-year project is not sufficient to offset the adverse impacts of navigation. Mitigation funding on similar COE navigation projects (upper Mississippi and Missouri rivers) exceeds, or nearly so, this amount on an annual basis. Increasing mitigation funding would significantly benefit the recreational and tourism industries and easily justifies the additional spending. All mitigation funding should be included in project appropriations and not during a separate funding process.

Ironically, the initial costs to build the McClellan-Kerr Arkansas River Navigation System can be justified by the incredible fish and wildlife habitat that was created. Yet, navigation benefits fail to rationalize the expense of maintaining current navigation activities, and certainly do not justify the additional millions of dollars to fund the proposed navigation improvement. With millions of recreational visitors (18.5M in 2002) to the system each year, the MKARNS provides a unique asset to the people of Arkansas, Oklahoma and the nation. If this project is implemented as currently planned and without sufficient mitigation, a very small special interest group will realize significant financial gains at the expense of fish, wildlife and the millions of Americans who visit the system each year.

Finally, it is evident that the project's accelerated schedule has compromised a reasonable assessment of the potential impacts to the environment. However, it is the COE's responsibility to ensure sufficient mitigation to preserve the fisheries resources of the Arkansas River for ourselves and future generations. We trust that significant changes will be incorporated into the mitigation component of the project.

Sincerely,



Chris Horton
Associate Director, Conservation
BASS/ESPN Outdoors

Carman, Ron R SWL

From: phillip murphy [jandp@coxinternet.com]

Sent: Tuesday, May 10, 2005 9:34 PM

To: AR-OK.River.Study SWL

Subject: study

for many reasons I am not in favor of implementing the costly changes McClellen-Kerr Navigation System.
thank you, phillip murphy vice-president,Alma BassmastersAr-Ok.River.Study@usace.army

5/16/2005

ARKANSAS RIVER NAVIGATION STUDY

Draft Environmental Impact Statement

Comment Sheet

If you are interested in providing comments concerning the Arkansas River Navigation Study Draft Environmental Impact Statement, please write your comments below and send to the address noted below, or leave this form in the comment sheet collection box at the Public Meeting for the Draft Environmental Impact Statement.

I am very concerned about this new study. There is an old cemetery in Bartling, Ark. and the backwash of the dam has almost washed all these graves away. No one is aware of this and my ancestors are buried there, also my mother. I don't know how much this will affect this area. Would you please let me know or give me someone to talk to about this matter. Thank you

Call her back
Cemetery & graves are being flooded. Needs help.
By river.

SEND COMMENTS TO:
Little Rock District Corps of Engineers
ATTN: CESWL-PR-P
(Mr. Johnny McLean)
P.O. Box 867
Little Rock, Arkansas 72203

YOUR NAME:
Kathy Phillips 479-783-0885

Organization:
C.R. 400 CITIZENS FOR RESPECT OF YESTERDAY

Address:
5221 JOHNSON #174
FORT SMITH AR 72904

additional space on the back →

Corps Reform Network

May 12, 2005

Lieutenant General Carl A. Strock
Chief of Engineers
U.S. Army Corps of Engineers
Headquarters
441 G. Street, N.W.
Washington, DC 20314

Re: Corps Practice that Undermines Public Participation in the NEPA Process

Dear Lt. General Strock:

On behalf of the Corps Reform Network and our more than 130 member organizations, we write to urge you to put a stop to a growing practice within the Corps of Engineers (Corps) that undermines full and meaningful public involvement in Corps decision making.

Various districts within the Corps have begun restricting the distribution of documents released for public comment by charging for hard copies of those documents or by refusing to provide hard copies all together. For example, the Little Rock District is charging \$700 for printed copies of the McClellan-Kerr Arkansas River Navigation Study and Environmental Impact Statement that is currently out for public review. The Los Angeles District refused to provide any members of the public with hard copies of the Matilija Dam Ecosystem Restoration Feasibility Study. While both Districts provided copies of the studies on CD, their refusal to provide hard copies significantly undermines the public's ability to participate in the public review process mandated by the National Environmental Policy Act (NEPA).

For example, key members of the Arkansas Wildlife Federation who intend to review and file extensive comments on the McClellan-Kerr Arkansas River Navigation Study do not have computer access. Those same members also are unable to view the copy of the study at the local library because the library is only open during week day business hours. The decision to charge \$700 for a hard copy of the study has completely precluded participation by these interested members of the public. Even in those instances where members of the public can access a computer, it is exceptionally difficult to undertake a detailed review of thousands of pages of technical material without access to a hard copy.

The regulations implementing NEPA unequivocally require all federal agencies to encourage public participation in the NEPA process. Agencies are to "affirmatively solicit[] comments from those persons or organizations who may be interested or affected." 40 C.F.R. § 1503.1. To facilitate this requirement, agencies are required to make NEPA documents available to the public "without charge to the extent practicable." 40 C.F.R. § 1506.6. In those few instances where a fee must be charged, agencies may not charge more than the actual costs of reproducing the document. *Id.* The Corps' regulations further state that members of the public may be

Lt. General Carl A. Strock
May 12, 2005
Page 2

charged for the costs of copying documents released for public comment only in "unusual circumstances." 33 C.F.R. §230.18.


The decision to charge for the McClellan-Kerr Arkansas River Navigation Study and Environmental Impact Statement was made by the project manager "because the cost of reproducing the document is expensive." April 18, 2005 email message from Ron Carman, Project Manager to Jim Wood, Arkansas Wildlife Federation. The expense associated with producing hard copies of voluminous documents is certainly not an "unusual circumstance" that warrants shifting the burden of the cost onto members of the public who seek to participate in the NEPA process. We also note that the proposed \$700 fee for the Arkansas River Study far exceeds the actual copy costs of the 3,000 page document (a small copy store in Dardanelle Arkansas quoted a price of approximately \$260 dollars for reproducing the study).

While we can understand the desire to reduce costs – and to also thereby conserve natural resources – by making Corps documents available on CD, hard copies should be provided free of charge to organizations and individuals upon request. No organization or individual should be required to pay hundreds of dollars in order to effectively review Corps documents that have been released for public review. Nor should the Corps require interested individuals to have access to a computer to effectively exercise their rights to participate in the public review process.

The Corps is required by law to encourage and facilitate public participation in the NEPA process, and public participation provides important insights and perspectives to Corps planners. Charging for hard copies of voluminous documents and refusing to provide hard copies all together discourages public participation, undermines the effectiveness of that participation, and in some instances precludes it all together. We urge you to direct all Corps Districts to immediately abandon this practice and to provide hard copies free of charge upon request.

We look forward to your response to this request. Should you wish to discuss this issue, please do not hesitate to contact Melissa Samet at (415) 482-8150 or Ted Heisel at (314) 727-0600.

Sincerely,



Melissa Samet
Co-Chair, Corps Reform Network

Senior Director, Water Resources
American Rivers
6 School Street, Suite 200
Fairfax, CA 94960



Ted Heisel
Co-Chair, Corps Reform Network

Executive Director
Missouri Coalition for the Environment
6267 Delmar Blvd.
St. Louis, MO 63130

cc: John Paul Woodley, Acting Assistant Secretary of the Army (Civil Works)
James L. Connaughton, Chairman, Counsel on Environmental Quality
Dinah Bear, General Counsel, Counsel on Environmental Quality



DEPARTMENT OF THE ARMY
U.S. Army Corps of Engineers
WASHINGTON, D.C. 20314-1000

JUN 22 2005

REPLY TO
ATTENTION OF:

Southwestern Division
Regional Integration Team

Ms. Melissa Samet
Co-Chair, Corps Reform Network
Senior Director, Water Resources
American Rivers
6 School Street, Suite 200
Fairfax, California 94960

Dear Ms. Samet:

Thank you for your letter of May 12, 2005, to Lieutenant General Carl A. Strock, Chief of Engineers, regarding the public involvement practices of the U.S. Army Corps of Engineers. While your letter addressed nationwide issues, it also specifically cited the McClellan-Kerr Arkansas River Navigation Study (M-KARNS) that is currently being conducted by the Corps Little Rock and Tulsa Districts, and the Matilija Dam Ecosystem Restoration Feasibility Study, conducted by the Los Angeles District.

The Corps takes public participation and review very seriously. We know that public participation and review is critical in the development of all projects and is required under the National Environmental Policy Act (NEPA) process. As such, the Corps is committed to ensuring that the circulation of all of its environmental and decision documents complies with the requirements of all applicable statutes and regulations.

In the case of M-KARNS, the Little Rock and Tulsa Districts have conducted thorough public involvement programs throughout the study process. Six public meetings were conducted early on in the study to inform the public about what the Corps was studying and why, and to gain public input and concerns regarding this work. Recently, three additional public meetings were conducted for the ongoing public review of the draft report and Draft Environmental Impact Statement (DEIS) to assure that the public has been given every opportunity to understand the project and to provide its views. These public meetings also provided an excellent means for the public to inform the Corps decision making process.

With regard to public circulation of the M-KARNS draft report and DEIS, hard copies of these documents were provided free of charge to the public through repositories at 24 public libraries in Oklahoma and Arkansas. The documents were also copied to compact discs (CDs), and approximately 35 copies of this CD were distributed at no cost to individuals and groups that requested them. The same documents were also posted to the Little Rock District's web site for review and possible downloading by all interested parties. As such, the draft report

and EIS were made available to the public in a variety of formats free of charge, in compliance with applicable statutes and regulations. To date, there have also been two subsequent requests by individuals for hard copies of these documents. Consistent with the NEPA process, these additional copies were made available for the cost of duplicating the documents in color with all of their attachments in limited quantities. Because the Districts have not received any requests for a waiver or fee reduction for these hard copies, the Districts have not determined whether such a waiver or reduction may be appropriate in this instance.

In the case of the Matilija Dam Ecosystem Restoration Feasibility Study, the Los Angeles District also sought to maximize public participation. During the formal public review timeframe of the draft report, the Los Angeles District distributed several hundred CD copies of the report, had hard copies available free of charge at five locations within Ventura County (public libraries and county offices), and made the report available online at a website before, during, and after the feasibility study. All of these efforts were supported by press releases and summaries that included the location of materials for review and points of contact to request information, including hard copies of the report. Throughout the study period, Corps staff and the non-Federal sponsor, the Ventura County Watershed Protection District, did not refuse requests for hard copies.

The NEPA process provides a valuable opportunity for the public to understand and inform important governmental-decision making that may have environmental consequences. The Corps believes that its approach in the M-KARNS and Matilija Dam instances, where Corps Districts drew upon a variety of public participation methods, formats, and technologies, demonstrates that the Corps is committed to maximizing public involvement while conserving natural resources and minimizing taxpayer and private expense. We appreciate your continued interest in the Corps public involvement process, and welcome your continued suggestions on how we may improve this process.

Sincerely,

A handwritten signature in black ink, appearing to read 'S. L. Stockton', written in a cursive style.

Steven L. Stockton, P.E.
Deputy Director of Civil Works



-2-

DEPARTMENT OF THE ARMY
U.S. Army Corps of Engineers
WASHINGTON, D.C. 20314-1000

REPLY TO
ATTENTION OF:

JUN 22 2005

Southwestern Division
Regional Integration Team

Mr. Ted Heisel
Co-Chair, Corps Reform Network
Executive Director, Missouri Coalition
for the Environment
6267 Delmar Boulevard
St. Louis, Missouri 63130

Dear Mr. Heisel:

Thank you for your letter of May 12, 2005, to Lieutenant General Carl A. Strock, Chief of Engineers, regarding the public involvement practices of the U.S. Army Corps of Engineers. While your letter addressed nationwide issues, it also specifically cited the McClellan-Kerr Arkansas River Navigation Study (M-KARNS) that is currently being conducted by the Corps Little Rock and Tulsa Districts, and the Matilija Dam Ecosystem Restoration Feasibility Study, conducted by the Los Angeles District.

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Sincerely,

A handwritten signature in black ink, appearing to read 'S. L. Stockton', written over a horizontal line.

Steven L. Stockton, P.E.
Deputy Director of Civil Works

Carman, Ron R SWL

From: Keith Garrison [Keith.Garrison@arkansas.gov]
Sent: Wednesday, June 22, 2005 5:20 PM
To: AR-OK.River.Study SWL
Subject: EIS comments from H.J. Sanner

I would like to add my support to the project under study that would provide a 12 foot shipping channel instead of the currently authorized 9 foot channel for the McClellan-Kerr Arkansas River Navigation System (MKARNS).

I've been involved in discussions about this project for several years that have taken place in congressional offices, waterway conferences and public listening sessions provided by the Little Rock District Corps of Engineers. During the three years that I served as President of the Arkansas Waterways Association, the organization was engaged in the legislative process with a goal of seeing the project constructed.

Even a casual interest and basic information of the history of the Arkansas River and the McClellan-Kerr Navigation System provides one with a real appreciation of the system and the myriad benefits the peoples of Arkansas and Oklahoma now enjoy.

Now, comes an opportunity to improve on this great resource that is responsible for the creation of tens of thousands of jobs due to the availability of waterborne transportation, hydroelectric power, water for crop irrigation and a wonderful fishery and recreational area that was practically nonexistent before the MKARNS. On the 25th Anniversary of the McClellan-Kerr System, the Corps of Engineers commissioned a study by a private firm to assess the changes that had occurred along the river since the navigation system was constructed.

Residents and users all along the river commented. One man summed up in a few words what many of us feel, he said, "The Arkansas River looks a whole lot more like a river now than it did then."

That comment, which I know to be true, plus the considerable amount of resources being invested to research the environmental impact of the 12 foot channel and the desire to create environmentally friendly additions that will enhance recreational opportunities afforded by the river, causes me to believe that this is truly a win win situation for all concerned. Having a more competitive commercial waterway while improving the environment and protecting our natural resources must surely be considered good stewardship at the highest degree.

Thank you,

Harvey Joe Sanner
Executive Vice-president
Arkansas Waterways Association.



Dr. Joe Stoeckel
President
Arkansas Chapter of the
American Fisheries Society

June 21, 2005

Ron Carman
(ATTN: CESWL-PR-P)
Little Rock Engineer District
P.O. Box 867
Little Rock, AR 72203-0867

Dear Mr. Carman:

The Arkansas Chapter of the American Fisheries Society has reviewed the "Draft Feasibility Report and Draft Environmental Impact Statement on the Arkansas River Navigation Study." We have paid particular attention to those areas of the Plan that deal with aquatic resources. Please enter our comments into the official record. Our comments on the plan to create a 12-foot channel in the Arkansas River are:

- 1) The current plan states that, "In addition, other authorized project purposes, including flood control, recreation; hydropower; water supply; and fish and wildlife would be maintained," but mitigation efforts are not adequate to maintain recreation and fish and wildlife habitat.
- 2) Most "mitigation" is being planned on the front end of the project to compensate for the immediate effects of the project, but negative impacts to aquatic habitats will continue for the life of the project. Insufficient mitigation is planned for the inevitable long-term negative impacts of the project on aquatic habitat. Just as channel modifications (dredging and adjustments to river training structures) will have to be made for the life of the project to maintain a navigation channel, so will modifications to aquatic habitat to maintain quality habitat. This is because natural channel-forming flows and a natural flow regime of the river do not occur in a modified river with river training structures and controlled flows.
- 3) With regard to suggested mitigation expenditures (currently \$11.5 million total or \$210,000 annually) the amount is vastly inadequate for maintaining quality recreational, and fish and wildlife habitat within the Arkansas River. Considering that a significant amount of local revenues are generated by boating, fishing, hunting, and tourism on the Arkansas River, the mitigation plan should consider the loss of revenues from these activities that will occur when backwater and edge habitats are lost. In short, the mitigation plan does not address loss of habitat quality beyond the first couple of years, and does not consider revenues that will be lost because quality habitat will gradually disappear with the proposed mitigation strategy.
- 4) An ecosystem recovery plan should be developed commensurate with the plan to mitigate for the effects of conversion to a 12-foot channel. This is important if the cumulative negative effects of all river training structures and channel maintenance procedures over time are to be compensated for. Without a plan to maintain the habitat and biotic integrity (i.e., the ecosystem

function) of the river, it is likely that the river will gradually be converted to nothing more than a glorified ditch. An acceptable mitigation plan will include strategies to prevent gradual degradation of the resource.

5) More terrestrial sites for dredge materials need to be procured in Arkansas. Disposal of dredge materials at sites and in a manner that creates beneficial habitat (e.g., least tern islands) is an acceptable practice, but other dredge materials should be disposed of at terrestrial sites to prevent negative impacts to existing mussels, paddlefish, and other riverine species. It is not acceptable to place dredge materials into, onto, or near known high quality aquatic habitat for mussels, paddlefish, or other aquatic organisms.

6) It seems that creation of gravel bars in places where they do not currently exist, to replace those that will be removed by dredging, will not be sufficient for long-term mitigation purposes. Gravel exists where hydraulics dictate that it should exist. Areas where it currently does not exist do not have the correct hydraulics, and so the "man-made gravel bars" will not persist through time. Plans should be made to ensure long-term persistence of gravel bars, because they are high quality habitat for mussels and for fish species that spawn over gravel.

7) Limiting the area of mitigation (habitat units) to the areas immediately affected is not correct. For example, the impact of dredging gravel to deepen the channel will not be localized. Movement of silt will be an immediate negative downstream effect, and head cutting to replace the gravel lost in the dredged area, as the river tries to regain equilibrium, can be expected to continuously occur. Thus, the area ultimately affected is larger than the immediately affected area.

8) The loss of braided channels, edge, and backwater habitats will continue to occur as long as the river training structures (wing dams, revetments, etc.) to produce and maintain a deepened channel are in place, and the river flows are regulated (moderated). The habitat changing effects of structures used to maintain the 9-foot channel and regulated flows have become obvious and will only become more apparent when a 12-foot channel is in place and flows are more uniformly regulated. Notching of dikes and opening up backwaters is already being done to try to reverse some of the negative impacts of the 9-foot channel training structures on aquatic habitat. The negative effects will be accelerated with a 12-foot channel as the channel training structures and additional dredging will do their job of concentrating flow in the channel. This will result in a continuous loss of backwater and edge habitats unless mitigation measures are taken to prevent their loss. Notched dikes can potentially recreate some high quality habitat, but they are not adequate to mitigate for the total amount of backwater, braided channel, and edge habitats that will be lost over the life of the project.

9) The project is trading quality main channel habitat for backwater and edge habitat. This is an obligatory exchange if the main channel is maintained for navigation/barge traffic, because the main channel will not be allowed to maintain a natural condition. This is a reasonable approach, as long as the backwater and edge habitats are maintained with the same commitment as the navigation channel. The suggested mitigation plan does not provide this commitment.

10) While the proposed project will almost certainly induce a decrease in edge and backwater habitats, the exact effects of the project on aquatic habitat are unknown. Thus, it is important that monitoring of habitats and aquatic communities be done to track the impacts. Monitoring should not be considered mitigation, and the results of monitoring efforts should be used to direct mitigation efforts (i.e., adaptive management). The current plan does not obligate resources toward this type of monitoring and mitigation effort.

11) From an economic, recreational, and practical perspective it would be beneficial to direct habitat improvements/mitigation toward sport fish and endangered species. Creation of habitat for endangered species is an obvious target for mitigation efforts. Sport fishing, particularly for black bass, generates considerable revenues for local economies. In addition, many sport fish occupy backwater and edge habitats, which are reasonable choices for mitigation efforts. Consequently, using sport fish habitat as a primary target for mitigation efforts seems logical.

12) During the life of the system, the river training structures have performed as they were designed to, drawing silt out of the channel and depositing it in and around the structures and in shallow areas. These structures constrict the river, gradually move its banks inward, and change its landscape and ecology. A constricted channel causes faster flows and isolates backwater areas, thereby decreasing the health of the fish and wildlife habitat and decreasing recreational opportunities. Notching dikes in strategic locations is encouraged (as planned) to open up areas along the river and improve the habitat, but additional, constant efforts will be necessary to maintain quality fish and wildlife habitat. In particular other actions should include 1) backwater dredging to increase overwintering fish habitat; and add to depth diversity, 2) water level management to reduce sediment deposition in backwater and wetland areas; and manipulate water levels to promote aquatic plant and invertebrate production; fish spawning, and restore waterfowl resting and feeding habitat, 3) island construction to provide habitat for the least tern, 4) shoreline stabilization to prevent bank erosion; and create fish habitat, and 5) side channel openings or closures to preserve aquatic habitat by reducing sedimentation in backwaters. Moreover, these factors should be considered for the life of the project.

13) In the current plan mitigation would be associated with:

- Terrestrial habitat loss associated with the disposal of dredged material;
- Aquatic resources impacts and habitat loss associated with dredging and dredged material disposal;
- Aquatic habitat loss associated with raising and extending dikes and revetments; and
- Federal threatened and endangered species.

Thus, there is no mitigation recommended for long-term loss of braided channels, edge habitats, and backwater habitats. These habitat units should also be considered in the analysis, because they will be lost through time unless actions are taken. Loss of these habitats through time will result in a concurrent, significant loss of recreational/tourism benefits through time. Suggestions for maintaining quality habitat are listed above in the previous comment.

15) Currently, there are major ecosystem restoration projects underway in the Upper Mississippi and Missouri rivers. These projects are funded at a rate of 10s of millions of dollars per year. The primary reason for the projects are changes to ecosystem structure and function that have

occurred over many years from many causes, but especially from the operation and maintenance of existing 9-foot channel navigation projects. Despite recent habitat management and restoration activities (e.g. UMRs Environmental Management Program) designed to preserve, enhance, and restore the structural and functional characteristics of the systems, there is a body of scientific evidence indicating significant systemic problems with habitat diversity, disrupted natural processes, and diminishing species abundance.

The existing and proposed structures and channel maintenance activities have not been in place long enough on the Arkansas River to degrade the habitat as severely as it has been degraded in the above-mentioned rivers, but the consequences will undoubtedly be similar unless sufficient long-term mitigation is incorporated into the ACOE plan for the river. Thus, we strongly urge the ACOE to incorporate a much more aggressive monitoring and mitigation program that will effectively compensate for the long-term, as well as the immediate, negative impacts to tourism, recreation, and fish and wildlife habitat.

Sincerely,

Dr. Joe Stoeckel
President
Arkansas Chapter of the
American Fisheries Society

Carman, Ron R SWL

From: Dbasketman@aol.com
Sent: Wednesday, June 22, 2005 9:57 AM
To: AR-OK.River.Study SWL
Subject: ARKANSAS RIVER NAVIGATION STUDY

I've made no bones about our involvement with the USACOE, AGFC, etc., on this project, You have some of the finest people i've had the pleasure of meeting involved on this project, and i think their involvement is what makes this project so acceptable. With the revisions you have made to the mitigation plan, and some others that will come along, or be suggested, i think the project will be a step in the right direction. Along with the current projects on the list, i would like you to consider a couple more sites for dredging/notching,,,,,nm 91 main river revetment, where we notched by hand a few years back, and also the inner jetty(back of brodie) should be notched,,,,nm 116 north bank should be notched for fish, also would make a great site for a nursery pond ! I think I know the owner, and he may co-operate well,,,,,nm123.6 south bank, should be dredged to open two backwater areas, and jetties notched in those areas for spawning access,,,,,many more such areas are available, but those will probably have to be in a ecosystem restoration project to be addressed at a later date..... Thank you for the opportunities to work together on a project of this scope, which could benefit all the users of the river, and i look forward to seeing the project come to fruition in the near future. I also recieved a copy of our letter to the Corps from our biologist at the ANHC, and i'm sure all of those concerns will be addressed as well. Sincerely, Doug Swann, Arkansas Bass Assn., Arkansas Natural Heritage Commission.

6/22/2005

ARKANSAS RIVER NAVIGATION STUDY

Draft Environmental Impact Statement

Comment Sheet

If you are interested in providing comments concerning the Arkansas River Navigation Study Draft Environmental Impact Statement, please write your comments below and send to the address noted below, or leave this form in the comment sheet collection box at the Public Meeting for the Draft Environmental Impact Statement.

I Am deputating for the 12th draft being established in the Arkansas River. This will enhance barge traffic on the River and will make shipping more economically feasible.

I will also create a climate for economic growth for Little Rock All of Arkansas and OKLA. And make products less expensive nationally.

SEND COMMENTS TO:
Little Rock District Corps of Engineers
ATTN: CESWL-PR-P
(Mr. Johnny McLean)
P.O. Box 867
Little Rock, Arkansas 72203

YOUR NAME:
Stullas

Organization:
ARAC

Address:
305 E 5th
Tulsa, Okla. 74103

additional space on the back →

Lake Eufaula Association, Inc.

Tourism • Marketing • Promotion

<http://www.lakeeufaulaassoc.org>



701 S. Main Street P.O. Box 792
Eufaula, OK 74432-0792

lea@cwis.net

May 31, 2005

Little Rock District Corps of Engineers
ATTN: CESWL-PR-P (Mr. Ron Carman)
P.O. Box 867
Little Rock, Arkansas 72203-0867

Mr. Carman,

This is the second request made by the Lake Eufaula Association to have questions answered concerning the Environmental Impact Statement (EIS) for the Arkansas River Navigation Study.

Enclosed is a copy of the first letter of request made in August of 2004. Could you please review this letter and respond to the questions within it?

Respectfully,

A handwritten signature in black ink, appearing to read 'Joe Ward'. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Joe Ward, Executive Director
Lake Eufaula Association



Phone 918-689-7751

Fax 918-689-7793

Lake Eufaula Association, Inc.

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<http://www.lakeeufaulaassoc.org>

701 S. Main Street P.O. Box 792

Eufaula, OK 74432-0792

lea@cwis.net



August 10, 2004

Little Rock District Corps of Engineers
ATTN: CESWL-PR-P
P.O. Box 867
Little Rock, AR 72203-0867

Mr. Johnny McLean,

It has just come to my attention that public comment is being taken concerning a revision of the scope of the Environmental Impact Statement (EIS) for the Arkansas River Navigation Study.

I understand the study will address the Corps' Civil Works mission to support navigation by managing river flows and improving and maintaining the navigation channel. And, I understand that proposed system changes could impact agriculture, hydropower, recreation, flood control and the environment along the navigation system.

My question is, have you done any studies concerning the impact of the proposed changes on Lake Eufaula, which is fed by the Canadian River upstream from the navigation system?

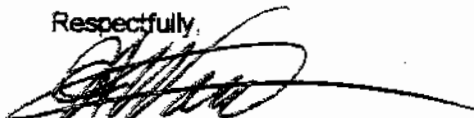
How will the proposed changes impact the conservation pool and water contracts on Lake Eufaula? And, how will the changes effect wildlife habitat (the least tern, in particular) and migratory habits of our feathered friends? Not to mention the possible adverse effect on tourism in the region.

The National Geodetic Vertical Datum (NGVD) elevation for Lake Eufaula is currently set at 585.0 feet. However, the Corps of Engineers has been unable to maintain that normal pool level for any extended period of time since the creation of Lake Eufaula in 1964.

In the words of U.S. Army District Engineer, Colonel Robert L. Suthard, Jr., "During times of no or low inflow into the reservoir compounded by evaporation losses and other project purpose usage such as hydropower generation, the pool elevation cannot physically be maintained at the 585.0 feet NGVD level. Evaporation losses alone during hot dry summer months can be as much as three-fourths to one-inch per day."

I hope that you will look beyond the banks of the Arkansas River to see the "big picture" concerning the effects the proposed changes to the McClellan-Kerr Arkansas River Navigation System might have on its neighbors—Lake Eufaula, in particular.

Respectfully,



Joe Ward, Executive Director

cc: Governor Brad Henry, U.S. Senator Don Nickles, U.S. Senator James Inhofe, Congressman Brad Carson

Phone 918-689-7751

Fax 918-689-7793



Porath, Rebecca

From: Hall, Richard E
Sent: Monday, May 16, 2005 8:07 AM
To: Porath, Rebecca
Subject: FW: Add to Ark Nav EIS related mailing list

From: Mclean, Johnny L SWL [mailto:Johnny.L.Mclean@swl02.usace.army.mil]
Sent: Sunday, May 15, 2005 5:49 PM
To: Hall, Richard E
Cc: Norris, Randy
Subject: FW: Add to Ark Nav EIS related mailing list

From: Rossman, Edwin SWT
Sent: Thursday, May 12, 2005 4:55 PM
To: Mclean, Johnny L SWL
Cc: Stiles, Sandra SWT
Subject: Add to Ark Nav EIS related mailing list

Johnny,

Mr. Wood called me today. He supports the project and has some suggestions for the disposal area. He is wanting us to use some of his land for a disposal area (immediately below Kerr L&D) He also stated that he would like to be put on the EIS mailing list (see below).

Thanks,
Ed

Mr. Fox Wood III
26998 Foxwood Lane
Spiro, OK 74959-4714

Phone:918-962-2195

Arkansas Wildlife Federation

9700 Rodney Parham Rd. Suite 1-2, Little Rock, AR 72227-Telephone (501)224-9200 Fax: (501)224-9214

"Your voice for hunting, fishing and conservation since 1936"

May 12, 2005

Jim Wood, Chairman
AR River Study Committee
AR Wildlife Federation
56 Delaware Bay Road
Dardanelle, AR 72834

Honorable John Paul Woodley, Jr
Acting Assistant Secretary of the Army (Civil Works)
Department of the Army
108 Army Pentagon
Washington, DC 20310-0108

Dear Mr. Woodley,

AR Wildlife Federation is primarily a volunteer non profit organization and a state affiliate of National Wildlife Federation that engage in activities directed at representing sportsmen and other resource interests in projects like the current AR River Study..

I am contacting you as a follow up to your 1-24-05 letter and continuing concerns AR Wildlife Federation has with questionable Corps methods used to develop the AR River Navigation Draft Feasibility Study/Environmental Impact Statement and Agency policy guidance Gen. Robert Flowers declared at beginning of the review in his enclosed 2001 White Paper for these type studies. Col. Walters, Little Rock District Engineer, also confirmed at the 5-3-05 DEIS public meeting that he expected the study to comply with Gen. Flowers White Paper standard.

We have additionally shared our concerns on 8-14-04 with Col. Dorko, SW Division Engineer. As a convenience I'm enclosing a copy of your 1-24-05 response to our previous letter where we raise some of these Study Issues, along with some recent self explanatory file communications/documents in our information base.

On behalf of AR Wildlife Federation and sportsmen stakeholder interest in good sound AR River resource management, we respectfully encourage you to apply Independent Peer Review to the McClellan-Kerr AR River Navigation Study. We request that the Corps engage the National Academy of Scientists to conduct this review. In addition, we encourage COE to withdraw AR River Navigation DEIS and Feasibility Study, prepare and circulate a revised Draft as provided at 40 CFR 1502.9(a) until NEPA Process, accounting and public involvement issues are resolved and IPR is completed. We additionally question as to whether it is simply fraud, abuse and fiscal mismanagement for LRD/SWD military commanders to spend up to \$9 million on AR River Study analyzing a range of alternatives while knowing none will fit the 11-16-03 already authorized 12' channel? These actions need IPR.

It is our judgment that IPR, before Record of Decision is issued, will benefit the Corps, all stakeholders, and is the most appropriate mechanism to objectively grade compliance with COE regulations, policy, the high level of ongoing political and special

navigation interference, accounting accuracy, NEPA Process and whether COE HQ will continue to apply Gen. Flowers White Paper guidance standard.

Gen. Flowers repeated before Congress, on several occasions, during his COE Commander tenure, support for Independent Peer Review of controversial type project studies like AR River Navigation System. Two Little Rock District and two SW Division Engineers have had roles in developing this \$9 million Study over the past 5 years.

The Corps decided to release their Draft EIS/Feasibility Study in April with public comment period ending May 24, 2005. We have many concerns about COE AR River Study NEPA manipulations/strategy and will offer a few as to why we support IPR.

1) LR District Engineer is following a policy requiring \$700 pre payment to COE by non profit organizations, individuals and some others to obtain a Draft hard copy of the DEIS/Feasibility Study, essential to properly review this comprehensive AR River Study, while selectively providing hard copies free to others. (a) COE decided to use a voluminous type format and now claim hard copies are too expensive to provide to all participants. (b) providing CD's or library copies to those who don't own computers or common working sportsmen whose schedule don't fit the common 9-5, closed on weekends library hours fails NEPA's "affirmative public involvement" test. (c) COE forces public reviewers to rely on CD's that display about ¼ of the documents in a pdf/double page format in wording so small it can't be read on most computer screens. COE's expensive public involvement approach arbitrarily discriminates against, and effectively screens out non profit organizations, or individual sportsmen who may not agree with Agency study methods, etc. from fully participating in the NEPA Process.

2) Special navigation interference during this Study has evolved into a noticeable Corps/navigation conflict of interests partnership arrangement, contrary to Gen. Flower's White Paper declaration that, "We do not, can not, and will not favor any special interests, nor allow any special privilege, in the execution of our studies and projects". Additionally this conflict of interest measurably fails CEQ's 40 Frequently Asked Questions, 17a & 18. (a) According to news media research by Democrat-Gazette reporters, Pine Bluff Sand & Gravel Co., considered by many to be the greatest beneficiary of a 12' AR River channel, paid ex AR Rep. Jay Dickey \$120,000 in 2003 to effectively lobby Congress to include Sec. 136 into HR 2754, passed 11-16-03, authorizing "construction" of only a 12' channel, which noticeably derailed objectivity of the NEPA Process midway of the Feasibility/EIS Study. (b) In Sept. 04 the Corps returned the favor by paying Pine Bluff Sand & Gravel \$108,850 to participate in the Study by conducting Lock 2 barge "squat" tests directed solely at gathering data to justify trading off COE's 5' lock sill/barge regulated margin of safety, in exchange for a more favorable benefit/cost ratio for the already authorized 12' channel. Since Col. Walters 5-3-05 response was to defend the above partnership arrangement, the Agency approach destroys "public trust and confidence" in the Corps study process. Special navigation interests continue to micromanage the Study, see S.728, Sec. 4003.


3) The flow regime study/Reconnaissance began to search out solutions to flooding downstream in AR which was, is, and continues to be an alleged "takings" without

compensation situation under the US Constitution 5th Amendment. The Corps had paid, in 1980's, flood damages in AR and faced \$4 million additional claims. (a) When navigation interests secured the 2003 unorthodox Congressional authorization through HR 2754 to limit authorized alternatives to only a 12' channel midway of the two phase Study, COE changed the comprehensive NEPA Process into a Revision of the Scope reshuffle strategy combining both, almost completed flow regime and beginning navigation improvement EIS/Feasibility studies into a comprehensive single EIS/Feasibility document that Col. Walters now declares they can't afford to print. (b) The study has become a "cook the books" strategy to justify the already authorized 12' channel, ignoring the studies original intent, leaving the "takings" problem unresolved. (c) The AR River flow regime "takings" situation opens American taxpayers up to massive property damage claims from OK line downstream, similar to the \$8 million claim filed March 18 by AR Game & Fish Commission in US Court of Federal Claims based on damages created by COE's Black River flow regime in NE AR. MCKARNS flow regime avoids using OK flood control reservoirs to maximize downstream flood reduction, shifting rain event flooding to AR, a continuing landowner controversy. Corps decision to pass over this "takings" problem needs Independent Peer Review.

4) Mitigation? The rushed Study avoids quantifying aquatic impacts and mitigation "before decisions are made", shifting COE's responsibility to US Fish & Wildlife Service and State Agencies at some unknown future time and under a proposed aquatic "adaptive habitat management" functionally equal formula yet undetermined. This is noticeably contrary to CEQ 40 Asked Questions 19a & b. (a) There is a lack of trust and confidence, in Corps promises, by sportsmen and the recreation industry, and the Agency can restore credibility to mitigation through IPR.

AR Wildlife Federation has developed an extensive information base file on AR River issues going back to MCKARNS beginning and its unrealized barge traffic demand to it's present remarkable fish, wildlife, recreation and tourism resource. The Draft economic analysis claims a \$1.90/1.00 B/C ratio for deepening the channel to 12', a System now with \$.97 ton mile cost and 4 times more capacity than barge demand. As best we can determine, without hard copies to reference, COE's predicted B/C ratio is unrealistic and impossible to attain, given that MCKARNS O&M annual navigation component budget alone is now substantially greater than the benefits. We respectfully encourage COE to apply IPR to this study and re-circulate a revised Draft before a Final EIS/ROD is developed.

We look forward to your response to this request. Should you wish additional clarification, or to discuss these AR River Study issues, please call me at 479-229-4449.

Sincerely,

Jim Wood, Chairman
AR River Study Committee

cc Col. Wally Walters LRD Engineer
Col. Jeffrey Dorko, SWD Engineer
With enclosures

Arkansas Wildlife Federation

9700 Rodney Parham Rd. Suite I-2, Little Rock, AR 72227-Telephone (501)224-9200 Fax: (501)224-9214

“Your voice for hunting, fishing and conservation since 1936”

June 21, 2005

To: Ron Carman
(ATTN: CESWL-PR-P)
US Army Corps of Engineers
Little Rock District
PO Box 867
Little Rock, AR 72203-0867

From: Jim Wood, Chairman
AR River Navigation Study Committee
AR Wildlife Federation
56 Delaware Bay Road
Dardanelle, AR 72834

RE: Solicitation of Comments on Draft Feasibility Report and Draft Environmental Impact Statement on the Arkansas River Navigation Study.

The following comments on the above DFR/DEIS are submitted on behalf of AR Wildlife Federation and Yell County Wildlife Federation.

Senator Inhofe (R-OK) and Ch Senate Environment and Public Works Committee has repeated on numerous occasions his dislike for the Corps Principles & Guidelines/Project Study Process, which green lights a Corps “cook the books” approach to studying alternative solutions to the AR River problems. On 6-18-02 he presented a statement to the Committee that, the study [AR River Study] was “an opportunity to enter into a private/public partnership because a company along the system is willing to put some of their own money into this project”, and “this could be used as a model for future projects”.

Sen. Inhofe’s statement is an issue in this NEPA Process because of his Ch E&PW profile, and moreover because the “model” he refers to demonstrates how the Corps has allowed MKARNS Study to be corrupted by a mix of political/lobby/navigation special interest interference, and how the Corps became a partner in much the same fraudulent type schemes played out 5 years ago on the Upper MS Study. We believe political interference to bias the NEPA Process for the Study and prejudice selection of only the 12’ channel is an **Issue** and deserves the same rigorous discussion in the EIS as other issues. **We reaffirm our position expressed in our 12-3-03 letter to Project Manager**

Ron Carman that the Corps should engage the National Academy of Scientist to institute Independent Peer Review of this MKARNS Study. Our inability to secure a printed DEIS copy severally handicaps our ability to comment on specific provisions of the Draft NEPA document and thus forces our comments to largely depend upon previous COE working draft documents, feasibility study and 5 years of material from our own files.

1. Corps interest in compiling MKARNS data, since construction, have been noticeably limited to navigation related barge and channel data. The Study quotes inventories to the exact measure of commodity movement, tow depth/configuration, tug HP, lockage time, point of origin/destination, and a whole range of other data, yet noticeably little more than estimates are provided to quantify the baseline situation for fish, wildlife habitat, aquatic ecosystem functions, water quality and recreation. Consequently, applying the NEPA Process in developing an EIS requires an accelerated "catch-up" strategy in order to build a No Action baseline analysis from which to compare alternatives. We consider COE's rush to skip over quantifying the baseline situation for any of the System authorized purposes to be a major NEPA violation.

2. The **Purpose and Need** of the project when proposed in 1999 was directed at solving high river flow and flood damage problems in the "bottleneck" stretch near Ft. Smith and a property damage "takings" without compensation situation under the US Constitution. This situation is not limited to the "bottleneck" though, and the Corps 1990 AR River Land Impact Study identified 49,410 acres of similar situations scattered along the river and tributaries. The Corps inability to deal with special navigation interest and political interference over the past 5 years has diverted Purpose and Need of the Study away from solving the original high flow problem. And the long standing public controversy about Corps AR River flow management, which results in increased flows downstream to avoid using flood control storage at OK projects, remains a unresolved "takings" issue.

3. The Corps decided upon release of their DEIS/Feasibility Study for public comment to provide free printed copies to State, Federal and other Agencies, while charging an excessive \$700 fee to non profit groups and others likely to disagree with Corps findings. We believe this fee approach discourages public participation, is unusual, and is an **Issue** that deserves rigorous discussion because it injects a flaw into the Corps NEPA Process that is contrary to CEQ's **Public Involvement** regulations.

I timely requested on behalf of AR Wildlife Federation a printed copy of COE's released DEIS/Feasibility Report that, due to its bulk and writing style, we consider absolutely essential for us to adequately review, sort out extraneous non related material and comment on sufficiency of the Study to address our issues of interest. Project Manager, Ron Carman, responded 4-12-05 requiring a \$700 pre payment for the documents, offering to substitute instead a CD or rely on 22 library copies scattered over about 450 miles.

COE's Public Involvement plan fails to fit needs of affected public participants and NEPA requirements. (a) Usual Library hours are 9-5, closed on weekends and contrary to average working public schedules, (b) the CD DEIS comes in a double page pdf computer screen display with print too small to read, (c) checking out library copies are

disallowed, (d) Corps assumes that all participants have computers, which is erroneous. The Feasibility Draft comes in single page regular lettering Microsoft Word and can be easily read, however the entire pdf DEIS can not be read. Corps decision to deny free Draft copies clearly undermines the "affirmative" public involvement requirements of NEPA and is a fatal NEPA Process public involvement flaw that should cause any Final EIS to fail interagency review. Since DEIS writers declare compliance with COE **Environmental Operating Principles**, it is appropriate to discuss how this restriction to public involvement complies with EOP #7?

4. Specifically we think the following deserves more detail discussion in the DEIS, **(a) failure to strictly comply with "before decisions are made" provisions of NEPA Section 102(2)(C) by redirecting and combining two Studies for the sole purpose of satisfying political navigation interference that had engaged in actions to secure 12' channel authorization before feasibility was determined, (b) Corps deviates from their own ER 1105-2-100 Planning Principles 6 step study process by placing Step 6 (selecting a plan) before Phase II was even scoped.**

5. The Corps, in a rush to short change the analysis and expedite the Study has deviated from their original promise that all users, authorized project purposes and mitigation of MKARNS would be considered. In raising our concerns for these matters with Thomas Caver, Deputy Director of Civil Works, he responds in his 3-8-04 letter that, **"The analysis will be complete, and be assured that potential impacts to the environment and other project purposes will be evaluated and addressed. All significant environmental impacts will be mitigated"**. COE's DEIS now contradicts Mr. Caver by failing to inventory the baseline aquatic situation and releasing a Draft EIS they declare insufficient to address mitigation of adverse aquatic impacts.

NEPA provides at 40 CFR 1502.9 that, "The Draft statement must fulfill and satisfy to the fullest extent possible the requirements established for Final statements in Sec. 102(2)(C) of the Act. The Corps acknowledges, that the Draft fails to sufficiently quantify impacts to fish and wildlife habitat, water quality, endangered and threatened species and fails to provide a clarified monitoring and enforcement plan. Their plan to postpone aquatic ecosystem mitigation until some unknown time and formula injects a fatal flaw in the DEIS. The document should be withdrawn, rewritten, corrected and a revised draft circulated for public comment. Moreover, discussion of LRD taking the liberty to compromise mitigation/completeness promises made by Mr. Caver, Deputy Director CW, deserves clarification.

6. We additionally reaffirm our belief that charging non profit groups or other participants \$700 for printed DEIS copies so undermines full and meaningful involvement to not be in keeping with John Paul Woodley, Acting Assistant Sec. of the Army (Civil Works), (1-24-05 letter) clarifying that, **"All interested parties will have the opportunity to review the draft EIS and provide comments on it"**. Corps bases their decision to charge for DEIS copies on Freedom of Information statutes instead of CEQ regulations upon which the NEPA Process functions. District level actions to

arbitrarily disregard guidance from HQ level officials in this Study is an Issue that needs rigorous discussion.

The National Environmental Policy Act at Sec.102 establishes a “to the fullest extent possible” sufficiency test for determining consequences of the AR River Navigation Study. MKARNS authorized uses include navigation, flood control, water supply, hydropower, water quality, recreation, fish and wildlife habitat. Environmental restoration is now included at all Corps projects.

The original intent of this Study was declared to include determining impacts to all authorized purposes of the project. The MKARNS original two-phase broad study was combined, narrowed and slanted in 2004 toward documenting navigation related data that support a 12’ deeper channel and exclude from an equal level of benefit/cost analysis an expanded range of alternatives that protect benefits from these other eight authorized purposes.

7. The Study fails to provide high quality supporting evidence for the assumption that lack of MKARNS barge traffic results from a 9’ channel. After 35 years the System has four times more capacity than demand. Since your **future traffic demand** analysis for MKARNS predicts freight growth based upon Upper MS/Ohio River Systems, there needs to be a comprehensive analysis of the two River Systems vs MKARNS that compare baseline industrial profiles and waterborne transportation demand. The Upper MS Study underwent Independent Peer Review in 2000 by National Academy of Scientists who found many of the Corps predictions to be flawed. Recent AR River Valley Intermodal studies reveal that 95% of all inbound and outbound freight along AR River corridor moves by rail or truck instead of slower barge modes. Forecasting an almost doubling of tonnage by 2050 is unrealistic, and fails to consider logistics associated with the different modes. The barge mode currently fails to meet logistics needs of the local economy, so the Study needs to develop an analysis of logistics problems each alternative faces and describe how they will be solved through a deeper channel?

8. Alternatives considered: Navigation improvement is narrowed to only channel deepening structural solutions without giving equal consideration to non structural alternatives. COE Principles and Guidelines clearly require, “Non-structural measures shall receive equal consideration in the planning process as structural measures”. The Feasibility Study attributes low System barge traffic use to the 9’ channel without almost any supporting evidence, basing the assumption mainly on speculation. NEPA requires high quality evidence to support assumptions.

The Study analyzes a wide 6 segment/4 depth range of navigation improvement channel deepening alternatives but no non structural alternatives. CEQ clarifies that the “range of alternatives” discussed in NEPA documents “include all reasonable alternatives”. Alternatives are noticeably screened out under a biased formula that favors channel deepening throughout MKARNS, a strategy directed at slanting the Study towards Congressional decisions already made in 2003 authorizing the 12’ channel. The Study calculates the existing No Action channel depth character of MKARNS declaring 90% to be 12’ or deeper. Likewise, **the Study needs to include an annual analysis of**

time each river segment's authorized 9' channel is actually at 12' or deeper as a product of flow, and percentage of time these situations exist at no cost should not be considered a benefit of dredging a 12' channel.

9. Writing the DEIS and Feasibility Study: The NEPA Process requires the reduction of extraneous background data and keeping the document concise and to the point. These Draft documents contain over 3,000 pages of often redundant data, writer opinions and comments. Moreover they often have little relevance to environmental matters or decisions under review. NEPA's purpose is not to generate paperwork, even excellent paperwork, but to foster excellent actions (40 CFR 1500.1). The unnecessary bulk and substantial extraneous material also creates additional printing expense that COE passes on to the participating public, discourages the affected public from reviewing the Draft, and often contribute little toward alternatives being studied. Why does COE develop over 3,000 DEIS/Feasibility pages of documenting evidence analyzing four different channel depths for six River segments after Congress in Nov. 2003 has already passed legislation authorizing "construction" of only the 12' channel throughout MKARNS? This matter directly violates NEPA procedures (40 CFR 1500.1(b)), COE's 6 step project planning process, and enjoys no discussion we can find in the Draft.

10. Applying an unbiased NEPA Process: CEQ requires at 1502.9(a) that "Draft EIS's shall be prepared in accordance with the scope decided upon in the scoping process". COE decided to scope the AR River Study into the NEPA Process treating the Flow Regime study as an individual action and Navigation Channel Deepening as an individual action. Each began under the NEPA Process as stand alone documentation and ROD's.

Five years ago, (6-19-2000) we asked COE to clarify how their approach for each of these studies of a partially overlapping resource would be scoped in order to comply with the NEPA Process? Ms Patricia Anslow, LRD Environmental Analyst, responded on 6-19-03 as follows, "we determined that the best way to evaluate these actions is in two statements". "We feel CEQ regulations implementing NEPA validate this approach in accordance with 40 CFR 1508.25". "Additionally, the proposed actions do not appear to have cumulatively significant impacts. Therefore there is not a need to address these actions in the same statement". It is unrealistic to assume the proposed \$160 million project does not present significant impacts.

After 3 years into these studies, and with the same environmental situation, COE decided to change NEPA documentation to combining both flow regime/navigation improvement into a single document. We requested at that time that, in order to comply with the NEPA Process, new re-scoping of the Issues and public meetings are required. COE needs to discuss their contradictory approach to the NEPA scoping process? We question whether CEQ regulations are so flexible as to allow such manipulation and changing of the study purpose and Scope of the analysis without starting over with a new beginning? 8-23-2000 NOI states, "The study purpose is to develop and evaluate alternatives for implementing solutions to problems resulting from sustained high flows on MKARNS". The high flow problem is now combined and navigation improvement

redefined as a channel depth problem that COE concludes can only be solved through a \$160 million channel deepening project. All project cost is assigned to channel deepening and "0" cost to Phase I, which deserves a reanalysis. The study needs to present an analysis describing how depth of the channel, whether 9, 10, 11 or 12', is related to flow? When COE decided to combine two stand alone NEPA studies, they failed to start over with a new scoping process that compares an expanded range of structural and non structural alternatives.

The Study declares the lower MS River 12' authorized channel as being the barge industry standard. The DEIS needs to clarify how this "standard" was established since 12' depth on this stretch of MS is created through flow and not attainable during late summer and fall months? MKARN and lower MS River are unlike environmental situations and attaching the same standard to both is inappropriate.

12. The No Action and other flow regime alternatives compare crop damages using questionable seasonal assumptions and estimates instead of available site specific actual USDA flood damage data compiled annually. The Study Flow regime analysis is limited to only one reasonable flow bench alternative designed solely to benefit barge traffic, while ignoring the original high flow reduction situation or problem which the EIS/Study was originally directed to address which is not related to the "bench", but how OK flood pools are managed. Both the 175/200,000 CFS flow regimes fail the test of being reasonable alternatives, given that these flow levels reach "open river" at 7 out of 11 projects downstream of OK line. The manner in which the scope of analysis is juggle to influence or change how reasonable alternatives for both flow regime and navigation improvement are treated in the DEIS deserves Review by CEQ.

13. Fish & Wildlife Mitigation: The DEIS proposes to delay quantifying mitigation to some unknown future time and formula that is in direct conflict with the "before decisions are made" mandate of the NEPA Process. CEQ 40 Frequently Asked Questions at 19a. provides that "all relevant, reasonable mitigation measures that could improve the project are to be identified." The study is noticeably rushed to shortchange mitigation. Mitigation for dredge spoil disposal impacts to the aquatic environment in OK portion of MKARNS proposes off stream terrestrial disposal as a practical method of avoiding water quality degradation, while in AR portion of the project COE fails to protect water quality by proposing in-stream dredge disposal. This double standard interpretation of what is "practical" dredge disposal needs a full discussion and clarification. The first mitigation action is to avoid the impacts all together if practical methods are reasonably available to do so. While Clean Water Act 404(b)(1) guidelines also apply, we think the procedural provisions that implement NEPA disallow favoritism in interpreting what is practical. If it is practical and reasonably available to use terrestrial dredge disposal in OK, then we question the Corps decision that it is impractical and unreasonable to use the same method to protect water quality in AR? **We view Corps proposed in-stream dredge disposal in AR as contrary to CWA's Antidegradation provision. Moreover, consequences of in-stream disposal seem to be in non compliance with the Corps**

own 404(b)(1) guidelines, and thus ADEQ is obligated to withhold Water Quality Certification.

The Corps well documents that they have arbitrarily decided to expedite and rush the Study schedule resulting in "not enough time" to adequately assess all impacts. Corps uses a flimsy excuse to avoid mitigation in direct violation of the NEPA Process, proposing to substitute long term monitoring under some future yet to be determined process. The Corps proposes to substitute monitoring for mitigation. We believe this to be a Corps scheme to avoid mitigation for adverse impacts the project imposes upon the aquatic ecosystem, directly violates NEPA, and we strongly object to this proposal that trades off fish and wildlife mitigation. Since MKARNS navigation component currently provides 4 times more capacity than is being used by the barge industry, the Study needs to justify COE's conclusion that there is "not enough time" to quantify and develop a mitigation plan, given that you have taken time to site specific identify every cubic yard of dredge material to be removed.

14. Economics: The No Action Alternative is the baseline from which a range of reasonable alternatives are to be compared. The Corps breaks No Action down into an overlapping combination of not one alternative, as required by NEPA, but three Alternatives A,B&C. This is contrary to NEPA, needs a reanalysis, and re-circulation of the Draft EIS for another comment period. The Corps claims to have combined both Phase I & Phase II into a single NEPA Process, yet the DEIS continues an analysis that separate the Study into two groups of action alternatives.. And "combining" of the analysis so as to shift \$8.8 million in flow management benefits, which is actually unrelated to channel depth, to off-set unfavorable B/C ratio for the already authorized 12' channel deepening. "Combining" is used in a fraudulent cook-the-books scheme to make channel deepening grade out a worthwhile B/C ratio. According to preliminary working drafts you assign "0" cost to providing flow management benefit of the current situation. This fails NEPA's accurate accounting methods test. \$8.8 million in net flow management benefits are claimed to be produced at no cost, a formula which fails to include annual O&M budgeted expense for the major 11 OK flood control projects and about 20 other less important projects with flood pools. Calculating "0" cost to produce \$8.8 million through improved flow management is a flaw in accounting methods that must be reevaluated and corrected.

The 5.375% interest (discount) rate over a 50 year period is too low and needs independent reanalysis. The projected \$2.5 million annual O&M cost for 12' channel is measurably too low and about ten times below current annual budgets to provide a 9' channel. O&M cost for MKARNS navigation component alone increases annually by about 3.7% and jumps to \$35 million for the proposed 2006 budget. This cumulative annual increase seems not to be factored into the Benefit/Cost analysis. The analysis fails to produce evidence that current port owners will make additional investments to deepen their facility to accommodate 12' barges. A firm legal commitment to deepen these private ports by owners must be included to justify claiming any of the \$22.2 million in projected annual benefits. Agreements firming up this commitment should be included in an Appendix.

AR River Study/DEIS Comments


15. Lock Safety: The Corps proposes to compromise lock/barge safety and their 1.5 sill clearance policy, while acknowledging more Barge Impact Studies need to be undertaken. A series of barge accidents occur annually and the Corps recognizes widespread past damage to lock facilities all along MKARNS. Compromising barge and lock safety seem contrary to the Corps mission and needs a rigorous discussion. We reaffirm our previous objection that trading off this 1.5 lock/sill margin of safety in high quality fishing areas below these dams increase potential for catastrophic accidents and fail to be a win-win situation for aquatic resources and is also contrary to COE's Environmental Operating Principles directed at protecting the environment.

In summary, the Corps clarified on 5-19-03 specific NEPA 40 CFR 1500-1508 regulations that required MKARNS flow regime and navigation improvements be analyzed as totally separate stand alone NEPA documents. Through navigation industry interference to pay lobbyist, and through political contributions to key legislators, authorization of a 445 mile 12' channel was attached to PL 108-137 on 12-1-03 shortly after scoping began in May/June 2003 for the Phase II navigation improvement EIS. This action noticeably prejudiced the original Study into a channel deepening project and Corps became partners with special navigation interests supporting channel deepening.

Six months later the Corps discovered the stand-alone 12' channel would likely fail a favorable B/C ratio test, so in July 04 they engaged in a NEPA "cook-the-books" strategy and issued a "Revision of the Scope" combining both stand alone studies into one NEPA document. Within one year they completely contradicted their 5-19-03 interpretation of NEPA and CEQ's implementing regulations. This allowed shifting non related flow regime benefits over to help cover cost of the 12' channel.

35 years of Barge industry use of MKARNS flattening out results from its failure to meet logistics needs of AR River Valley transportation. While barge use is stagnant at one fourth MKARNS current capacity, net public benefits from fish, wildlife, recreation and tourism continue to multiply. Trading off these benefits for barge traffic needs a public interest analysis. Spending \$160 million for channel deepening is largely directed towards barging AR rock to the Louisiana Gulf Coast Restoration Project. **We reaffirm our position that the Corps needs to institute Independent Peer Review of this Study.**

While we have major unresolved questions about mitigation, economic analysis, non compliance with NEPA, special navigation political interference and others, COE's failure to provide public participants with DEIS printed copies undermine our ability to adequately represent sportsmen user interests.

Respectfully Submitted,
Jim Wood, Chairman 
AR River Study Committee
AR Wildlife Federation

AR River Study/DEIS
Ivory Bill Woodpecker/ESA

Arkansas Wildlife Federation

9700 Rodney Parham Rd. Suite 1-2, Little Rock, AR 72227-Telephone (501)224-9200 Fax: (501)224-9214

"Your voice for hunting, fishing and conservation since 1936"

May 26, 2005

Jim Wood, Chairman
AR River Study Committee
AR Wildlife Federation
56 Delaware Bay Road
Dardanelle, AR 72834

Mr. Ron Carman, Project Manager
AR River Navigation Study
US Army Corps of Engineers
Little Rock District
PO Box 867
Little Rock, AR 72203

RE: Biological Assessment/Ivory Billed Woodpecker habitat taking issues regarding AR River Study Draft EIS/Draft Feasibility Study/Big Woods stretch of lower AR River.

Dear Ron,

On behalf of AR Wildlife Federation, we submit the following regarding the April 2005 reported Ivory Bill Woodpecker, listed as Endangered under the Federal Endangered Species Act, finding in the east AR Big Woods. We believe that in order for the Draft EIS to meet the NEPA Sec.102(2)(c) completeness test at 40 CFR 1502.9, the Corps must invest the time and resources necessary to inventory the current baseline situation, quantify potential impacts, develop mitigation and monitoring that each AR River flow regime alternative presents to IBW habitat "takings". We will clarify our reasons.

Background:

(a) Little Rock District COE released a January 1990 AR River Land Impact Study and Environmental Assessment finding that McClellan-Kerr AR River Navigation System flow regime and project operations had created damages upon 49,410 acres of property which the Corps did not have fee title, nor either permanent or occasional rights to flood easements. Page i-1 and 2, enclosed, are taken from LR/EA and identify Corps MKARNS real estate interests and significant cost impacts the Agency agreed is created by operation of the present No Action 9' channel System as designed. These flowage easement real estate interests convey rights to continue flow regimes that their LIS/EA found damages bottomland hardwood timber (now IBW habitat) crops or other outputs throughout the year simply at the Agency's option. Through both fee title and flood

AR River Study/DEIS
Ivory Bill Woodpecker/ESA

easements, the Corps secured rights to damage, protect or manage IBW habitat on a substantial amount of acreage within the lower MKARNS.

(b) A "Big Woods of Arkansas" 550,000 acre habitat inventory mapping project was completed by AR Nature Conservancy in April 1991. In addition to lower White River MKARNS entrance channel to Pool 2, 35,000 acres of the AR River Section is also delineated as Big Woods and extends up river in Pool 2 to about mile 40. COE's November 2003 Biological Assessment for AR River Study addresses 16 ESA species but does not include the IBW.

(c) Corps 1990 AR River Land Impact Study found their flow regime was damaging bottomland hardwoods from 50% to 100% of property values. And that these damages between Dam 2 and Ft. Smith amounted to \$3 million annually. COE's Land Impact Study clearly quantifies a finding that AR River flow regime creates a adverse "takings" impact to IBW habitat on the Big Woods portion of lower AR River.

We therefore request that COE:


(a) Consider their fee title and flowage easement real estate interests and management in the lower MKARNS, delineated by the AR Nature Conservancy 1991 Big Woods mapping, to be part of the critical IBW habitat ecosystem with potential "takings" and produce a finding that a "no affect" determination does not apply.

(b) Include in AR River Study NEPA documentation an existing site-specific Big Woods IBW habitat inventory as a baseline of measure needed to mitigate and monitor impacts created by AR River flow regime and maintenance dredging activities for each alternative analyzed.

(c) Circulate a Revised Draft EIS addressing the IBW ESA "takings" situation for at least a 30 day comment period.

We appreciate your attention to incorporating the Ivory Billed Woodpecker ESA lower AR River habitat situation into MKARNS/EIS documentation. Should you have questions, please call me at 479-229-4449.

Respectfully Submitted,



Jim Wood, Chairman
AR River Study Committee
AR Wildlife Federation

cc file
BG Jeffrey Dorko, SW Div. Engineer
Sam D. Hamilton, US Fish & Wildlife Service.
BG Robert Crear, US Army COE
Jeff Quinn, AR Game & Fish
Lindsey Lewis, US Fish & Wildlife Service
Hon. Vic Snyder
Hon. Mark Pryor

The Arkansas River Section

States Included: Arkansas

Acreage: 35,000 exclusive of public lands.

Ownership:

State: Portions of Trustee Holder Wildlife Management Area

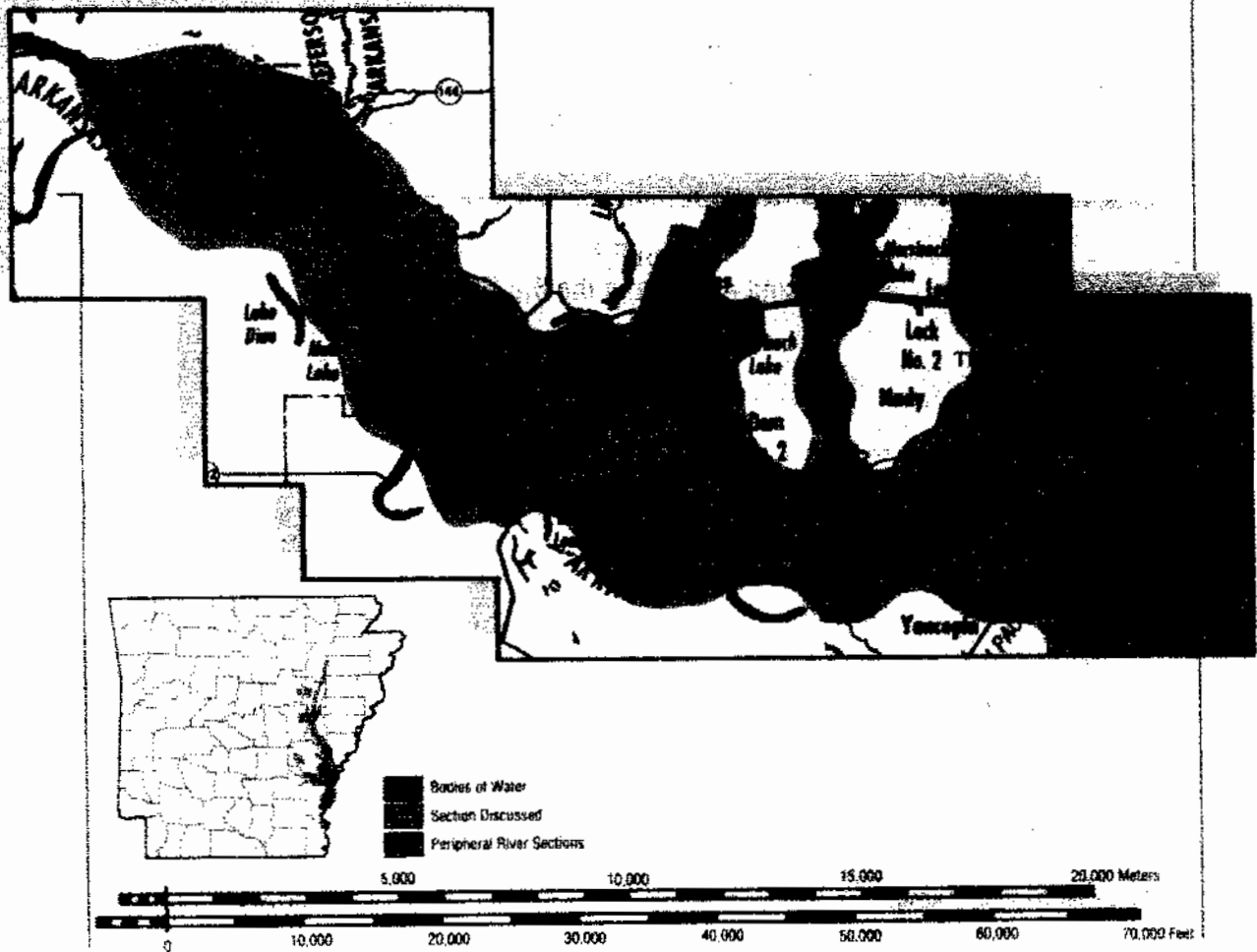
Federal: Arkansas Post National Monument (National Park Service) and Corps of Engineers mitigation lands.

Private: Large timber companies own most of the area.

Land Use: Large timber companies own most of this area and manage it by selective cutting. The upper end of the megasite boundary marks the end of the contiguous bottomland forest. Above this point, most of the land inside the levees has been cleared for agriculture.

Forestation and Natural Values: Most of the area is forested. However, there is increasing farmland as one proceeds upstream. A series of navigation locks and dams on the river has inundated areas that were once forested. Upstream from Dam #2 the river is dredged and shoreline modifications have been made in efforts to stabilize the channel. The relatively natural part of the channel is downstream from Dam #2 and is listed on the Registry of Arkansas Natural and Scenic Rivers because of its outstanding natural values.

Boundary information: This section includes floodplain along both sides of the Arkansas River from the Missouri-Pacific Railroad to the vicinity of the Douglas community in Lincoln County, Arkansas.



What is Included in the Big Woods?

A proposed boundary for the Big Woods is delineated on the accompanying map pocketed in the back cover of this report. The designation of natural areas within that outline is subject to revision as new data from field work warrants. In general, the area contains: all of the contiguous bottomland hardwood forests, all of the high-quality natural areas, endangered species habitat, state and federal reserves, and forest corridors to connect the most significant sites.

Isolated game management areas and significant natural areas that are privately owned are included even though some may be separate from the forest corridor. Some farm lands — those marginal lands located inside the Corps-maintained levees — are included. However, agricultural lands comprise no more than 5% of the area within the boundary. Continuing conversion will no doubt increase that figure.

The obvious boundary is that of the artificial levees along the Mississippi, Arkansas, and White Rivers. Generally, the levees divide the forested bottomlands from the agricultural lands.

The Four Regions of the Big Woods

For purposes of discussion, the proposed Big Woods site is divided into sections: The Mississippi River section, the Arkansas River section, the White River section and the White River, Cache River, Bayou DeView section.

TABLE 3
Public Land Acreage in the Big Woods*

FEDERAL LANDS	
White River National Wildlife Refuge (U. S. Fish and Wildlife Service)	112,498
Cache River Mitigation lands (U. S. Corps of Engineers)	7,959
Cache River National Wildlife Refuge (U. S. Fish and Wildlife Service)	19,000+
Arkansas River Navigation System Lands (U. S. Corps of Engineers)	10,500
Subtotal	149,957
STATE LANDS	
Wildlife Management Areas (Arkansas Game & Fish Commission)	
Trustee Holder	5,896
Bayou Meto	33,901
Dagmar	7,896
Wattensaw	17,433
Rex Hancock/Black Swamp	5,590
Hurricane Lake	16,808
Bayou DeView	4,419
Subtotal	91,943
TOTAL PUBLIC LANDS ACREAGE	241,900

*Public land acreage in Mississippi has not been researched for this report

1 Glasgow and Noble, 1971 McKeever, 1959, 2 Harris and Gosselink, 3 Harris and Gosselink, 4 Harris and Gosselink, 5 Harris and Gosselink, 6 Yaich, Scott, 7 Harris and Gosselink

SYLLABUS

After the McClellan-Kerr Arkansas River Navigation System was placed into operation, land owners along the river began filing damage claims alleging the Government had increased flood damages. These claims were processed and many were denied. With additional claims experience, lawyers and the courts changed the basis of the claims from induced flood damages to taking of land by the Government without compensation. (This is prohibited by the United States Constitution.) This resulted in more claims being won by the plaintiffs. A claim for 3 acres of river bank land (residential lots) was recently settled for \$120,000.

Hydrologic and hydraulic studies were performed to determine if the flood control reservoirs and the navigation locks and dams were causing increased duration and/or frequency of flooding. This study, between 1986 and 1988, indicated that the McClellan-Kerr Arkansas River Navigation System has increased the duration and/or frequency of flooding.

The hydrologic, hydraulic, and real estate studies identified approximately 49,410 acres of land that are subjected to increased duration and/or frequency of flooding which are not under easement.

Future without project condition is assumed to be the following scenario. Claims will be filed and paid on lands not under easement including one hundred percent of the land within the proposed perpetual right to permanently flood easements and 50 percent of the land within the proposed perpetual right to occasionally flood easements. The total claims which are predicted to be filed is estimated to be \$57,346,000 (undiscounted) or \$3,949,000 annually.

This report analyzes three alternatives to correct this problem. The alternatives are as follows.

1. Reduce Arkansas River flows to stay within existing easements.
2. Obtain additional easements on all lands identified as subjected to increased duration and/or frequency of flooding based on a perpetual right to permanently flood easement below the maximum allowable pool at the dam and the 70,000 cfs flow profile.
3. Obtain additional perpetual right to permanently flood easement on approximately 49,410 acres which have been identified as subjected to increased duration and/or frequency of flooding from flood control operations and effects of navigation locks and dams which are not under easement.

The Corps of Engineers acquired both fee title and easements for real estate interest for the McClellan-Kerr Arkansas River Navigation System. The Government acquired fee title to lands for the dam sites, recreation areas, and the Arkansas Post Canal. A breakdown of the acquisition of various interests for each navigation project pool is shown in Table 1.

Table 1 McClellan-Kerr Arkansas River Navigation System's Real Estate Interest

Project	Real Estate Interests		Flouage Easements
	Fee Title		
	Park Areas	Other	
 (acres)		
Wilbur D. Mills Dam, Lock 2, and Arkansas Post Canal	475.00	9,335.53	14,360.62
Lock and Dam 3	203.00	427.90	2,110.73
Lock and Dam 4	301.00	1,179.30	3,218.66
Lock and Dam 5	937.00	1,256.41	2,266.64
David D. Terry Lock and Dam (6)	739.00	1,290.70	1,172.13
Murray Lock and Dam (7)	545.00	662.24	4,315.51
Toad Suck Ferry Lock and Dam (8)	299.00	295.60	4,622.54
Arthur V. Ormsand Lock and Dam (9)	234.00	845.87	2,407.64
James W. Trimble Lock and Dam (13)	439.00	1,062.80	3,659.23
Total	4,172.00	16,156.35	38,133.70

The initial real estate easements for the navigation pools were acquired to a constant elevation throughout each pool (flat pool concept) as described below. These perpetual easements were of two types: perpetual right to permanently flood and perpetual right to occasionally flood. The perpetual right to permanently flood easement entitles the Government to flood this area for an indefinite time period. From a legal standpoint, perpetual right to occasionally flood easements prohibits the Government from flooding the land all of the time (something less than permanent).

The perpetual right to permanently flood easement was acquired at the navigation pool elevation extending from the dam upstream until this elevation intersected the preproject ordinary high water profile. This type of easement allowed the project to flood the land 100 percent of the time. The land owner was compensated for the full fair market value of the land.

The perpetual right to occasionally flood easement was acquired 3 feet vertically above the perpetual right to permanently flood easement. The perpetual right to occasionally flood easement extended from the dam upstream until the elevation intersected

B.3.5.6 Comments from Local Agencies



POST OFFICE BOX 850 • COWETA, OKLAHOMA 74429 • PH. (918) 486-2189 • FAX (918) 486-5366

June 21, 2005

Mr. Ron Carman
Little Rock Engineer District
PO Box 867
Little Rock, Arkansas 72203-0867

Re: Public Comment on the Arkansas River Navigation Study

Dear Mr. Carman:

The City of Coweta, as well as several other entities along the McClellan-Kerr Arkansas River Navigation System, relies upon the Verdigris River as their water source for drinking water. With the construction of the Navigational System, the intake structure for the City became delegated to the Old Verdigris River Channel, an "oxbow" of the relocated river, a distance of roughly 7,500 feet west of the Navigation Channel at River Mile 416. Flow from the Verdigris River into the old channel, hence the water supply for the City, became dependent upon water passing through buried pipes located in the plugs or dikes at the north and south end of the "oxbow."

With the passage of time, these openings from the main channel at the north and south end have become silted in. Currently, the pipes under the north dike are completely silted in preventing any water flow. The south dike and opening into the main channel are also very close to becoming silted in. Once the south areas become silted in, any recharging of water flow into the area from the River is cut off. Concurrent to this dilemma, Coal Creek then becomes the major contributor to the Old Verdigris Channel. Coal Creek discharges just south of the north dike, and Coal Creek receives effluent from a wastewater stabilization pond.

The City of Coweta is currently pursuing a major capital improvement program to upgrade its water plant. But whatever action the City takes on its plant is dependent upon the raw water source, a source that is slowly being cut off.

The City of Coweta respectfully requests your consideration for maintaining the integrity of the Old Verdigris River Channel. We request that during your planned improvement, that the north plug on the Old River Channel be moved to a new location south of the confluence of Coal Creek. Further, we request that the south plug and connection to the Navigation System be opened and restored to its original depth. Finally, we request that the Corps commence the development of a real time early warning system that will notify downstream water supplies of any water quality concerns should an event occur that degrades the Verdigris River.

Thank you for your consideration in this matter.

Sincerely,

Steven C. Whitlock
City Manager

Cc: Honorable Mayor and City Council
INCOG
DEQ

Carman, Ron R SWL

From: Randy Easley [reasley@fsark.com]
Sent: Tuesday, May 24, 2005 2:44 PM
To: AR-OK.River.Study SWL
Subject: Draft EIS

Mr. Carman;

Comments:

The City of Fort Smith's main concern with any activity is water quality of both our raw water resources as well as in the receiving stream. The City of Fort Smith owns and operates two wastewater treatment facilities that discharge treated effluent into the Arkansas River. As you know, the watersheds, rivers and streams that comprise the Arkansas River basin are the source of agriculture, drinking water, recreation, irrigation and commerce for many people. This system also serves as a conduit for the disposal of wastes that ultimately end up in the Mississippi River. It is in our best interest to take every precaution to ensure a safe and reliable source of water for these people and their associated activities.

As stated in the draft EIS, the proposed project will affect water quality, recreation and biota in the Arkansas River watershed. While the project is not opposed, we recommend that all Best Management Practices (BMPs) designed for the protection of water quality and the environment are followed, as well as being sensitive to the needs of recreation and protection of endangered species. The Corps should also continue to include all appropriate local, State, and Federal agencies in the continued efforts of this proposed action.

From a municipal operations perspective, specific attention should be paid to any activity that could impact the National Pollutant Discharge and Elimination System (NDPES) permits of regulated facilities. Any activity such as alteration of 7Q10 flows, base flows and/or volume, and dissolution of pollutants could significantly impact these facilities. Effluent limitations for these facilities are derived from the background receiving stream physical and chemical characteristics. Changes in these factors could have a widespread impact upon users of the Arkansas River specifically by altering the permit limitations. I could not find any discussion of these impacts in the draft EIS. Therefore, it is recommended that a section be added which analyses these impacts and provides discussion in the final environmental impact statement.

Thank you for the opportunity to comment. If you have any questions, please don't hesitate to contact me.

Sincerely,

Paul R. Easley
Environmental Manager
City of Fort Smith
3900 Kelley Hwy.
Fort Smith, AR 72904

5/24/2005



May 10, 2005

Ron Carman, PE
Chief, Planning Section
US Army Corps of Engineers
Little Rock District
P.O. Box 867
Little Rock, AR 72203-0867

Dear Mr. Carman:

I would like to thank you for attending our Fort Smith Port Authority meeting. The presentation was informative and the Authority greatly appreciates any project that will improve shipping on the Kerr-McClellan Navigation System.

The Authority voted unanimously to endorse the recommendation of the US Army Corps of Engineers for Option E. The estimated annual financial benefit of \$10.5 Million through increased shipping capacity is the reason for the endorsement.

Please let us know if there is anything we can do to help with the implementation of the option and thank you again for your outreach efforts.

Sincerely,

A handwritten signature in cursive script that reads "John Sulcer".

John Sulcer
Chairman
Fort Smith Port Authority

c: Fort Smith Port Authority

623 Garrison Avenue
P.O. Box 1908
Fort Smith, Arkansas 72902
(501) 785-2801
Administrative Offices FAX (501) 784-2407

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Oklahoma Archeological Survey

THE UNIVERSITY OF OKLAHOMA

May 3, 2005

Ron Carman
ATTN CESWL-PR-P
Department of the Army
Corps of Engineers, Little Rock District
P. O. Box 867
Little Rock, AR 72203-0867

Re: *Draft Environmental Impact Statement and Draft Feasibility Report:
Arkansas River Navigation Study, Arkansas and Oklahoma.*

Dear Mr. Carman:

I have examined the above referenced document for the action's potential impact on Oklahoma's cultural heritage, particularly prehistoric archaeological resources. If I understand the environmental assessment correctly, the preferred alternative is to increase the river traffic depth to 12 feet through dredging activity while also stabilizing river levels. Contrary to some opinion issued in the draft assessment, such an action will have potential to significantly affect archaeological resources.

In the Executive Summary, it is stated in the table on page ES-17 that increases to the 12 foot depth would only bring about minor adverse affects to cultural resources. Considering that such actions entail the creation of large storage facilities for dredge on the shoreline, I don't see how the extent of effect can be known as most of the storage locations have not been surveyed. (And, some of these locations I suspect will need to be selected rather than abandoned due to engineering issues.) Considering the likelihood for prime National Register eligible sites along the Arkansas River from Muskogee east to Fort Smith, there could be significant adverse affects.

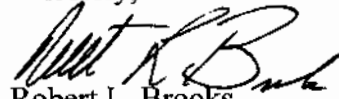
I would also disagree with the assessments on pages 4-136-137, 4-143-145, and 5-104 regarding the nature of known or previously recorded archaeological sites in Oklahoma. A survey for archaeological and historic sites was conducted along the Navigation Canal in 1976. Numerous sites were recorded during this work with a substantial number of these forwarded to the Corps of Engineers as potentially eligible properties. However, the Corps never acted on these recommendations. Many of these sites are now thought to have been destroyed through negligence on the part of the Corps' failure to nominate and

responsibly treat these properties. Thus, the limited number or absence of National Register sites along the Navigation Canal in Oklahoma is an artifact of the Corps of Engineers initial failure to address the significance of documented sites. However, the surviving sites within the area of potential effect remain to be treated as eligible in my opinion – until identified otherwise.

It is my opinion that thorough assessment of this action cannot be realized until the necessary survey and testing programs are carried out on potential dredge storage sites and known sites within the area of potential effect are assessed as to current National Register potential and potential adverse effect.

This review has been conducted in cooperation with the State Historic Preservation Office, Oklahoma Historical Society.

Sincerely,



Robert L. Brooks
State Archaeologist

Cc: SHPO



Greater Pine Bluff Chamber of Commerce ▲ Jefferson County Industrial Foundation ▲ Pine Bluff/Jefferson County Port Authority
▲ Arkansas River Regional Intermodal Facilities Authority

May 3, 2005

**Mr. Ron Carman
Little Rock Engineer District
P.O. Box 867
Little Rock, AR 72203-0867**

ATTN: CESWL-PR-P

Subject: Arkansas River Navigation Study

Dear Mr. Carman:

Thank you for the opportunity to participate in the U.S. Army Corps of Engineers Public Hearing today at the Little Rock Regional Chamber of Commerce (200 East Markham Avenue) in Little Rock, AR. It's my pleasure to hand-deliver this letter on the occasion of the aforementioned meeting to offer testimony regarding the Arkansas River Navigation Study. Likewise, this same communication is being sent to your mailing address as listed above.

The Economic Development Alliance of Jefferson County and its allies (i.e., Pine Bluff-Jefferson County Port Authority, Arkansas River Regional Intermodal Facilities Authority, Jefferson County Industrial Foundation, and the Greater Pine Bluff Chamber of Commerce) vigorously support the Arkansas River Navigation Project. We find it to have minimal impact on the environment, as it incorporates positive measures to enhance wildlife habitat, while making waterborne transportation safer and more efficient. Thus, the project will improve the economic climate for the citizens of Arkansas and Oklahoma.

The Arkansas River Navigation Project is much more than a navigation project; it will have an extensive positive impact on the environment. If approved, the project would be one of the largest aquatic habitat creation projects ever completed in the states of Arkansas and Oklahoma.

The project includes significant modifications to the river to enhance the aquatic habitat and the environment. Representatives from the state conservation agencies, the U.S. Fish and Wildlife Service, and the Corps of Engineers have all partnered to design this significant environmental enhancement project. These enhancements include, but are not limited to, the notching of over 250 dikes and revetments, the opening of over 30 backwaters and side channels, and the creation of over 30 least tern islands to help this species in critical need.

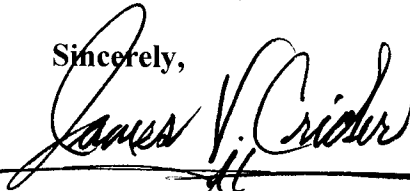


Mr. Ron Carman
Subject: Arkansas River Navigation Study
May 3, 2005
Page 2 of 2 Pages

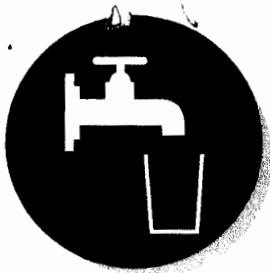
In addition to these environmental enhancements, the project will make the Arkansas River a more competitive waterway to help fight the loss of jobs to overseas markets by creating one of the lowest cost waterways in the country. The deepening of the Arkansas River channel to 12 feet will allow barge payloads to be increased by over 40 percent – thus, reducing the cost of cargo in and out of the Port of Pine Bluff and others along the Arkansas River.

This project is definitely a win-win for the environment and for the economies of Arkansas and Oklahoma. Once again, I appreciate the opportunity to offer testimony in favor of this most worthwhile project. Should you have questions, or if I can be of any further assistance to you, please do not hesitate to call.

Sincerely,

A handwritten signature in black ink that reads "James V. Crider". The signature is written in a cursive style and is positioned above a horizontal line.

James V. Crider
President & CEO



RURAL WATER DISTRICT NO. 5

WAGONER COUNTY

PO BOX 835

COWETA, OK 74429

DISTRICT MANAGER - ARVIL MORGAN

(918) 486-5458 FAX (918) 486-1440

06-17-05

P.J. Spaul
US Army Corp of Engineers
P.O. Box 867
Little Rock, AR 72203

Re: Arkansas River Navigation Study

Dear Mr. Spaul:

This letter is in response to your request for comments on the above referenced study.

We obtain raw water from the old channel cut off by the construction of the navigation channel. The old channel is supplied water by a small channel cut between the navigation channel and the old channel. This channel is shown on the attached map.

This small channel has silted in over the years.

We request that the dredging operation include dredging of this smaller channel.

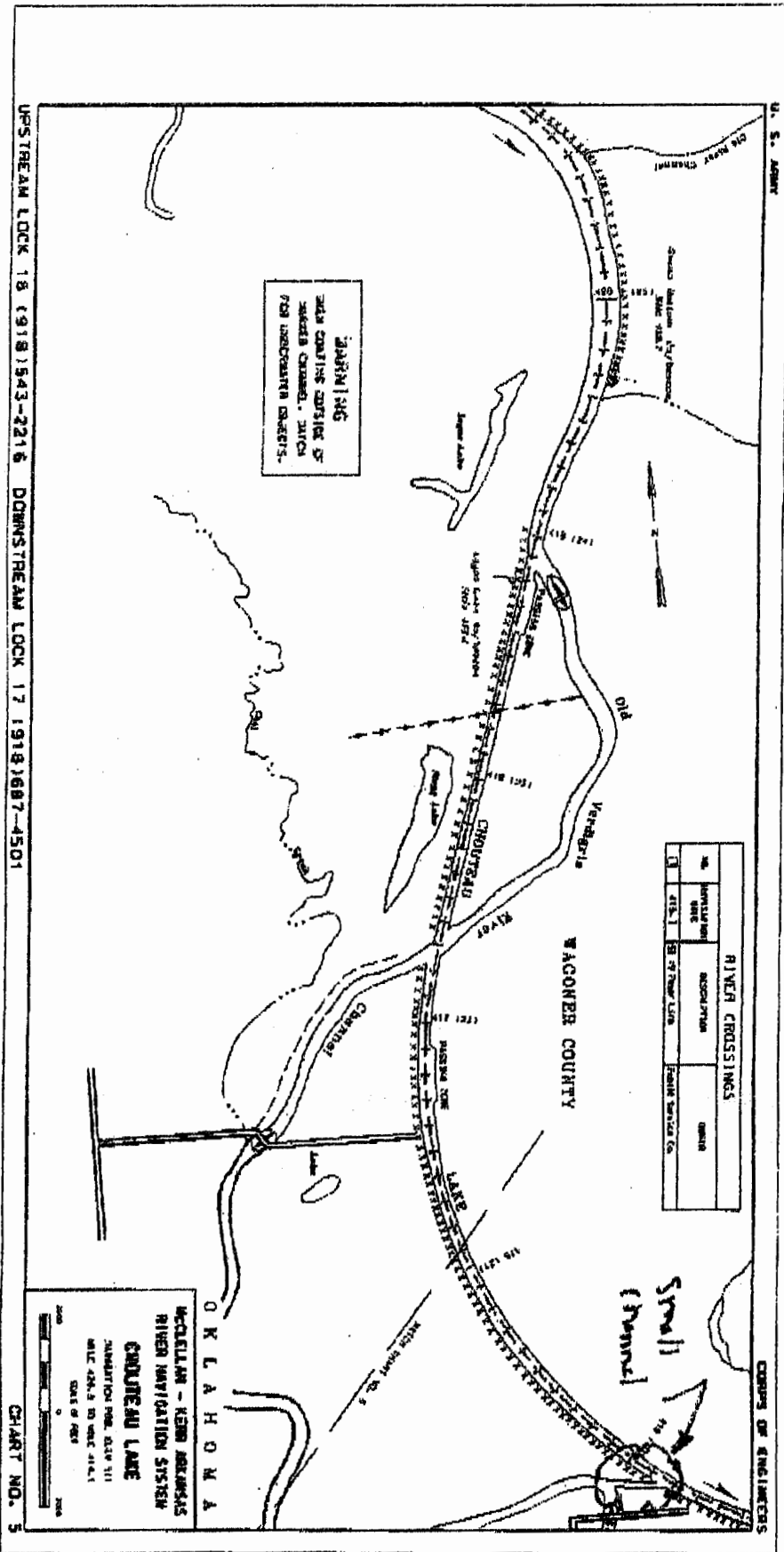
Sincerely,

Arvil Morgan, District Manager

WAGONER COUNTY RURAL WATER DISTRICT NO.5

cc: Jay Updike

cc: Steve Whitlock



U. S. ARMY

CORPS OF ENGINEERS

RIVER CROSSINGS			
NO.	DATE	DESCRIPTION	OWNER
1	1918	Verdigris Lock	U.S. Army
2	1918	Verdigris Lock No. 2	U.S. Army
3	1918	Verdigris Lock No. 3	U.S. Army
4	1918	Verdigris Lock No. 4	U.S. Army
5	1918	Verdigris Lock No. 5	U.S. Army
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49	1918	Verdigris Lock No. 49	U.S. Army
50	1918	Verdigris Lock No. 50	U.S. Army

WAGONER COUNTY
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(Legend)

B.3.5.7 Comments from State Agencies

ADEQ

ARKANSAS
Department of Environmental Quality

5/13/2005

Mr. Johnny Mclean
U.S. Army Corps of Engineers -- LR Dist.
Planning Branch
P.O. Box 867
Little Rock, Arkansas 72203-0867

RE: Draft Environmental Impact Statement and Draft Feasibility Report
for the Arkansas River Navigation Study

Dear Mr. Mclean:

The Arkansas Department of Environmental Quality has reviewed the information submitted in the referenced project. The Water Division offers the following comments:

It appears that all alternatives, other than "no action" may have some short-term, adverse effect on water quality. The Water Division asks that the U.S. Army Corps of Engineers consider the option that will have the least impact on the environment and still provide an improvement in the river system for barge traffic and safety.

The Water Division further asks that the Corps utilize the proper Best Management Practices and controls to reduce the impacts of turbidity and siltation in the Arkansas River.

Thank you for the opportunity to participate in this process, and if you have any questions or concerns, please contact me at (501) 682-0947.

Sincerely,
Nathaniel P. Nehus
Chief Ecologist

cc: Martin Maner, Chief, Water Division

Arkansas Game & Fish Commission

2 Natural Resources Drive Little Rock, Arkansas 72205

Forrest Wood
Chairman
Flippin

Mike Freeze
Vice-Chairman
England

Sheffield Nelson
Little Rock

Sonny Varnell
St. Paul



Scott Henderson
Director

Freddie Black
Lake Village

Brett Morgan
Little Rock

John Benjamin
Glenwood

Dr. Kim Smith (Ex-Officio)
University of Arkansas
Fayetteville

June 3, 2005

Mr. Johnny McClean
U. S. Army Corps of Engineers
Little Rock District
Environmental Planning Section
P. O. Box 867
Little Rock, AR 72203-0867

Dear Mr. McClean:

The Arkansas Game and Fish Commission (AGFC) has reviewed the Draft Environmental Impact Statement (DEIS) and Feasibility Study for the Arkansas River Navigation Project. The purpose of this letter is to provide Arkansas Game and Fish Commission comments to the DEIS. We would like to commend the effort that you and the U. S. Army Corps of Engineers (Corps) staff exhibited given the limited time provided to deal with multiple complex resource issues. The AGFC and the Little Rock District Corps of Engineers (LRCOE) have enjoyed a productive working relationship, and we have worked closely during this study.

This navigation study identified major impacts to the aquatic environment; including dredge spoil placement in aquatic habitat, gravel bar removal, increase in sedimentation associated with river training structures, and the dredging of freshwater mussel beds. We agree that mitigation for the adverse impacts to the aquatic environment is required.

Our agency is concerned the proposed plan does not fully mitigate for the identified 566 habitat units of aquatic impacts in Arkansas. We feel that mitigation funding should be appropriated within the same funding cycle, and prorated in proportion to funding for implementing the navigation project. We also feel that the \$11,644,000 will be inadequate for funding the proposed mitigation measures listed below:

Phone: 501-223-6300 Fax: 501-223-6448 Website: www.agfc.com

The mission of the Arkansas Game and Fish Commission is to wisely manage all the fish and wildlife resources of Arkansas while providing maximum enjoyment for the people.

- We request the option of using terrestrial disposal sites with low wildlife habitat values to be more fully considered as a mitigation feature in Arkansas.
- Our agency requires mitigation for all impacts to freshwater mussels.
- The Corps has approved a few mitigation areas where the entrance chute to backwaters will be dredged. We believe that very little mitigation will be realized if the chutes are not maintained regularly over the life of the project; therefore, we would request annual maintenance.
- Side channel and old channel cutoff restoration projects should be included as mitigation features.
- Water level management plans for each navigation pool should be developed for fisheries as part of the mitigation package.
- We would like for the Corps to evaluate the possibility of redistributing any woody debris removed from the channel during the proposed project and to relocate it in areas that would enhance fisheries habitat.
- Mitigation is needed for construction of nursery ponds and moist soil units.
- Long-term monitoring plans and associated costs need to be revised based upon recommendations from resource agencies and a scientific review panel.
- We request a clear explanation of the mechanisms and procedures that will allow mitigation funding for unanticipated impacts identified by long-term monitoring.

Since the DEIS was released, we have had meetings with the Corps to discuss the proposed methods for determining impacts to aquatic habitats. The calculations were not accurate and need revision. Dredging into backwaters for boating and fish access should not result in unreasonably high mitigation credits, as proposed. We request a summary of mitigation and dredging by pool.

As previously requested, our agency would like a National Ecosystem Restoration Plan to be developed at 100% federal expense. This plan is separate and independent from the mitigation plan. We agree with the U. S. Fish and Wildlife Service (USFWS) request that the Corps seek congressional authorization and funding for an Environmental Management Program (EMP) to perform long-term monitoring studies and mitigation.

We appreciate the Corps conducting several environmental studies as part of the navigation study, including mussel surveys, gravel bar surveys, geomorphic assessments, fisheries surveys, and hydrological modeling. These studies did increase our knowledge of the river and aided in developing recommendations to avoid and minimize project impacts. We thank you for the opportunity to comment on the Arkansas River Navigation Study DEIS, and we look forward to working with the Corps on this proposed project.

Sincerely,



Scott Henderson,
Director



The Department of
**Arkansas
Heritage**

Mike Huckabee, Governor
Cathie Matthews, Director

Arkansas Arts Council

Arkansas Historic
Preservation Program

Delta Cultural Center

Historic Arkansas Museum

Mosaic Templars
Cultural Center

Old State House Museum



**Arkansas Natural
Heritage Commission**

1500 Tower Building
323 Center Street
Little Rock, AR 72201
(501) 324-9619
fax: (501) 324-9618
tdd: (501) 324-9811

e-mail: info@arkansasheritage.org
website:

<http://naturalheritage.com>

An Equal Opportunity Employer



Date: June 16, 2005
Subject: Draft Environmental Impact Statement
Arkansas River Navigation Study
ANHC No.: F-COEL-05-035

Mr. Johnny McLean
Little Rock District Corps of Engineers
P.O. Box 867
Little Rock, AR 72203-0867

Dear Mr. McLean:

Staff members of the Arkansas Natural Heritage Commission have reviewed the Draft Environmental Impact Statement (DEIS) for the Arkansas River Navigation Study. The Corps of Engineers proposes to maintain and improve the navigation channel in order to enhance commercial navigation on the McClellan-Kerr Navigation System (MKARNS). Of the alternatives investigated, Alternative E was selected for implementation. This alternative calls for the following: 1) The Flow Management-Operations Only Component which entails modifying the current operations plan to better meet the proposed action by reducing the number of days when river flows exceed 100,000 cfs at Van Buren, 2) Navigation Channel Deepening to 12 feet from the Mouth of the project to Catoosa, Oklahoma, and 3) Navigation Channel Depth Maintenance which would add river training structures, and dredge disposal sites in order to maintain the navigation channel.

A review of our database indicates the occurrence of a number of species of special concern within the project area. Most of these were appropriately addressed in the DEIS. A brief discussion of each major group follows:

Invertebrates:

The following additional "state concern invertebrates" should be added to the list that appears in the DEIS:

Tiger beetles

Cicindela hirticollis, beach-dune tiger beetle (S2S3)

Cicindela lepida, a tiger beetle (S2S3)

Cicindela macra, sandy stream tiger beetle (S2S3)

Mussels:

Anodonta suborbiculata, flat floater (S3, watchlist)

Arcidens confragosus, rock Pocketbook (S3, watchlist)

Lampsilis siliquoidea, fatmucket (S3)

Obovaria olivaria, hickorynut (S3)

Pleurobema cordatum, Ohio pigtoe (S1)

Strophitus undulatus, creeper (S3, watchlist)

Truncilla donaciformis, fawnsfoot (S3, watchlist)
Utterbackia imbecillis, paper pondshell (S3S4, watchlist)

Three species of tiger beetles have been recorded on sandbars along the river. It is unlikely that the project will adversely impact these species. The mussel survey conducted for the study found eight species of state concern (listed above). The species labeled “watchlist” indicate a lesser level of concern, although available information suggests declining populations. As mitigation is developed for impacts to mussels, the sensitive status of these species in the state should be taken into consideration. Project impacts to mussels are of particular concern to this agency. Freshwater mussels, as a group, are showing significant declines.

Fish:

The following additional “state concern fish” should be added to the list that appears in the DEIS:

Atractosteus spatula, alligator gar (S2?)
Cyprinus elongatus, blue sucker (S2)

Habitat needs for these species should be considered in mitigation development.

Herptiles (Amphibians and Reptiles)

All sensitive herptiles listed for the project area have been appropriately addressed in the DEIS.

Birds:

Three bird species of concern have been recorded in the project area. All have been addressed in the DEIS. Impacts to the federally endangered interior least tern (*Sterna antillarum athalassos*) are of most concern to this agency. Least terns utilize relatively barren sandbars along the river for nesting. The Corps proposes a strategy that includes increased coordination with the U.S. Fish and Wildlife Service (USFWS), annual monitoring of nesting terns, maintenance of existing habitat, establishment of constructed habitat, and overall monitoring of sandbar habitat. The Corps will produce annual reports on tern nesting to be submitted to the USFWS by December 31 each year, and, after three years of monitoring, a report on sandbar habitat. We would like to be added to the list of agencies receiving these reports.

It should be noted that a bald eagle (*Haliaeetus leucocephalus*) nest was reported in 2003 for Ozark Lake on Arbuckle Island Cutoff (approximate River Mile 280). This site is delineated as a disposal area (AR279.5L-D). The nesting site was reported at the extreme southern tip of the disposal area (see attached aerial). If still active, this location should be protected from dredge deposition.

Mammals:

All sensitive mammals listed for the project area have been appropriately addressed in the DEIS.

Plants

Tissue sedge (*Carex hyalina*) may be removed from the list of state sensitive species. Recent inventory indicates the species is secure and does not warrant "sensitive species" status. Also, a taxonomic revision has changed the scientific name of lax hornpod from *Cynoctonum mitriola* to *Mitreola petiolata*. It appears unlikely that the project would have significant impacts to most of the known occurrences of state sensitive plants in the project area. However, we are concerned about a location supporting lax hornpod (*Mitreola petiolata*) and hairy water-fern (*Marsilea vestita*) at approximate River Mile 123 (ARD123.3R-D) in Pulaski County. These plants have been recorded growing in an area identified as an existing approved dredge disposal site. Although identified as a disposal site, the area has not been used in recent years. Should the site be needed for disposal of material, we request coordination in advance so that measures to avoid, minimize, or mitigate impacts to these state concern plants can be devised.

The opportunity to comment is appreciated.

Sincerely,



Cindy Osborne
Data Manager

Enclosure: Aerial showing bald eagle nest location

WILDLIFE CONSERVATION COMMISSION

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BRAD HENRY, GOVERNOR
GREG D. DUFFY, DIRECTOR

DEPARTMENT OF WILDLIFE CONSERVATION

1801 N. LINCOLN

P.O. BOX 53465

OKLAHOMA CITY, OK 73105

PH. 521-3851

June 15, 2005

Mr. Johnny McClean
US Army Corps of Engineers
Environmental Section
PO Box 867
Little Rock, Arkansas 77203-0867

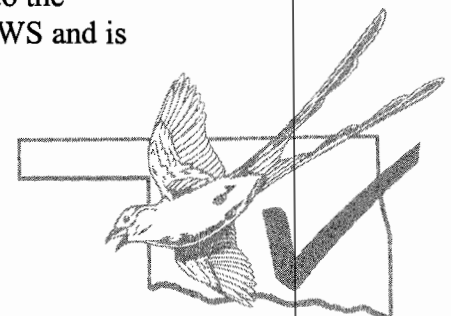
Re: Response to Arkansas River Navigation Study Draft EIS

Dear Mr. McClean,

This is in response to the draft Environmental Impact Statement (EIS) for the Arkansas River Navigation Study (ARNS). The Oklahoma Department of Wildlife Conservation (ODWC) has been working cooperatively with the US Army Corps of Engineers (USACE), the US Fish and Wildlife Service (USFWS) and other members of the working group to assess potential impacts resulting from the ARNS and to provide input into the mitigation plan.

The project area consists of 445 miles of the Arkansas River Navigation System in Arkansas and Oklahoma and encompasses numerous multi-purpose reservoirs. The purpose of the current operating plan for the navigation system is to optimize benefits for navigation, flood control, water supply, fish and wildlife, hydropower, and recreation while minimizing adverse impacts to the environment, farmland, and fish and wildlife resources.

In general, the draft EIS reflects ODWC concerns, many of which have been previously addressed and incorporated into the draft EIS dated April 2005. Because of the abbreviated deadline, some issues could not be satisfactorily addressed, including impacts to freshwater mussels, compensatory mitigation, long term monitoring, and sediment contamination. The specifics of these concerns are reflected in the attached letter to the USFWS dated June 15, 2005. This letter provides input into the Coordination Act Report (CAR) which has been submitted by the USFWS and is contained within the EIS.



Search for the Scissortail
on Your State Tax Form

Thank you for the opportunity to review the EIS and participate in the planning phase of this project. If questions persist, please do not hesitate to call the ODWC Natural Resources Section at (405)521-4663.

Sincerely,

A handwritten signature in black ink, appearing to read "Greg D. Duffy". The signature is fluid and cursive, with the first name "Greg" being the most prominent.

Greg D. Duffy,
Director

cc: Miles Tolbert, Oklahoma Secretary of the Environment
USFWS
ODWC Fish Division
ODWC Wildlife Division

WILDLIFE CONSERVATION COMMISSION



BRAD HENRY, GOVERNOR
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1801 N. LINCOLN P.O. BOX 53465 OKLAHOMA CITY, OK 73105 PH. 521-3851

June 16, 2005

Mr. Richard Stark
US Fish and Wildlife Service
Oklahoma Ecological Services
222 S. Houston, Ste A
Tulsa, OK 74127

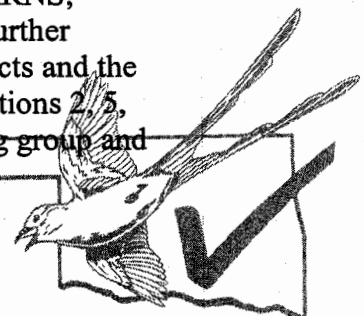
Re: Arkansas River Navigation System (ARNS) Study response to the Draft Coordination Act Report (CAR)

Dear Mr. Stark,

This is in response to the draft CAR submitted to the Oklahoma Department of Wildlife Conservation (ODWC) for review on June 8, 2005. The final CAR will be included in the US Army Corp of Engineers (USACE) feasibility report on the Arkansas River Navigation System (ARNS) project. The final CAR will identify the effects of the proposed actions on fish and wildlife resources within the project area, provide recommendations to appropriately compensate for unavoidable impacts to fish and wildlife resources, and provide recommendations conducive to maintaining the value of the fish and wildlife resources associated with the navigation system. The CAR reflects the fish and wildlife issues of concern to ODWC as modified by the following comments.

In September 2004, a draft CAR was reviewed and comments were provided by the ODWC to the USFWS along with a copy of the August 2004 correspondence to the USACE concerning revisions to the scope of the Environmental Impact Statement (EIS). These comments have been adequately incorporated into both the draft EIS dated April 2005 and the draft CAR. However, incomplete aquatic impacts analysis and mitigation plan provisions remain significant deficiencies of the CAR. It is understood by the ODWC that these issues will be addressed as a supplement to the CAR.

The ODWC concurs with the position of the USFWS concerning the ARNS, mitigation goals and recommendations as set forth in the CAR. The ODWC further agrees with and supports the compensatory mitigation plan for terrestrial impacts and the identification of potential aquatic impacts. The ODWC supports recommendations 2, 3, 7, 8, 9 and believe these issues have been adequately addressed by the working group and in the CAR. However, several issues continue to persist and are listed below:



1. **The ODWC supports the designation of Pool 15 as a mussel sanctuary and will continue to work cooperatively with the USACE in this matter.** Impacts to mussel populations and associated mitigation efforts have been addressed in a letter from the USFWS to the USACE dated May 11, 2005. This letter was in response to a report prepared by Ecological Specialists, Inc. (ESI) based on a study that was conducted to determine unionid distribution and species composition in the navigation system. In general, the mitigation recommendations provided by the USFWS appear to be adequate to help avoid and minimize project impacts to freshwater mussels.

2. **The final mitigation plan should include fully funded, long-term monitoring efforts for the life of the project (approximately 50 years) and should be modeled after the concept paper in appendix C of the CAR.** Further, a mitigation bank should be fully funded to compensate for aquatic and terrestrial long term impacts. Such funds should be available for maintaining all mitigation measures for the life of the project. All funds should be appropriated at the beginning of the project to insure that mitigation recommendations are met. The following recommendations are in response to specific language in the CAR and the need for compensatory mitigation and long term monitoring:

a. **Page 167, paragraph 2: The USACE should attempt to restore all gravel habitat removed during the construction process; however, it is unlikely the USACE will be able to maintain the quantity and quality of gravel habitats necessary to fully mitigate for losses.** The USFWS states "The Service believes that through project design and modifications and mitigation, these gravel habitats can be conserved and possibly even restored to many locations along the river. Relocation efforts should be followed with long-term monitoring and adaptive management to ensure mitigation features can provide both conservation and restoration of these habitats within this system." Current plans call for the USACE to place gravel behind notches in dikes or to over-dredge within the channel and backfill with gravel at a lower depth. It is likely that only small areas of gravel habitat will be maintained behind notches in dikes due to annual variability in hydrologic conditions. Further, in-channel restorations are unlikely to succeed due to changes in the hydraulic conditions caused by dredging the channel to a deeper depth.

The ODWC does support the proposed gravel restoration efforts if proper long-term monitoring studies are conducted to evaluate the quantity and quality of restoration attempts and if a mitigation bank is set up during initial funding to mitigate for unsuccessful mitigation events. If gravel restoration efforts fail, the funds in the mitigation bank should be used to restore stream and reservoir habitat located outside of the navigation channel but within the overall navigation system.

b. **Page 177: Long term monitoring should be conducted throughout the life of the project.** The table on page 177 recommends a shorter period (less than 5 years) for long-term monitoring of gravel restoration projects, substrate boring and classification, and substrate profiling. This recommendation should be changed to reflect a longer monitoring period of at least 10 to 20 years or a 50-year flood event.

c. **Pages 192 and 193:** The ODWC supports recommendation 12, however, long term monitoring should be defined as the life of the project which is 50 years.

e. **The USACE should obtain additional agricultural land and license it to the ODWC for dredged material disposal sites.** The ODWC should have an opportunity to review and provide input into the location of the disposal pits, associated access roads, and any necessary mitigation. .

f. **Operation and maintenance of constructed wetlands and bottomland hardwood forests should be funded annually by the USACE.** Mitigation options at disposal sites 379.1 L-DI and 389.7 L-DI were previously agreed upon by cooperating agencies; however the CAR does not specify funding for operation and maintenance.

d. **A Memorandum of Understanding (MOU) between USACE, USFWS, ODWC and other appropriate entities should be employed to help ensure funding for mitigation and long term monitoring will be available for the duration of the project.** This MOU should contain a funding plan for mitigation, long term monitoring and a means of communication among cooperating agencies.

3. **Page 188: Recommendation 4 suggests further contaminant analysis of the dredged material will be performed by the USACE in order to minimize environmental and human health impacts. The CAR should contain additional language that describes: 1) a short term and long term monitoring plan for dredging activities and 2) an emergency response protocol for sites located near the Sequoyah Fuels Corporation industrial site (SFP) in Gore, Oklahoma and other areas of interest within the project boundaries.** The SFP and other areas of interest will require additional sediment sampling to assess the extent that dredging activities will cause resuspension and dispersal of contaminants into the ecosystem . More specific methodology and parameters to address these issues can be agreed upon in a Memorandum of Understanding (MOU) between the USACE and cooperative agencies .

Of particular concern is the SFP which is a decommissioned uranium conversion facility. The facility's primary function during operation was to convert uranium oxide into uranium hexafluoride and further processed into fuel resources for commercial nuclear power reactors. Although the plant has been decommissioned,

there continues to be an industrial discharge which includes but is not limited to raw water basin overflow, process area storm water, storm water overflow from the South Yellowcake sump emergency overflow and Calcium Fluoride Clarifier overflow, the laundry, storm water runoff from an on site building, pond no. 2, solid waste burial areas and facility grounds. The outfall is a commingled outfall that discharges into the Illinois River upstream of the confluence with the Arkansas River.

Recently, Sequoyah Fuels Corporation applied for an industrial wastewater discharge permit renewal. Changes from the previous permit include the addition of discharge limits for Uranium and Thorium 230, a monitoring requirement for Chemical Oxygen Demand (COD), technology based limit for TSS, an effluent monitoring requirement for Total Selenium, and background monitoring requirements for Cadmium and Total Mercury. Except for these supplemental requirements, existing monitoring and parameter requirements will remain the same. The new discharge limits are based on the results of a pollutant screen submitted by the discharger and reflect pollutants found in the water column. Other documentation assesses land application of Raffinate and other potential pathways for contaminants. Based on this and other historical information, it is likely that contaminants remain on site and thus, plausible pathways may still exist.

Due to new recommended discharge limits, and lack of current baseline data, the USACE should implement a work plan for sediment analysis in accordance with Annual Book of ASTM Standards (Volume 11.05) and/or *EPA Methods for Collection, Storage and Manipulation of Sediments for Chemical and Toxicological Analyses: Technical Manual* (EPA-823-B-01-002). Sample locations should include at a minimum sites above, below, and adjacent to the SFP sufficient to capture the extent of pollutant dispersal into the water column and sediment deposition. Baseline data should be collected prior to, concurrent with, and upon completion of dredging activities. This monitoring effort is a proactive attempt at preventing contaminants from being released into the ecosystem. While the USACE is not responsible for the source, a release of contaminants from dredging activities could result in delayed completion of the proposed ARNS project, emergency remediation, restoration and loss and/or injury to fish and other wildlife resources.

Appendix E of the EIS contains information regarding USACE sediment sampling and testing. During a sediment study conducted along the ARNS, samples were analyzed for the following parameters: semi-volatile organics, organics, organochlorine pesticides, PCBs, total cyanide, TOC, total metals (As, Ba, Cd, Cu, Cr, Pb, Fe, Mn, Hg, Ag, Se and Zn). Additional parameters to be monitored at the SFP location should include a Nitrogen series, Uranium, Thorium 230, Radium 226, other radio-isotopes if deemed appropriate.

4. **Page 182:** In order to enhance recreational opportunities, the USACE should install fishing piers located on National Wildlife Refuge's (NWRs), Wildlife Management Areas (WMAs) and local government owned property.

5. **Pages 193 and 194:** The ODWC supports recommendations 13, 14, 15, and 16, but feels that the following language should be incorporated into the last sentence of number 13: "scrubbing stations for zebra mussel control should be constructed at appropriate locations on all reservoirs that support the navigation system".

6. **Page 188:** The ODWC supports recommendation number 1; however, specific language needs to be included that indicates minimum flow releases will be conducted in a manner that maintains water quality standards set by the Oklahoma Water Resources Board (OWRB).

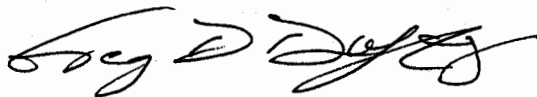
7. **Lake level management plans should be developed for affected Oklahoma reservoirs in coordination with the ODWC.** Above normal water levels could have an effect on the composition of vegetation available to wildlife on ODWC WMAs. Further, increased water levels could have a derogatory effect on leased agricultural land by decreasing crop yield available for revenue and to wildlife. Further, fluctuating water levels in reservoirs affected by ARNS could have detrimental reproduction and recruitment effects on fisheries resources. These impacts can be ameliorated with properly developed water level management plans.

In general, the ODWC agrees with the contents of the CAR; however significant issues still persist. While most issues have been adequately addressed and incorporated into the CAR, a complete mitigation plan, long term monitoring and sediment analysis for contaminants remain deficient. Therefore, the ODWCs position on this matter is summarized as follows:

- In general, the ODWC supports the contents of the CAR
- Although the ODWC supports the contents of the CAR, significant deficiencies remain as a result of an expedited time schedule for the project.
- Deficiencies include impacts to freshwater mussels, incomplete mitigation plan, lack of a long term monitoring plan and agreed upon time frame for such monitoring, sediment sampling for contaminants analysis, and funding commitment by the USACE for mitigation and long term monitoring
- The ODWC will concur with the CAR contingent upon the following commitments from the USACE:
 - a commitment from the USACE that mussel sanctuaries will be considered and established in agreed upon areas of the navigation system
 - a commitment by the USACE that the deficiencies in the CAR will be resolved by the USACE and approved by all cooperative agencies
 - a commitment from the USACE that all mitigation, mitigation banking, and long term monitoring will be implemented

- a commitment from the USACE and USFWS that issues unable to be resolved at the time of concurrence by the ODWC will be provided as a supplement at a later date and incorporated into the CAR

Thank you for the opportunity to review the CAR and provide comments. If questions arise, please do not hesitate to call the ODWC Natural Resources Section at (405)521-4663



Greg D. Duffy,
Director

cc: Miles Tolbert, Oklahoma Secretary of the Environment
USACE, Tulsa District
USACE, Little Rock District



Oklahoma Historical Society

Founded May 27, 1893

State Historic Preservation Office • 2704 Villa Prom • Shepherd Mall • Oklahoma City, OK 73107-2441
Telephone 405/521-6249 • Fax 405/947-2918

June 21, 2005

Mr. Ron Carman
CESWL-PR-P
Dept. of the Army Corps of Engineers
P.O. Box 867
Little Rock, AR 72203-0867

RE: File #0353-05: Draft Environmental Impact Statement and Draft Feasibility Report, Arkansas River Navigation Study; Arkansas and Oklahoma

Dear Mr. Carman:

We have reviewed the referenced report concerning deepening of the Arkansas River Navigation Channel to a depth of 12 feet to improve movement of barge traffic. This is the action currently proposed by the CORPS based on cost benefit ratio of the previously presented options.

Regardless of which action is selected, any change to the Arkansas River corridor has the potential to affect archeological and historic properties eligible for the National Register of Historic Places.

As one example, the current proposal of deepening the channel has the potential of increasing not only the size but frequency of barge traffic. The anticipated increase in wave damage to existing shorelines as suggested by the U.S. Fish and Wildlife Service (e.g. Vol. 2, U.S.F.W.S. page 157) not only has the potential of adversely impacting important wildlife habit, but will directly impact a multitude of archeological sites known to exist along the Arkansas River based on past surveys. As presented in Tables 4-20 through 4-34, most of these archeological sites have not been properly assessed for National Register eligibility. Others currently identified as eligible for listing in the National Register will be similarly affected as well.

It appears that the project will also result in an increased need for dredged material disposal sites. Locations selected could also contain eligible prehistoric and historic archeological sites. Until such locations have undergone adequate assessment, the potential for impacting National Register of Historic Places eligible properties remains unanswered, although such is quite likely judging from past surveys of the Arkansas River corridor.

The current document does not include a draft Programmatic Agreement for Oklahoma, but one for Arkansas (Vol. 2, Appendix D.2). We look forward to reviewing Oklahoma's version when available for comment.

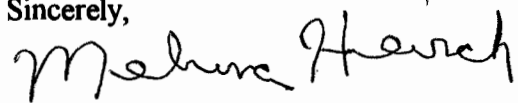
Should further correspondence pertaining to this project be necessary, the above underlined file number must be referenced. Thank you.

Mr. Carman
June 21, 2005
Page 2

RE: File #0353-05

If you have any questions, please contact Charles Wallis of my staff at 405/521-6381. Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Melvena Heisch".

Melvena Heisch
Deputy State Historic
Preservation Officer

MH:

cc: Robert Brooks, State Archeologist



**The Department of
Arkansas
Heritage**

May 12, 2005

Ms. Patricia Anslow
Deputy Chief, Planning, Environmental & Regulatory Division
Little Rock District Corps of Engineers
Post Office Box 867
Little Rock, Arkansas 72203-0867

Mike Huckabee, Governor
Cathie Matthews, Director

RE: Multi County - General
Section 106 Review - COE
Arkansas River Navigation Study
AHPP Tracking No: 53641

- Arkansas Arts Council
-
- Arkansas Natural Heritage Commission
-
- Delta Cultural Center
-
- Historic Arkansas Museum
-
- Mosaic Templars Cultural Center
-
- Old State House Museum

Dear Ms. Anslow:

My staff has reviewed the draft Environmental Impact Statement (EIS) regarding the above-referenced undertaking. Of particular concern to us is the effect that this undertaking may have on historic resources submerged in the Arkansas River. Because no under water surveys have been conducted to locate submerged ship wrecks, we recommend that such a survey of the areas slated for dredging be completed. New spoil disposal areas (or additions to existing disposal areas), areas slated for construction or modification to dikes and revetments should be surveyed. A report of that work that meets the standards contained in "A State Plan for the Conservation of Archeological Resources in Arkansas" should be submitted to this office for review prior to project implementation.

Thank you for the opportunity to comment on this undertaking. If you have any questions, please contact Steve Imhoff of my staff at (501) 324-9880.

Sincerely,

Ken Grunewald
Deputy State Historic Preservation Officer

cc: Ms. Margaret Bell, Wichita & Affiliated Tribes
Mr. Robert Cast, Caddo Tribe of Oklahoma
Dr. Ann M. Early, Arkansas Archeological Survey
Mr. Anthony Whitehorn, Osage Nation
Ms. Carrie V. Wilson, Quapaw Tribe of Oklahoma



**Arkansas Historic
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