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# **Three Rivers Southeast Arkansas Study**

## *Appendix H: Correspondence*

# **THREE RIVERS SOUTHEAST ARKANSAS**

## **Introduction**

The Three Rivers Study, which encompasses the confluence of the Arkansas and White rivers with the Mississippi River in southeast Arkansas, is being conducted by the U. S. Army Corps of Engineers (USACE) to study the McClellan-Kerr Arkansas River Navigation System (MKARNS) in an effort to seek a long-term sustainable navigation system that promotes the continued safe and reliable economic use of the MKARNS.

There is a risk of breach of the existing containment structures near the entrance channel to the MKARNS on the White River. During high water events, water backing up the Mississippi can create significant head differentials between the Arkansas and the White rivers. The existing containment structures are subject to damaging overtopping, flanking and seepage that could result in a catastrophic breach. The uninhibited development of a breach, or cutoff, has the potential to create various navigation hazards, increase the need for dredging, and adversely impact an estimated 200 acres of bottomland hardwood forest in the isthmus between the Arkansas and White rivers.

## **Stage of Planning Process**

This is a feasibility study. A planning Charette was conducted in September 2015, and an Alternatives Milestone Meeting was completed in December 2015. The study is in the Alternative Formulation and Analysis Phase. Utilizing a reasonable level of detail, the PDT has analyzed, compared, and evaluated the array of alternatives to identify a Tentatively Selected Plan.

## **Study Authority**

Section 216, Flood Control Act of 1970 (Public Law 91-611) authorizes a feasibility study due to examine significantly changed physical and economic conditions in the Three Rivers study area. The study will evaluate and recommend modifications for long-term sustainable navigation on the MKARNS. Section 216 of the Flood Control Act of 1970 (Public Law 91-611) states:

*"The Secretary of the Army, acting through the Chief of Engineers, is authorized to review the operation of projects the construction of which has been completed and which were constructed by the Corps of Engineers in the interest of navigation, flood control, water supply, and related purposes, when found advisable due to significantly changed physical or economic conditions, and to report thereon to Congress with recommendations on the advisability of modifying the structures or their operation, and for improving the quality of the environment in the overall public interest."*

## **Non-Federal Sponsor**

The Arkansas Waterways Commission is the non-federal sponsor for the Three Rivers Southeast Arkansas Study. An amended feasibility cost-sharing agreement was executed in June 2015.

## **Purpose**

Based on the Section 216 authority, the study is investigating alternatives that would minimize the risk of cut off development, including reducing the cost of maintenance associated with preventing cutoff development, while minimizing impacts to the surrounding ecosystem.

Congress of the United States  
Washington, DC 20515

September 10, 2014

The Honorable Shaun Donovan  
Director  
Office of Management and Budget  
725 17<sup>th</sup> Street, NW  
Washington, DC 20503

The Honorable Jo Ellen Darcy  
Asst. Secretary of the Army for Civil Works  
United States Army  
441 G Street, NW  
Washington, DC 20314

Dear Director Donovan & Secretary Darcy:

We write to express our strong support for the Three Rivers Study and to urge its inclusion in the FY16 budget of the U.S. Army Corps of Engineers. The study area is located at the confluence of the Mississippi, Arkansas, and White Rivers and is the starting point of the McClellan-Kerr Arkansas River Navigation System (MKARNS), which serves shippers in Arkansas, Oklahoma, Kansas, and beyond. We note that non-federal partners have indicated their readiness to cost-share this study.

The Three Rivers Study would investigate ongoing threats to regional navigation and a bottomland hardwood ecosystem at the confluence of these rivers. The MKARNS is under threat of a breach between navigation miles 3 and 8 on the White River. A failure to prevent the looming threat of a breach would likely cut-off navigation on the MKARNS for at least 100 days. The economic impact of such a disruption could easily reach into the hundreds of millions of dollars, including the loss of thousands of acres of wetlands.

The Three Rivers Study should investigate and address the serious hydrologic and hydraulic problems that threaten navigation, the ecosystem, flood risk reduction, and protection of the watershed to help ensure the continued viability of the MKARNS. Also, the nearby White River National Wildlife Refuge contains more than 100,000 acres of bottomland hardwood, which is the largest stand of bottomland hardwoods on any tributary to the Mississippi River. It provides a home for numerous threatened and endangered species. The health of this ecosystem will likely depend on the type of engineering solution that is identified for the Three Rivers problem.

With these concerns in mind, we write in support of the Three Rivers Study and ask that the Administration's FY2016 budget proposal include robust resources to provide for this important study as quickly as possible. Thank you, and we look forward to receiving your response.

Sincerely,



MARK PRYOR  
U.S. Senator



JOHN BOOZMAN  
U.S. Senator



JAMES INHOFE  
U.S. Senator



RICK CRAWFORD  
Member of Congress



TIM GRIFFIN  
Member of Congress



STEVE WOMACK  
Member of Congress



TOM COTTON  
Member of Congress



JIM BRIDENSTINE  
Member of Congress



MARKWAYNE MULLIN  
Member of Congress



FRANK LUCAS  
Member of Congress



TOM COLE  
Member of Congress



JAMES LANKFORD  
Member of Congress



**DEPARTMENT OF THE ARMY**  
**LITTLE ROCK DISTRICT CORPS OF ENGINEERS**  
**POST OFFICE BOX 867**  
**LITTLE ROCK, ARKANSAS 72203-0867**

(501) 324-5751 □ FAX: 501-324-5605 □ <http://www.swl.usace.army.mil>

July 30, 2015

Planning and Environmental Division  
Environmental Branch

Mr. Michael Sullivan  
U.S. Department of Agriculture  
700 West Capitol Ave., Room 3416, Federal Building  
Little Rock, AR 72201

Dear Mr. Sullivan,

The Army Corps of Engineers, Little Rock District, along with the Arkansas Waterways Commission is initiating the Three Rivers Study on the lower McClellan-Kerr Arkansas River Navigation System near the convergence of the Arkansas, White and Mississippi Rivers. The study is needed to investigate significant hydrologic and hydraulic problems that are threatening the Corps' mission areas of Navigation, Recreation, Flood Risk Management, as well as aquatic ecosystem habitat and existing infrastructure. This multipurpose study will evaluate impacts to navigation and all project purposes identified, develop alternatives for a long-term sustainable solution, and investigate opportunities for ecosystem restoration in the lower Arkansas-White River area.

The 2009 Draft Ark-White Cutoff General Re-evaluation Report documented that a full breach between the Arkansas and White rivers has a seven to 10 percent annual chance of occurrence. A breach would result in a significant cutoff channel that would affect navigation for more than 100 days, resulting in approximately \$300 million in lost navigation benefits commerce, as well as potential impacts to wetlands and pristine bottomland hardwood forest.

Your agency is invited to attend an Agency Kickoff Meeting on August 11, 2015 at the Arkansas Central Library, 100 River Market Avenue, Little Rock, AR., from 9:30 a.m. to noon, to learn more about the Three Rivers Study.

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Sincerely,

A handwritten signature in black ink that reads "Dana O. Coburn".

Dana O. Coburn  
Chief, Environmental Branch



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July 30, 2015

Planning and Environmental Division  
Environmental Branch

Mr. Michael P. Jansky  
U.S. Environmental Protection Agency, Region 6  
1445 Ross Avenue, Suite 1200, 6ENXP  
Dallas, TX 75202-2733

Dear Mr. Jansky,

The Army Corps of Engineers, Little Rock District, along with the Arkansas Waterways Commission is initiating the Three Rivers Study on the lower McClellan-Kerr Arkansas River Navigation System near the convergence of the Arkansas, White and Mississippi Rivers. The study is needed to investigate significant hydrologic and hydraulic problems that are threatening the Corps' mission areas of Navigation, Recreation, Flood Risk Management, as well as aquatic ecosystem habitat and existing infrastructure. This multipurpose study will evaluate impacts to navigation and all project purposes identified, develop alternatives for a long-term sustainable solution, and investigate opportunities for ecosystem restoration in the lower Arkansas-White River area.

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July 30, 2015

Planning and Environmental Division  
Environmental Branch

Ms. Jeanene Peckham  
U.S. Environmental Protection Agency, Region 6  
1445 Ross Avenue, Suite 1200  
Dallas, TX 75202-2733

Dear Ms. Peckham,

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July 30, 2015

Planning and Environmental Division  
Environmental Branch

Mr. Tony Robinson  
FEMA, Region VI  
FRC 800 North Loop 288  
Denton, TX 76209-3698

Dear Mr. Robinson,

The Army Corps of Engineers, Little Rock District, along with the Arkansas Waterways Commission is initiating the Three Rivers Study on the lower McClellan-Kerr Arkansas River Navigation System near the convergence of the Arkansas, White and Mississippi Rivers. The study is needed to investigate significant hydrologic and hydraulic problems that are threatening the Corps' mission areas of Navigation, Recreation, Flood Risk Management, as well as aquatic ecosystem habitat and existing infrastructure. This multipurpose study will evaluate impacts to navigation and all project purposes identified, develop alternatives for a long-term sustainable solution, and investigate opportunities for ecosystem restoration in the lower Arkansas-White River area.

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July 30, 2015

Planning and Environmental Division  
Environmental Branch

Ms. Cindy Dohner  
U.S. Fish and Wildlife Service  
1875 Century Boulevard  
Atlanta, GA 30345

Dear Ms. Dohner,

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Planning and Environmental Division  
Environmental Branch

Mr. Melvin Tobin  
U.S. Fish and Wildlife Service  
110 South Amity Road, Suite 300  
Conway, AR 72032

Dear Mr. Tobin,

The Army Corps of Engineers, Little Rock District, along with the Arkansas Waterways Commission is initiating the Three Rivers Study on the lower McClellan-Kerr Arkansas River Navigation System near the convergence of the Arkansas, White and Mississippi Rivers. The study is needed to investigate significant hydrologic and hydraulic problems that are threatening the Corps' mission areas of Navigation, Recreation, Flood Risk Management, as well as aquatic ecosystem habitat and existing infrastructure. This multipurpose study will evaluate impacts to navigation and all project purposes identified, develop alternatives for a long-term sustainable solution, and investigate opportunities for ecosystem restoration in the lower Arkansas-White River area.

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July 30, 2015

Planning and Environmental Division  
Environmental Branch

Mr. Jason Phillips  
U.S. Fish and Wildlife Service  
26320 Highway 33 South  
Augusta, AR 72006

Dear Mr. Phillips,

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July 30, 2015

Planning and Environmental Division  
Environmental Branch

Mr. Keith Weaver  
U.S. Fish and Wildlife Service  
26320 Highway 33 South  
Augusta, AR 72006

Dear Mr. Weaver,

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July 30, 2015

Planning and Environmental Division  
Environmental Branch

Mr. Bo Sloan  
U.S. Fish and Wildlife Service  
57 South CC Camp Road  
St. Charles, AR 72140

Dear Mr. Sloan,

The Army Corps of Engineers, Little Rock District, along with the Arkansas Waterways Commission is initiating the Three Rivers Study on the lower McClellan-Kerr Arkansas River Navigation System near the convergence of the Arkansas, White and Mississippi Rivers. The study is needed to investigate significant hydrologic and hydraulic problems that are threatening the Corps' mission areas of Navigation, Recreation, Flood Risk Management, as well as aquatic ecosystem habitat and existing infrastructure. This multipurpose study will evaluate impacts to navigation and all project purposes identified, develop alternatives for a long-term sustainable solution, and investigate opportunities for ecosystem restoration in the lower Arkansas-White River area.

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Planning and Environmental Division  
Environmental Branch

Mr. Reed Green  
U.S. Geological Survey  
401 Hardin Road  
Little Rock, AR 72211

Dear Mr. Green,

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Mr. David Friewald  
U.S. Geological Survey  
401 Hardin Road  
Little Rock, AR 72211

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Sincerely,

A handwritten signature in black ink that reads "Dana O. Coburn".

Dana O. Coburn  
Chief, Environmental Branch



**DEPARTMENT OF THE ARMY**  
**LITTLE ROCK DISTRICT CORPS OF ENGINEERS**  
**POST OFFICE BOX 867**  
**LITTLE ROCK, ARKANSAS 72203-0867**

(501) 324-5751 □ FAX: 501-324-5605 □ <http://www.swl.usace.army.mil>

July 30, 2015

Planning and Environmental Division  
Environmental Branch

Mr. Steven R. Spencer  
U.S. Department of the Interior  
1001 Indian School Road NW, Suite 348  
Albuquerque, NM 87104

Dear Mr. Spencer,

The Army Corps of Engineers, Little Rock District, along with the Arkansas Waterways Commission is initiating the Three Rivers Study on the lower McClellan-Kerr Arkansas River Navigation System near the convergence of the Arkansas, White and Mississippi Rivers. The study is needed to investigate significant hydrologic and hydraulic problems that are threatening the Corps' mission areas of Navigation, Recreation, Flood Risk Management, as well as aquatic ecosystem habitat and existing infrastructure. This multipurpose study will evaluate impacts to navigation and all project purposes identified, develop alternatives for a long-term sustainable solution, and investigate opportunities for ecosystem restoration in the lower Arkansas-White River area.

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July 30, 2015

Planning and Environmental Division  
Environmental Branch

Ms. Loretta B. Sutton  
U.S. Department of the Interior  
1849 C Street NW, (MS 2342)  
Washington, DC 20240

Dear Ms. Sutton,

The Army Corps of Engineers, Little Rock District, along with the Arkansas Waterways Commission is initiating the Three Rivers Study on the lower McClellan-Kerr Arkansas River Navigation System near the convergence of the Arkansas, White and Mississippi Rivers. The study is needed to investigate significant hydrologic and hydraulic problems that are threatening the Corps' mission areas of Navigation, Recreation, Flood Risk Management, as well as aquatic ecosystem habitat and existing infrastructure. This multipurpose study will evaluate impacts to navigation and all project purposes identified, develop alternatives for a long-term sustainable solution, and investigate opportunities for ecosystem restoration in the lower Arkansas-White River area.

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July 30, 2015

Planning and Environmental Division  
Environmental Branch

Mr. Environmental Coordinator  
National Park Service, Midwest Region  
601 Riverfront Drive  
Omaha, NE 68102-4226

Dear Mr. Coordinator,

The Army Corps of Engineers, Little Rock District, along with the Arkansas Waterways Commission is initiating the Three Rivers Study on the lower McClellan-Kerr Arkansas River Navigation System near the convergence of the Arkansas, White and Mississippi Rivers. The study is needed to investigate significant hydrologic and hydraulic problems that are threatening the Corps' mission areas of Navigation, Recreation, Flood Risk Management, as well as aquatic ecosystem habitat and existing infrastructure. This multipurpose study will evaluate impacts to navigation and all project purposes identified, develop alternatives for a long-term sustainable solution, and investigate opportunities for ecosystem restoration in the lower Arkansas-White River area.

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July 30, 2015

Planning and Environmental Division  
Environmental Branch

Mr. Cam Sholly  
National Park Service, Midwest Region  
601 Riverfront Drive  
Omaha, NE 68102

Dear Mr. Sholly,

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July 30, 2015

Planning and Environmental Division  
Environmental Branch

Mr. Everett Bandy  
Quapaw Tribe  
P.O. Box 765  
Quapaw, OK 74363-0765

Dear Mr. Bandy,

The Army Corps of Engineers, Little Rock District, along with the Arkansas Waterways Commission is initiating the Three Rivers Study on the lower McClellan-Kerr Arkansas River Navigation System near the convergence of the Arkansas, White and Mississippi Rivers. The study is needed to investigate significant hydrologic and hydraulic problems that are threatening the Corps' mission areas of Navigation, Recreation, Flood Risk Management, as well as aquatic ecosystem habitat and existing infrastructure. This multipurpose study will evaluate impacts to navigation and all project purposes identified, develop alternatives for a long-term sustainable solution, and investigate opportunities for ecosystem restoration in the lower Arkansas-White River area.

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July 30, 2015

Planning and Environmental Division  
Environmental Branch

Ms. Becky Keogh  
Arkansas Dept of Environmental Quality  
5301 Northshore Drive  
North Little Rock, AR 72118-5317

Dear Ms. Keogh,

The Army Corps of Engineers, Little Rock District, along with the Arkansas Waterways Commission is initiating the Three Rivers Study on the lower McClellan-Kerr Arkansas River Navigation System near the convergence of the Arkansas, White and Mississippi Rivers. The study is needed to investigate significant hydrologic and hydraulic problems that are threatening the Corps' mission areas of Navigation, Recreation, Flood Risk Management, as well as aquatic ecosystem habitat and existing infrastructure. This multipurpose study will evaluate impacts to navigation and all project purposes identified, develop alternatives for a long-term sustainable solution, and investigate opportunities for ecosystem restoration in the lower Arkansas-White River area.

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July 30, 2015

Planning and Environmental Division  
Environmental Branch

Mr. Tracy L. Copeland  
Department of Finance & Administration  
1515 West 7th Street, Room 305  
Little Rock, AR 72203

Dear Mr. Copeland,

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July 30, 2015

Planning and Environmental Division  
Environmental Branch

Mr. Doug Akin  
Arkansas Forestry Commission  
3821 W. Roosevelt Road  
Little Rock, AR 72204

Dear Mr. Akin,

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July 30, 2015

Planning and Environmental Division  
Environmental Branch

Mr. Mike Knoedl  
Arkansas Game and Fish Commission  
2 Natural Resources Drive  
Little Rock, AR 72205

Dear Mr. Knoedl,

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July 30, 2015

Planning and Environmental Division  
Environmental Branch

Ms. Jennifer Sheehan  
Arkansas Game and Fish Commission  
2 Natural Resources Drive  
Little Rock, AR 72205

Dear Ms. Sheehan,

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July 30, 2015

Planning and Environmental Division  
Environmental Branch

Ms. Bekki White  
Arkansas Geological Survey  
3815 West Roosevelt Road  
Little Rock, AR 72204

Dear Ms. White,

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July 30, 2015

Planning and Environmental Division  
Environmental Branch

Dr. Nathaniel Smith, MD, MPH  
Arkansas Department of Health  
4815 West Markham  
Little Rock, AR 72205

Dear Dr. Smith, MD, MPH,

The Army Corps of Engineers, Little Rock District, along with the Arkansas Waterways Commission is initiating the Three Rivers Study on the lower McClellan-Kerr Arkansas River Navigation System near the convergence of the Arkansas, White and Mississippi Rivers. The study is needed to investigate significant hydrologic and hydraulic problems that are threatening the Corps' mission areas of Navigation, Recreation, Flood Risk Management, as well as aquatic ecosystem habitat and existing infrastructure. This multipurpose study will evaluate impacts to navigation and all project purposes identified, develop alternatives for a long-term sustainable solution, and investigate opportunities for ecosystem restoration in the lower Arkansas-White River area.

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July 30, 2015

Planning and Environmental Division  
Environmental Branch

Mr. Jeff Stone  
Arkansas Department of Health  
4815 West Markham Street, Slot 37  
Little Rock, AR 72205-3867

Dear Mr. Stone,

The Army Corps of Engineers, Little Rock District, along with the Arkansas Waterways Commission is initiating the Three Rivers Study on the lower McClellan-Kerr Arkansas River Navigation System near the convergence of the Arkansas, White and Mississippi Rivers. The study is needed to investigate significant hydrologic and hydraulic problems that are threatening the Corps' mission areas of Navigation, Recreation, Flood Risk Management, as well as aquatic ecosystem habitat and existing infrastructure. This multipurpose study will evaluate impacts to navigation and all project purposes identified, develop alternatives for a long-term sustainable solution, and investigate opportunities for ecosystem restoration in the lower Arkansas-White River area.

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Sincerely,

A handwritten signature in black ink that reads "Dana O. Coburn".

Dana O. Coburn  
Chief, Environmental Branch



**DEPARTMENT OF THE ARMY**  
**LITTLE ROCK DISTRICT CORPS OF ENGINEERS**  
**POST OFFICE BOX 867**  
**LITTLE ROCK, ARKANSAS 72203-0867**

(501) 324-5751 □ FAX: 501-324-5605 □ <http://www.swl.usace.army.mil>

July 30, 2015

Planning and Environmental Division  
Environmental Branch

Mr. Chris Colclasure  
Arkansas Natural Heritage Commission  
323 Center Street, Suite 1500  
Little Rock, AR 72201

Dear Mr. Colclasure,

The Army Corps of Engineers, Little Rock District, along with the Arkansas Waterways Commission is initiating the Three Rivers Study on the lower McClellan-Kerr Arkansas River Navigation System near the convergence of the Arkansas, White and Mississippi Rivers. The study is needed to investigate significant hydrologic and hydraulic problems that are threatening the Corps' mission areas of Navigation, Recreation, Flood Risk Management, as well as aquatic ecosystem habitat and existing infrastructure. This multipurpose study will evaluate impacts to navigation and all project purposes identified, develop alternatives for a long-term sustainable solution, and investigate opportunities for ecosystem restoration in the lower Arkansas-White River area.

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Chief, Environmental Branch



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July 30, 2015

Planning and Environmental Division  
Environmental Branch

Mr. Scott Bennett  
Arkansas Highway and Transportation Department  
10324 Interstate 30  
Little Rock, AR 72203

Dear Mr. Bennett,

The Army Corps of Engineers, Little Rock District, along with the Arkansas Waterways Commission is initiating the Three Rivers Study on the lower McClellan-Kerr Arkansas River Navigation System near the convergence of the Arkansas, White and Mississippi Rivers. The study is needed to investigate significant hydrologic and hydraulic problems that are threatening the Corps' mission areas of Navigation, Recreation, Flood Risk Management, as well as aquatic ecosystem habitat and existing infrastructure. This multipurpose study will evaluate impacts to navigation and all project purposes identified, develop alternatives for a long-term sustainable solution, and investigate opportunities for ecosystem restoration in the lower Arkansas-White River area.

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Chief, Environmental Branch



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**LITTLE ROCK, ARKANSAS 72203-0867**

(501) 324-5751 □ FAX: 501-324-5605 □ <http://www.swl.usace.army.mil>

July 30, 2015

Planning and Environmental Division  
Environmental Branch

Mr. Richard W. Davies  
Arkansas Department of Parks and Tourism  
#1 Capitol Mall, Rm 4A-900  
Little Rock, AR 72201

Dear Mr. Davies,

The Army Corps of Engineers, Little Rock District, along with the Arkansas Waterways Commission is initiating the Three Rivers Study on the lower McClellan-Kerr Arkansas River Navigation System near the convergence of the Arkansas, White and Mississippi Rivers. The study is needed to investigate significant hydrologic and hydraulic problems that are threatening the Corps' mission areas of Navigation, Recreation, Flood Risk Management, as well as aquatic ecosystem habitat and existing infrastructure. This multipurpose study will evaluate impacts to navigation and all project purposes identified, develop alternatives for a long-term sustainable solution, and investigate opportunities for ecosystem restoration in the lower Arkansas-White River area.

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Dana O. Coburn  
Chief, Environmental Branch



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(501) 324-5751 □ FAX: 501-324-5605 □ <http://www.swl.usace.army.mil>

July 30, 2015

Planning and Environmental Division  
Environmental Branch

Mr. Matt McNair  
Arkansas Department of Parks and Tourism  
#1 Capitol Mall, Rm 4A-900  
Little Rock, AR 72201

Dear Mr. McNair,

The Army Corps of Engineers, Little Rock District, along with the Arkansas Waterways Commission is initiating the Three Rivers Study on the lower McClellan-Kerr Arkansas River Navigation System near the convergence of the Arkansas, White and Mississippi Rivers. The study is needed to investigate significant hydrologic and hydraulic problems that are threatening the Corps' mission areas of Navigation, Recreation, Flood Risk Management, as well as aquatic ecosystem habitat and existing infrastructure. This multipurpose study will evaluate impacts to navigation and all project purposes identified, develop alternatives for a long-term sustainable solution, and investigate opportunities for ecosystem restoration in the lower Arkansas-White River area.

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Dana O. Coburn  
Chief, Environmental Branch



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**LITTLE ROCK, ARKANSAS 72203-0867**

(501) 324-5751 □ FAX: 501-324-5605 □ <http://www.swl.usace.army.mil>

July 30, 2015

Planning and Environmental Division  
Environmental Branch

Ms. Frances McSwain  
Arkansas Historic Preservation Program  
1500 Tower Building, 323 Center Street  
Little Rock, AR 72201

Dear Ms. McSwain,

The Army Corps of Engineers, Little Rock District, along with the Arkansas Waterways Commission is initiating the Three Rivers Study on the lower McClellan-Kerr Arkansas River Navigation System near the convergence of the Arkansas, White and Mississippi Rivers. The study is needed to investigate significant hydrologic and hydraulic problems that are threatening the Corps' mission areas of Navigation, Recreation, Flood Risk Management, as well as aquatic ecosystem habitat and existing infrastructure. This multipurpose study will evaluate impacts to navigation and all project purposes identified, develop alternatives for a long-term sustainable solution, and investigate opportunities for ecosystem restoration in the lower Arkansas-White River area.

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Dana O. Coburn  
Chief, Environmental Branch



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(501) 324-5751 □ FAX: 501-324-5605 □ <http://www.swl.usace.army.mil>

July 30, 2015

Planning and Environmental Division  
Environmental Branch

Mr. J. Randy Young  
Arkansas Natural Resources Commission  
101 E. Capitol Avenue, Suite #350  
Little Rock, AR 72201-3827

Dear Mr. Young,

The Army Corps of Engineers, Little Rock District, along with the Arkansas Waterways Commission is initiating the Three Rivers Study on the lower McClellan-Kerr Arkansas River Navigation System near the convergence of the Arkansas, White and Mississippi Rivers. The study is needed to investigate significant hydrologic and hydraulic problems that are threatening the Corps' mission areas of Navigation, Recreation, Flood Risk Management, as well as aquatic ecosystem habitat and existing infrastructure. This multipurpose study will evaluate impacts to navigation and all project purposes identified, develop alternatives for a long-term sustainable solution, and investigate opportunities for ecosystem restoration in the lower Arkansas-White River area.

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Dana O. Coburn  
Chief, Environmental Branch



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**LITTLE ROCK, ARKANSAS 72203-0867**

(501) 324-5751 □ FAX: 501-324-5605 □ <http://www.swl.usace.army.mil>

July 30, 2015

Planning and Environmental Division  
Environmental Branch

Mr. Edward Swaim  
Arkansas Natural Resources Commission  
101 E. Capitol, Suite 350  
Little Rock, AR 72201

Dear Mr. Swaim,

The Army Corps of Engineers, Little Rock District, along with the Arkansas Waterways Commission is initiating the Three Rivers Study on the lower McClellan-Kerr Arkansas River Navigation System near the convergence of the Arkansas, White and Mississippi Rivers. The study is needed to investigate significant hydrologic and hydraulic problems that are threatening the Corps' mission areas of Navigation, Recreation, Flood Risk Management, as well as aquatic ecosystem habitat and existing infrastructure. This multipurpose study will evaluate impacts to navigation and all project purposes identified, develop alternatives for a long-term sustainable solution, and investigate opportunities for ecosystem restoration in the lower Arkansas-White River area.

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Dana O. Coburn  
Chief, Environmental Branch



**DEPARTMENT OF THE ARMY**  
**LITTLE ROCK DISTRICT CORPS OF ENGINEERS**  
**POST OFFICE BOX 867**  
**LITTLE ROCK, ARKANSAS 72203-0867**

(501) 324-5751 □ FAX: 501-324-5605 □ <http://www.swl.usace.army.mil>

July 30, 2015

Planning and Environmental Division  
Environmental Branch

Mr. Scott Simon  
The Nature Conservancy, Arkansas Field Office  
601 North University Ave.  
Little Rock, AR 72203

Dear Mr. Simon,

The Army Corps of Engineers, Little Rock District, along with the Arkansas Waterways Commission is initiating the Three Rivers Study on the lower McClellan-Kerr Arkansas River Navigation System near the convergence of the Arkansas, White and Mississippi Rivers. The study is needed to investigate significant hydrologic and hydraulic problems that are threatening the Corps' mission areas of Navigation, Recreation, Flood Risk Management, as well as aquatic ecosystem habitat and existing infrastructure. This multipurpose study will evaluate impacts to navigation and all project purposes identified, develop alternatives for a long-term sustainable solution, and investigate opportunities for ecosystem restoration in the lower Arkansas-White River area.

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Dana O. Coburn  
Chief, Environmental Branch



# Arkansas

THE NATURAL STATE

#2871

RECEIVED

August 26, 2015

SEP 10 2015

INTERGOVERNMENTAL  
SERVICES  
STATE CLEARINGHOUSE

RE: United States Army Corps of Engineers  
Three Rivers Study (AR-White-MS)  
McClellan-Kerr Navigation System

Mr. Randy Young  
Chairman, Technical Review Committee  
101 East Capitol, Suite 350  
Little Rock, Arkansas 72203

Mr. Young:

We appreciate the opportunity to comment on the USACE's Three Rivers Study. As the USACE prepares to conduct research on the navigation and flooding problems facing the confluence of the Arkansas, White, and Mississippi Rivers, the Arkansas Department of Parks & Tourism (ADPT) hopes the following comments and suggestions will be taken under consideration, and ultimately prove useful.

Of immediate concern to the Arkansas Department of Parks & Tourism is that the USACE appreciate the ADPT as a landholding stakeholder in the study. Arkansas State Parks, a division of the ADPT, currently owns a considerable amount of property in the study area. This property, which is part of the Delta Heritage Trail State Park, is located along the abandoned Missouri-Pacific railroad line that originates ~6 miles south of Lexa, Arkansas (milepost 326.58) and terminates just southeast of Arkansas City, Arkansas (milepost 399.8). The property held by Arkansas State Parks includes the MO-PAC rail bed and its 100-ft. right-of-way, and totals more than 960 acres. The draft study does currently acknowledge this property; however, the ADPT would like to take this opportunity to stress that the property is not only an abandoned rail line, but a State Park as well. Future development plans for this property include extension of an improved walking and biking trail, as well as additional trail heads, interpretive kiosks, and other amenities designed to appeal to residents and out-of-state visitors.

Most relevant to the Three Rivers Study is the section of Delta Heritage Trail State Park that begins roughly three (3) miles southeast of Snow Lake, Arkansas, and terminates approximately 2.5 miles northeast of Watson, Arkansas. This stretch runs diagonally (NE-SW) through the study area and includes several water crossings, most notably the Benzal Bridge, which spans the White River, and the Yancopin Bridge, which spans the Arkansas. Please find, enclosed, illustrations of these sections.

It is also worth noting that, beginning immediately downstream of USACE Dam #2 and extending to the Arkansas's confluence with the Mississippi River, the Arkansas River is designated by the State of Arkansas as an Extraordinary Resource Water. Although this stretch of the river is not a part of the McClellan-Kerr Arkansas River Navigation System, it nevertheless flows through the study area. As the draft study acknowledges, any change caused by the USACE's proposed future project in this stretch of the

DEPARTMENT OF  
PARKS & TOURISM

1 Capitol Mall  
Little Rock, AR 72201  
501-682-7777

Great River Road Division  
501-682-1120  
Arkansas.com

History Commission  
501-682-6900 (TDD)  
Ark-ives.com

Human Resources Section  
501-682-7742 (TDD)

Keep Arkansas  
Beautiful Division  
501-682-3507 (TDD)  
ArkansasBeautiful.com

State Parks Division  
501-682-1191 (TDD)  
ArkansasStateParks.com

Tourism Division  
501-682-7777 (TDD)  
Arkansas.com

Asa Hutchinson  
GOVERNOR

Richard W. Davies  
EXECUTIVE DIRECTOR

DIVISION DIRECTORS

Cynthia Dunlap  
ADMINISTRATION

Greg Butts  
STATE PARKS

Joe David Rice  
TOURISM

Ron Maxwell  
GREAT RIVER ROAD

Dr. Lisa Speer  
HISTORY COMMISSION

Robert Phelps  
KEEP ARKANSAS  
BEAUTIFUL

AN EQUAL  
OPPORTUNITY/  
AFFIRMATIVE ACTION/  
AMERICANS WITH  
DISABILITIES ACT  
EMPLOYER

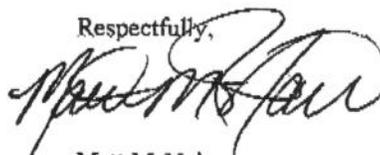
Page 2  
Mr. Randy Young  
August 26, 2015

river will endanger its designation as an Extraordinary Resource Water. The ADPT urges the USACE to consider the importance of such a resource to Arkansas's tourism industry when conducting the Three Rivers Study, and to take all necessary measures to protect this stretch of the Arkansas River when executing any eventual management plan.

Finally, the ADPT would point out that the study is primarily concerned with the future of navigation along the waterways under consideration, and only in the immediate vicinity of the potential future project(s). This agency has no objection to the responsible conduct of commerce and business along these waterways, but would also note that any major alteration of these waterways has the potential to greatly affect the ecological health and natural character of the rivers upstream of the project. The White River is especially vital to Arkansas's tourism industry upstream of the study area, with the White River National Wildlife Refuge among the many features popular with residents and visitors alike, and of great importance to the state's economic well-being. Any deleterious effects to the White River in or near the study area could have the potential to likewise cause harm upstream, and all caution should be taken to avoid such an outcome; it seems more prudent to extend the scope of the study to include an analysis of potential ecosystem damage (as suggested by, e.g., the United States Fish & Wildlife Service) than to maintain a narrow focus and attempt to undo any such damage at a later date.

Again, the Arkansas Department of Parks & Tourism appreciates the opportunity to comment on the Three Rivers Study, and wishes to remain apprised of all developments concerning same. If you have any questions or require additional assistance, please feel free to contact us at 501-682-1227 or via email at [matt.mcnaair@arkansas.gov](mailto:matt.mcnaair@arkansas.gov).

Respectfully,



Matt McNair  
Environmental Review Coordinator  
Outdoor Recreation Grants Program

Enclosures



STATE OF ARKANSAS  
**Department of Finance  
and Administration**

**OFFICE OF INTERGOVERNMENTAL SERVICES**

1515 West Seventh Street, Suite 417  
Post Office Box 8031  
Little Rock, Arkansas 72203-8031  
Phone: (501) 682-1074  
Fax: (501) 682-5206  
<http://www.state.ar.us/dfa>

September 2, 2015

Mr. Dana O. Coburn  
Chief, Environmental Branch  
Little Rock District Corps of Engineers  
P.O. Box 867  
North Little Rock, Arkansas 72203-0867

RE: "FOR YOUR INFORMATION"

Dear Mr. Coburn:

The State Clearinghouse has received the above document pursuant to the Arkansas Project Notification and Review System.

To carry out the review and comment process, this document was forwarded to members of the Arkansas Technical Review Committee. Resulting comments received from the Technical Review Committee which represents the position of the State of Arkansas are attached.

The State Clearinghouse wishes to thank you for your cooperation with the Arkansas Project Notification and Review System.

Sincerely,

A handwritten signature in cursive script that reads "Tracy L. Copeland".

Tracy L. Copeland, Manager  
State Clearinghouse

TLC/cc  
Enclosure  
CC: Randy Young, ANRC



STATE OF ARKANSAS  
**Department of Finance  
and Administration**

OFFICE OF INTERGOVERNMENTAL SERVICES

1515 West Seventh Street, Suite 417  
Post Office Box 8031  
Little Rock, Arkansas 72203-8031  
Phone: (501) 682-1074  
Fax: (501) 682-5206  
<http://www.state.ar.us/dfa>

September 15, 2015

Mr. Dana O. Coburn  
Chief, Environmental Branch  
Little Rock District Corps of Engineers  
P.O. Box 867  
North Little Rock, Arkansas 72203-0867

RE: "FOR YOUR INFORMATION" (Additional Comments)

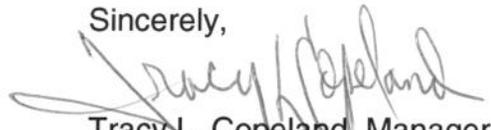
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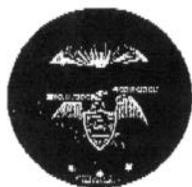
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Sincerely,



Tracy L. Copeland, Manager  
State Clearinghouse

TLC/cc  
Enclosure  
CC: Randy Young, ANRC



# Arkansas Natural Resources Commission



J. Randy Young, PE  
Executive Director

101 East Capitol, Suite 350  
Little Rock, Arkansas 72201  
<http://www.anrc.arkansas.gov/>

Phone: (501) 682-1611  
Fax: (501) 682-3991  
E-mail: [anrc@arkansas.gov](mailto:anrc@arkansas.gov)

Asa Hutchinson  
Governor

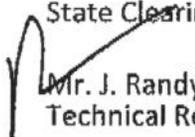
## MEMORANDUM

RECEIVED

SEP 02 2015

INTERGOVERNMENTAL  
SERVICES  
STATE CLEARINGHOUSE

TO: Mr. Tracy Copeland, Manager  
State Clearinghouse

FROM:  Mr. J. Randy Young, P.E., and Chairman  
Technical Review Committee

SUBJECT: "FOR YOUR INFORMATION"

Members of the Technical Review Committee have reviewed the above referenced project: The Army Corps of Engineers, Little Rock District, along with the Arkansas Waterways Commission is initiating the Three Rivers Study on the lower McClellan-Kerr Arkansas River Navigation System near the convergence of the Arkansas, White and Mississippi Rivers.

The study is needed to investigate significant hydrologic and hydraulic problems that are threatening the Corps' mission areas of Navigation, Recreation, Flood Risk Management, as well as aquatic ecosystem habitat and existing infrastructure.

This multipurpose study will evaluate impacts to navigation and all project purposes identified, develop alternatives for a long-term sustainable solution, and investigate opportunities for ecosystem restoration I the lower Arkansas-White River area.

### **The Committee supports this project.**

Agency comments are included for your review.

The opportunity to comment is appreciated.

JRY/ddavis



STATE OF ARKANSAS

OFFICE OF INTERGOVERNMENTAL SERVICES

Department of Finance and Administration

1515 West Seventh Street, Suite 412
Post Office Box 8031
Little Rock, Arkansas 72203-8031
Phone: (501) 682-1074
Fax: (501) 682-5208
http://www.state.ar.us/dfa

MEMORANDUM

TO: All Technical Review Committee Members
FROM: Tracy L. Copeland, Manager - State Clearinghouse
DATE: August 4, 2015
SUBJECT: "FOR YOUR INFORMATION"

#2871

Please review the above stated document under provisions of Section 404 of the Clean Water Act, Section 102(2) of the National Environmental Policy Act of 1969 and the Arkansas Project Notification and Review System.

Your comments should be returned by (None Requested) to Mr. Randy Young, Chairman, Technical Review Committee, 101 E. Capitol, Suite 350, Little Rock, AR 72203.

NOTE: It is Imperative that your response be in to the ANRC office by the date requested. Should your Agency anticipate having a response which will be delayed beyond the stated deadline for comments, please contact Ms. Debby Davis of ANRC at (501) 682-3830 or the State Clearinghouse Office.

Support Do Not Support (Comments Attached)
Comments Attached Support with Following Conditions
No Comments Non-Degradation Certification Issues (Applies to ADEQ Only)

Name(print) John Turner Agency ADEQ Date 8-12-15
Telephone Number 501 682 1608



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MEMORANDUM

TO: All Technical Review Committee Members
FROM: Tracy L. Copeland, Manager - State Clearinghouse
DATE: August 4, 2015
SUBJECT: "FOR YOUR INFORMATION"

Please review the above stated document under provisions of Section 404 of the Clean Water Act, Section 102(2) of the National Environmental Policy Act of 1969 and the Arkansas Project Notification and Review System.

Your comments should be returned by (None Requested) to Mr. Randy Young, Chairman, Technical Review Committee, 101 E. Capitol, Suite 350, Little Rock, AR 72203.

NOTE: It is Imperative that your response be in to the ANRC office by the date requested. Should your Agency anticipate having a response which will be delayed beyond the stated deadline for comments, please contact Ms. Debby Davis of ANRC at (501) 682-3830 or the State Clearinghouse Office.

- Support Do Not Support (Comments Attached)
Comments Attached Support with Following Conditions
No Comments Non-Degradation Certification Issues (Applies to ADEQ Only)

Name(print) BILL BAILEY Agency ANRD Date 8/5/15
Telephone Number 501-569-2617



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

**Region 6**

**1445 Ross Avenue, Suite 1200  
Dallas, TX 75202-2733**

October 15, 2015

Mr. Craig Hilburn, Biologist  
Army Corps of Engineers  
Planning and Environmental Division, Environmental Branch  
P. O. Box 867  
Little Rock, AR 72203-0867

**Subject: Detailed Scoping Comments for the Notice of Intent (NOI) to Prepare an Environmental Impact Statement (EIS) and Integrated Draft Feasibility Report for the Hydrologic and Hydraulic Problems Threatening Navigation, Aquatic Ecosystem Habitat, Recreation, Flood Damage Reduction and Existing Infrastructure at the Three Rivers Study Site in Desha, Arkansas.**

Dear Mr. Hilburn:

The Region 6 office of the U.S. Environmental Protection Agency (EPA) has reviewed the September 11, 2015, Notice of Intent (NOI) to prepare an Environmental Impact Statement (EIS) and Integrated Draft Feasibility Report for the Three Rivers Study in Arkansas. The Three Rivers Study would involve developments on the Arkansas River for navigation, flood control, hydropower, water supply, recreation, and fish and wildlife purposes. Also, the study would be held in convergence of the Mississippi, White, and Arkansas Rivers in Desha, Arkansas, downstream of Lock No. 1 of the McClellan-Kerr Arkansas River Navigation System (MKARNS) and upstream of the Montgomery Point Lock & Dam.

To assist in the scoping process for this project, EPA has identified several issues for your attention in the preparation of the EIS and has enclosed detailed scoping comments for your consideration. Our comments are provided pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508) and Section 309 of the Clean Air Act.

We appreciate the opportunity to review this NOI and are available to discuss our comments. Please send one hard copy of the Draft EIS and four CD ROM copies to this office when completed and submitted for public comment. If you have any questions, please contact Magda Dallemagne of my staff at (214) 665-7396 or by e-mail at [dallemagne.magdeleine@epa.gov](mailto:dallemagne.magdeleine@epa.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read "Kimeka Price".

Kimeka Price, Acting Chief  
Office of Planning and Coordination

Enclosure

**DETAILED SCOPING COMMENTS  
ON THE  
NOTICE OF INTENT (NOI)  
FOR THE DEPARTMENT OF THE ARMY CORPS OF ENGINEERS  
TO PREPARE AN  
ENVIRONMENTAL IMPACT STATEMENT (EIS)  
FOR THE PROPOSED  
THREE RIVERS STUDY  
IN  
DESHA, ARKANSAS**

Based on the Notice of Intent filed on September 11, 2015, the following recommendations are provided for consideration by the Department of the Army, Corps of Engineers in preparation of the EIS:

**DETAILED COMMENTS**

**Statement of Purpose and Need**

We recommend the EIS clearly identify the underlying purpose and need to which the Department of the Army, Corps of Engineers is responding in proposing the alternatives (40 CFR 1502.13). The purpose of the proposed action is typically the specific objectives of the activity, while the need for the proposed action may be to eliminate a broader underlying problem or take advantage of an opportunity.

***Recommendation:***

The purpose and need should be a clear, objective statement of the rationale for the proposed project. We recommend the EIS discuss the proposed project in the context of the natural gas supply and the need for an additional export capabilities.

**Alternatives Analysis**

The National Environmental Policy Act (NEPA) requires evaluation of reasonable alternatives, including those that may not be within the jurisdiction of the lead agency (40 CFR Section 1502.14(c)). A robust range of alternatives will include options for avoiding significant environmental impacts. We recommend the EIS provide a clear discussion of the reasons for the elimination of alternatives which are not evaluated in detail.

The environmental impacts of the proposal and alternatives should be presented in comparative form, thus sharply defining the issues and providing a clear basis for choice among options by the decision maker and the public (40 CFR 1502.14). The potential environmental impacts of each alternative should be quantified to the greatest extent possible (e.g., acres of bay bottom impacted, tons per year of emissions produced).

***Recommendations:***

We recommend the EIS describe how each alternative was developed, how it addresses each project objective, and how it will be implemented. The alternatives analysis should include a discussion of alternatives. We recommend the EIS clearly describe the rationale used to determine whether impacts of an alternative are significant or not. We recommend the EIS describe the methodology and criteria used for determining project siting. Thresholds of significance should be determined by considering the context and intensity of an action and its effects (40 CFR 1508.27).

**Water Supply and Water Quality**

Public drinking water supplies and/or their source areas often exist in many watersheds. Source water is water from streams, rivers, lakes, springs, and aquifers that is used as a supply of drinking water. Source water areas are delineated and mapped by the state for each federally-regulated public water system. The 1996 amendments to the Safe Drinking Water Act require federal agencies to protect sources of drinking water for communities. We recommend the EIS address the potential effects of project discharges, if any, on surface water quality. Specific discharges should be identified and potential effects of discharges on designated beneficial uses of affected waters should be analyzed.

***Recommendations:***

EPA recommends the EIS address the potential effects of project discharges, if any, on surface water quality. Specific discharges should be identified and potential effects of discharges on designated beneficial uses of affected waters should be analyzed.

We recommend the EIS describe water reliability for the proposed project and clarify how existing and/or proposed sources may be affected by climate change. At a minimum, the EPA expects a qualitative discussion of impacts to water supply and the adaptability of the project to these changes.

## **Groundwater**

EPA recommends the EIS address potential adverse impacts to groundwater. For each alternative under consideration, we request that the EIS satisfy the recommendations below to ensure groundwater resources are protected and any unavoidable impacts are fully assessed in the EIS.

### ***Recommendations:***

EPA recommends the EIS describe current groundwater conditions in the project area and fully assess any impacts to groundwater quality and quantity associated with the proposed project construction and operational activities.

We also recommend the EIS identify mitigation measures to prevent or reduce adverse impacts to groundwater quality and discuss their effectiveness. EPA asks that the lead agency work closely with state and local agencies which regulate the protection of groundwater resources (i.e., state health departments and water pollution control agencies.)

## **Stormwater Considerations**

EPA recommends the EIS describe the original (natural) drainage patterns in the project locale, as well as the drainage patterns of the area during project operations. Also, we recommend the EIS identify whether any components of the proposed project are within a 50 or 100-year floodplain. We also recommend noting that, under the Federal Clean Water Act, any construction project disturbing a land area of one or more acres requires a construction stormwater discharge permit.

### ***Recommendations:***

EPA recommends the EIS document the project's consistency with applicable stormwater permitting requirements. Requirements of a stormwater pollution prevention plan should be reflected as appropriate in the EIS.

We also recommend the EIS discuss specific mitigation measures that may be necessary or beneficial in reducing adverse impacts to water quality and aquatic resources.

### **Geographic Extent of Waters of the United States**

Section 404 permit under the Clean Water Act (CWA) regulates the discharge of dredged or fill material into waters of the United States (WUS), including wetlands and other *special aquatic sites*.

EPA recommends that the COE include a jurisdictional delineation for all WUS, including ephemeral drainages, in accordance with the 1987 *Corps of Engineers Wetlands Delineation Manual* and the December 2006 *Atlantic and Gulf Coast Region Interim Regional Supplement to the Corps of Engineers Wetland Delineation Manual*: A jurisdictional delineation will confirm the presence or absence of WUS in the project area and help determine whether or not the proposed project would require a Section 404 permit.

EPA will review the project for compliance with *Federal Guidelines for Specification of Disposal Sites for Dredged or Fill Materials* (40 CFR 230), promulgated pursuant to Section 404(b)(1) of the CWA. Pursuant to 40 CFR 230, any permitted discharge into WUS must be the *least environmentally damaging practicable alternative* available to achieve the project purpose. We recommend the EIS include an evaluation of the project alternatives in this context in order to demonstrate the project's compliance with the 404 (b)(1) Guidelines. If, under the proposed project, dredged or fill material would be discharged into WUS, We recommend the EIS discuss alternatives to avoid those discharges.

#### ***Recommendation:***

EPA asks that the USACE to determine if there are jurisdictional waters of the U.S. present at the project site. If jurisdictional WUS are determined to be on the project site, we recommend the EIS include a final determination of the extent of WUS at the project site and address any other relevant requirements, pursuant to the CWA Section 404 (b)(1).

### **Clean Water Act (CWA) Section 303(d)**

The CWA requires States to develop a list of impaired waters that do not meet water quality standards, establish priority rankings, and develop action plans, called Total Maximum Daily Loads (TMDL), to improve water quality. We recommend the EIS provide information on CWA Section 303(d) impaired waters in the project area, if any, and efforts to develop and revise TMDLs. EPA further recommends the EIS describe existing restoration and enhancement efforts for those waters, and any mitigation measures that will be implemented to avoid further degradation of impaired waters.

***Recommendation:***

EPA recommends the EIS provide information on CWA Section 303(d) impaired waters in the project area, if any, and efforts to develop and revise TMDLs. We recommend the EIS describe existing restoration and enhancement efforts for those waters, how the proposed project will coordinate with on-going protection efforts, and any mitigation measures that will be implemented to avoid further degradation of impaired waters.

**Biological Resources, Habitat and Wildlife**

EPA asks that the EIS identify all petitioned and listed threatened and endangered species and critical habitat that might occur within the project area, including any areas. We further recommend the EIS identify which species or critical habitat might be directly, indirectly, or cumulatively affected by each alternative and describe possible mitigation for each of the species. EPA asks that the COE consult with the U.S. Fish and Wildlife Service (USFWS) and National Marine Fisheries Service (NMFS) under Section 7 of the Endangered Species Act. We also recommend that the COE coordinate across field offices and with USFWS, NMFS, and the Arkansas Department of Wildlife and Fisheries (ADWF) to ensure that current and consistent surveying, monitoring, and reporting protocols are applied in protection and mitigation efforts.

***Recommendations:***

EPA recommends that COE coordinate across field offices and with the USFWS, NMFS and ADWF to ensure that current and consistent surveying, monitoring, and reporting protocols are applied in protection and mitigation efforts.

Analysis of impacts and mitigation on covered species should include:

- Baseline conditions of habitats and populations of the covered species.
- A clear description of how avoidance, mitigation and conservation measures will protect and encourage the recovery of the covered species and their habitats in the project area.
- Monitoring, reporting and adaptive management efforts to ensure species and habitat conservation effectiveness.
- A discussion of how the projects potential impacts such as air emissions and/or wastewater discharges may impact species.

If the applicant is to acquire compensation lands, the location(s) and management plans for these lands should be discussed in the EIS.

***Recommendations:***

EPA recommends incorporating information on the compensatory mitigation proposals (including quantification of acreages, estimates of species protected, costs to acquire compensatory lands, etc.) for unavoidable impacts to WUS and biological resources in the EIS.

We recommend identifying compensatory mitigation lands or quantify available lands for compensatory habitat mitigation for this project, as well as reasonably foreseeable projects in the area. Specify provisions that will ensure habitat selected for compensatory mitigation will be protected in perpetuity in the EIS.

EPA recommends incorporating mitigation, monitoring, and reporting measures that result from consultation with the USFWS or NMFS that incorporate recently released guidance to avoid and minimize adverse effects to sensitive biological resources in the EIS.

We further request that the EIS describe the potential for habitat fragmentation and obstructions for wildlife movement from the construction of this project and other projects in the area.

The EIS should discuss the need for monitoring, mitigation, and if applicable, translocation management plans for the sensitive biological resources, approved by the USFWS, NMFS and the biological resource management agencies.

EPA is also concerned about the potential impact of construction, installation, and maintenance activities (deep trenching, grading, filling, and fencing) on habitat. We recommend the EIS describe the extent of these activities and the associated impacts on habitat and threatened and endangered species, including all interrelated and interdependent facilities. We encourage habitat conservation alternatives that avoid and protect high value habitat and create or preserve linkages between habitat areas to better conserve the covered species.

***Recommendations:***

We recommend the EIS describe the extent of potential impacts from construction, installation, and maintenance activities, including all interrelated and interdependent facilities.

We recommend the EIS describe the ROW vegetation management techniques to be used and their potential associated environmental impacts, especially if mechanical methods or

herbicides are to be used.

We recommend the EIS indicate the location of important marine and wildlife habitat areas. We recommend the EIS describe what measures will be taken to protect important wildlife habitat areas and to preserve linkages between them.

We recommend the EIS provide detailed information on any proposed fencing design and placement, and its potential effects on drainage systems on the project site. Fencing proposed for this project should meet appropriate hydrologic, wildlife protection and movement, and security performance standards.

### **Air Quality**

EPA recommends the EIS provide a detailed discussion of ambient air conditions (baseline or existing conditions), National Ambient Air Quality Standards (NAAQS) and non-NAAQS pollutants, criteria pollutant nonattainment areas, and potential air quality impacts of the proposed project (including cumulative and indirect impacts). Such an evaluation is necessary to understand the potential impacts from temporary, long-term, or cumulative degradation of air quality.

We further recommends the EIS describe and estimate air emissions from potential construction and maintenance activities, as well as proposed mitigation measures to minimize those emissions. EPA recommends an evaluation of the following measures to reduce emissions of criteria air pollutants and hazardous air pollutants (air toxics).

#### ***Recommendations:***

- *Existing Conditions* – We recommend the EIS provide a detailed discussion of ambient air conditions, National Ambient Air Quality Standards, and criteria pollutant nonattainment areas in the vicinity of the project.
- *Quantify Emissions* – We recommend the EIS estimate emissions of criteria and hazardous air pollutants (air toxics) from the proposed project and discuss the timeframe for release of these emissions over the lifespan of the project. We recommend the EIS describe and estimate emissions from potential construction activities, as well as proposed mitigation measures to minimize these emissions.
- *Specify Emission Sources* – We recommend the EIS specify all emission sources by pollutant from mobile sources (on and off-road), stationary sources (including

portable and temporary emission units), fugitive emission sources, area sources, and ground disturbance. This source specific information should be used to identify appropriate mitigation measures and areas in need of the greatest attention.

- *Construction Emissions Mitigation Plan* – We recommend the EIS include a draft Construction Emissions Mitigation Plan and ultimately adopt this plan in the Record of Decision. In addition to all applicable local, state, or federal requirements, we recommend the following control measures (Fugitive Dust, Mobile and Stationary Source and Administrative) be included in the Construction Emissions Mitigation Plan in order to reduce impacts associated with emissions of particulate matter and other toxics from construction-related activities. (See Attachment 1)

### **Hazardous Materials, Hazardous Waste and Solid Waste**

EPA recommends the EIS address potential direct, indirect and cumulative impacts of hazardous waste from construction, maintenance, and operation of the proposed pipeline and other facilities. The document should identify projected solid and hazardous waste types, volumes, and expected storage, disposal, and management plans.

#### ***Recommendations:***

We recommend the EIS address the applicability of state and federal hazardous waste requirements. Appropriate mitigation should be evaluated, including measures to minimize the generation of hazardous waste (i.e., hazardous waste minimization). Alternate industrial processes using less toxic materials should be evaluated as mitigation since such processes could reduce the volume or toxicity of hazardous materials requiring management and disposal as hazardous waste.

### **Cumulative Effects**

The EIS should assess the cumulative environmental impacts of a national, regional, and local scale. EPA would like to see air quality, water quality, and areas of ecological and environmental impacts in the cumulative analysis.

### **Coordination with Tribal Governments**

Executive Order 13175, *Consultation and Coordination with Indian Tribal Governments* (November 6, 2000), was issued in order to establish regular and meaningful consultation and collaboration with tribal officials in the development of federal policies that have tribal implications, and to strengthen the United States government-to-government relationships with Indian tribes. If applicable, we recommend the EIS describe the process and outcome of government-to-government consultation between the COE and with any and each of the tribal governments within the project area, issues that were raised (if any), and how those issues were addressed in the selection of the proposed alternative.

#### ***Recommendation:***

We recommend the EIS describe the process and outcome of government-to-government consultation between the COE and each of the tribal governments within the project area, issues that were raised (if any), and how those issues were addressed in the selection of the proposed alternative.

### **Permits and Other Associated Activities**

The EIS should include a discussion of relevant permits and other activities associated with the construction, maintenance, and operation of proposed projects.

### **National Historic Preservation Act and Executive Order 13007(NRHA)**

Consultation for tribal cultural resources is required under Section 106 of the National Historic Preservation Act. Historic properties under the NHPA are properties that are included in the National Register of Historic Places or that meet the criteria for the National Register. Section 106 of the NHPA requires a federal agency, upon determining that activities under its control could affect historic properties, consult with the appropriate State Historic Preservation Officer (SHPO)/Tribal Historic Preservation Officer (THPO), Indian tribes, or any other interested party. Under NEPA, any impacts to tribal, cultural, or other treaty resources must be discussed and mitigated. Section 106 of the NHPA requires that Federal agencies consider the effects of their actions on cultural resources, following regulation in 36 CFR 800.

#### ***Recommendation:***

We recommend the EIS address the existence of cultural and historic resources, including

Indian sacred sites, in the project areas, and address compliance with Section 106 of the NHPA. It should also address Executive Order 13007, distinguish it from Section 106 of the NHPA, and discuss how the applicant will avoid adversely affecting the physical integrity, accessibility, or use of sacred sites, if they exist. We recommend the EIS provide a summary of all coordination with Tribes, the SHPO/THPO, or any other party; and identify all NRHP listed or eligible sites, and the development of a Cultural Resource Management Plan.

### **Environmental Justice and Impacted Communities**

Executive Order 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations* (February 11, 1994) and the Interagency Memorandum of Understanding on Environmental Justice (August 4, 2011) direct federal agencies to identify and address disproportionately high and adverse human health or environmental effects on minority and low-income populations, allowing those populations a meaningful opportunity to participate in the decision-making process. Guidance<sup>1</sup> by CEQ clarifies the terms low-income and minority population (which includes Native Americans) and describes the factors to consider when evaluating disproportionately high and adverse human health effects. We recommend the EIS include an evaluation of environmental justice populations within the geographic scope of the projects. Assessment of the projects impact on minority and low-income populations should reflect coordination with those affected populations. We recommend the EIS also describe outreach conducted to all other communities that could be affected by the project, since rural communities may be among the most vulnerable to health risks associated with the project.

#### ***Recommendations:***

EPA recommends the EIS include an evaluation of environmental justice populations within the geographic scope of the projects. If such populations exist, EPA recommends the EIS address the potential for disproportionate adverse impacts to minority and low-income populations, and the approaches used to foster public participation by these populations. Assessment of the projects impact on minority and low-income populations should reflect coordination with those affected populations.

We recommend the EIS describe outreach conducted to all other communities that could be affected by the project, since rural communities may be among the most vulnerable to

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<sup>1</sup> Environmental Justice Guidance under the National Environmental Policy Act, Appendix A (Guidance for Federal Agencies on Key Terms in Executive Order 12898), CEQ, December 10, 1997.

health risks associated with the project.

### **Coordination with Land Use Planning Activities**

We recommend the EIS discuss how the proposed action would support or conflict with the objectives of federal, state, tribal or local land use plans, policies and controls in the project areas. The term “land use plans” includes all types of formally adopted documents for land use planning, conservation, zoning and related regulatory requirements. Proposed plans not yet developed should also be addressed if they have been formally proposed by the appropriate government body in a written form (CEQ's Forty Questions, #23b).

### **Agricultural**

EPA recommends the EIS describes any direct, indirect, or cumulative impacts to agricultural areas within the proposed project study area

## *ATTACHMENT I*

### Control Measures

(Fugitive Dust, Mobile and Stationary Source and Administrative)

- Fugitive Dust Source Controls: We recommend the EIS identify the need for a Fugitive Dust Control Plan to reduce Particulate Matter 10 and Fine Particulate Matter 2.5 emissions during construction and operations. We recommend that the plan include these general commitments:
  - Stabilize heavily used unpaved construction roads with a non-toxic soil stabilizer or soil weighting agent that will not result in loss of vegetation, or increase other environmental impacts.
  - During grading, use water, as necessary, on disturbed areas in construction sites to control visible plumes.
  - Vehicle Speed
  - Limit speeds to 25 miles per hour on stabilized unpaved roads as long as such speeds do not create visible dust emissions.
  - Limit speeds to 10 miles per hour or less on unpaved areas within construction sites on un-stabilized (and unpaved) roads.
  - Post visible speed limit signs at construction site entrances.
  - Inspect and wash construction equipment vehicle tires, as necessary, so they are free of dirt before entering paved roadways, if applicable.
  - Provide gravel ramps of at least 20 feet in length at tire washing/cleaning stations, and ensure construction vehicles exit construction sites through treated entrance roadways, unless an alternative route has been approved by appropriate lead agencies, if applicable.
  - Use sandbags or equivalent effective measures to prevent run-off to roadways in construction areas adjacent to paved roadways. Ensure consistency with the project's Storm Water Pollution Prevention Plan, if such a plan is required for the project
  - Sweep the first 500 feet of paved roads exiting construction sites, other unpaved roads en route from the construction site, or construction staging areas whenever dirt or runoff from construction activity is visible on paved roads, or at least twice daily (less during periods of precipitation).
  - Stabilize disturbed soils (after active construction activities are completed) with a non-toxic soil stabilizer, soil weighting agent, or other approved soil stabilizing method.
  - Cover or treat soil storage piles with appropriate dust suppressant compounds and disturbed areas that remain inactive for longer than 10 days. Provide vehicles (used to transport solid bulk material on public roadways and that have potential to cause visible emissions) with covers. Alternatively, sufficiently wet and load materials onto the trucks in a manner to provide at least one foot of freeboard.
  - Use wind erosion control techniques (such as windbreaks, water, chemical dust suppressants, and/or vegetation) where soils are disturbed in construction, access and

maintenance routes, and materials stock pile areas. Keep related windbreaks in place until the soil is stabilized or permanently covered with vegetation.

o Mobile and Stationary Source Controls:

- If practicable, lease new, clean equipment meeting the most stringent of applicable Federal<sup>2</sup> or State Standards<sup>3</sup>. In general, commit to the best available emissions control technology. Tier 4 engines should be used for project construction equipment to the maximum extent feasible<sup>4</sup>.
- Where Tier 4 engines are not available, use construction diesel engines with a rating of 50 hp or higher that meet, at a minimum, the Tier 3 California Emission Standards for Off-Road Compression-Ignition Engines<sup>5</sup>, unless such engines are not available.
- Where Tier 3 engine is not available for off-road equipment larger than 100 hp, use a Tier 2 engine, or an engine equipped with retrofit controls to reduce exhaust emissions of nitrogen oxides and diesel particulate matter to no more than Tier 2 levels.
- Consider using electric vehicles, natural gas, biodiesel, or other alternative fuels during construction and operation phases to reduce the project's criteria and greenhouse gas emissions.
- Plan construction scheduling to minimize vehicle trips.
- Limit idling of heavy equipment to less than 5 minutes and verify through unscheduled inspections.
- Maintain and tune engines per manufacturer's specifications to perform at CARB and/or EPA certification levels, prevent tampering, and conduct unscheduled inspections to ensure these measures are followed.

o Administrative controls:

- Develop a construction traffic and parking management plan that maintains traffic flow and plan construction to minimize vehicle trips.
- Identify any sensitive receptors in the project area, such as children, elderly, and the infirm, and specify the means by which impacts to these populations will be minimized (e.g. locate construction equipment and staging zones away from sensitive receptors and building air intakes).
- Include provisions for monitoring fugitive dust in the fugitive dust control plan and initiate increased mitigation measures to abate any visible dust plumes.

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<sup>2</sup> EPA's website for nonroad mobile sources is <http://www.epa.gov/nonroad/>.

<sup>3</sup> For California, see ARB emissions standards, see: <http://www.arb.ca.gov/msprog/offroad/offroad.htm>.

<sup>4</sup> Diesel engines < 25 hp rated power started phasing in Tier 4 Model Years in 2008. Larger Tier 4 diesel engines will be phased in depending on the rated power (e.g., 25 hp - <75 hp: 2013; 75 hp - < 175 hp: 2012-2013; 175 hp - < 750 hp: 2011 - 2013; and  $\geq$  750 hp 2011- 2015).



IN REPLY REFER TO

## United States Department of the Interior

FISH AND WILDLIFE SERVICE

110 South Amity Road, Suite 300

Conway, Arkansas 72032

Tel.: 501/513-4470 Fax: 501/513-4480



August 26, 2015

Dana O. Coburn  
Chief, Environmental Branch  
Little Rock District Corps of Engineers  
P.O. Box 867  
Little Rock, AR 72203-0867

Dear Ms. Coburn:

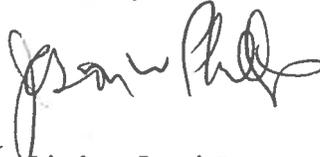
This letter is in response to your request for information and comments to assist in the development of NEPA documents associated with the Three Rivers Study on the lower McClellan-Kerr Arkansas River Navigation System. The U.S. Fish and Wildlife Service (Service) has already begun coordination with your staff on this study and participated in a recent field trip and Agency Kickoff Meeting. We appreciate the opportunity to provide input during the development of this study.

The Service previously provided comments on a similar study that resulted in the 2009 Draft Ark-White Cutoff General Re-evaluation Report. On July 22, 2009, we submitted a Draft Fish and Wildlife Coordination Act Report (DFWCAR) detailing our assessment of potential impacts to fish and wildlife resources and their habitats. Based on information provided to date, it appears the current Three Rivers Study will encompass the same study area, address the same identified problem, and examine many of the same alternatives as the previous Ark-White Cutoff study. Many of the comments provided in the DFWCAR may be applicable to this new study as well.

The current Three Rivers Study is not the same comprehensive study requested by the Service and other planning participants at the conclusion of the Ark-White Cutoff study. The Service envisioned a landscape level study that would incorporate a geomorphological analysis to determine the stable form of the natural system. This study would also investigate how modern changes for flood control and navigation have impacted channel stability and recommend measures that would return the channel to a more stable form and inform the development of a long-term solution to issues identified in the Three Rivers region. The currently proposed study is quite limited in terms of time and funding. However, this new study will investigate opportunities for ecosystem restoration, consider environmental in addition to economic justifications, and may consider alternatives not evaluated previously.

The Service will attend the upcoming planning charrette scheduled in September. We look forward to helping the Corps formulate alternatives that address their navigation mandate while addressing long-term channel stability in the region. We envision an alternative that works with the dynamic hydrology and hydraulics present within the area to safeguard navigation in a manner compatible with refuge purposes. If you have questions regarding our comments please contact Jason Phillips at [jason\\_phillips@fws.gov](mailto:jason_phillips@fws.gov) or 870-503-1101.

Sincerely,



for Lindsey Lewis  
Acting Field Supervisor

cc:

Bo Sloan, Project Leader, Dale Bumpers White River National Wildlife Refuge  
Jennifer Sheehan, Federal Regulatory Program Chief, AGFC  
Cindy Osborne, Data Manager/Environmental Review Coordinator, ANHC  
Lazendra Hairston, Biologist, ADEQ  
John Turner, Program Coordinator, ANRC  
Matt McNair, Environmental Review Coordinator, ADPT  
Gene Higginbotham, Executive Director, AWC  
Jason Milks, Delta Projects Manager, TNC



Bekki White  
Director  
State Geologist

**ARKANSAS GEOLOGICAL SURVEY**  
VARDELLE PARHAM GEOLOGY CENTER  
3815 WEST ROOSEVELT ROAD  
LITTLE ROCK, AR 72204-6369



Asa Hutchinson  
Governor

September 30, 2015

Mr. Craig Hilburn  
Biologist, Environmental Branch  
Planning and Environmental Division  
U.S. Army Corps of Engineers, Little Rock District  
P. O. Box 867  
Little Rock, AR 72203-0867

Re: Three Rivers Feasibility Study

Dear Mr. Wilburn,

In response to the request for the Arkansas Geological Survey to participate as a cooperating agency on the Three Rivers Feasibility Study Environmental Impact Statement, we are happy to participate.

The Arkansas Geological Survey staff, and particularly Mr. Bill Prior, Geologist Supervisor, is available to assist with identifying issues and alternatives, and to provide resources in our area of expertise.

If anything more is needed from the Arkansas Geological Survey in this endeavor, please let me know.

Kind Regards,

A handwritten signature in blue ink that reads "Bekki White".

Bekki White  
Director and State Geologist



THE DEPARTMENT OF ARKANSAS  
**HERITAGE**

Asa Hutchinson  
*Governor*

Stacy Hurst  
*Director*

Date: October 15, 2015  
Subject: Three Rivers Feasibility Study  
Cooperating Agency  
ANHC No.: F-COEL-15-048

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Arkansas Arts Council  
\*  
Arkansas Historic  
Preservation Program  
\*

Delta Cultural Center  
\*  
Historic Arkansas Museum  
\*  
Mosaic Templars  
Cultural Center  
\*  
Old State House Museum

Mr. Craig Hilburn  
Environmental Branch  
Planning and Environmental Division  
Corps of Engineers, Little Rock District  
P.O. Box 867  
Little Rock, AR 72203-0867

Dear Mr. Hilburn:

This letter is written to accept the invitation from the Little Rock District Corps of Engineers to participate as a cooperating agency in the development of the Environmental Impact Statement (EIS) for the Three Rivers Feasibility Study in southeast Arkansas. The purpose of the EIS will be to present alternatives and assess the impacts associated with the implementation of environmentally sustainable solutions to address significant hydrologic and hydraulic issues in the Lower Arkansas/White River study area. As a cooperator we will contribute our technical expertise and resources by attending meetings, reviewing documents, providing data, identifying issues, and offering alternatives. We look forward to participating in this study.

Sincerely,

Chris Colclasure  
Director



323 Center Street, Suite 1500  
Little Rock, AR 72201

(501) 324-9619  
fax: (501) 324-9618  
tdd: 711

e-mail:  
[info@naturalheritage.com](mailto:info@naturalheritage.com)  
website:  
[www.naturalheritage.com](http://www.naturalheritage.com)

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ARKANSAS STATE HIGHWAY  
AND  
TRANSPORTATION DEPARTMENT

Scott E. Bennett  
Director  
Telephone (501) 569-2000  
Voice/TTY 711



P.O. Box 2261  
Little Rock, Arkansas 72203-2261  
Telefax (501) 569-2400  
www.arkansashighways.com

October 8, 2015

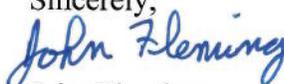
Mr. Craig Hilburn  
Biologist  
Environmental Branch  
Planning and Environmental Division  
U.S. Army Corps of Engineers  
Little Rock District  
P.O. Box 867  
Little Rock, AR 72203-0867

RE: Three Rivers Feasibility Study

Dear Mr. Hilburn:

The Department appreciates the opportunity to participate in the Three Rivers Feasibility Study described in your letter dated September 17, 2015. We are willing to help in the identification of issues and alternatives and participate in meetings or reviews in support of the Environmental Impact Study being prepared for this project. However, we do not feel that our involvement will rise to the level of a cooperating agency and respectfully decline the invitation to participate in that capacity.

We look forward to working with the U.S. Corps of Engineers on this project. Please coordinate with Josh Seagraves (Josh.Seagraves@ahtd.ar.gov) at 501-569-2281 with any questions or requests for information.

Sincerely,  
  
John Fleming  
Division Head  
Environmental Division

JF:DN:fc

c: Director  
Deputy Director and Chief Operating Officer  
Deputy Director and Chief Engineer  
Assistant Chief Engineer-Planning



# Arkansas Natural Resources Commission



J. Randy Young, PE  
Executive Director

101 East Capitol, Suite 350  
Little Rock, Arkansas 72201  
<http://www.anrc.arkansas.gov/>

Phone: (501) 682-1611  
Fax: (501) 682-3991  
E-mail: [anrc@arkansas.gov](mailto:anrc@arkansas.gov)

Asa Hutchinson  
Governor

September 29, 2015

Mr. Craig Hilburn  
Biologist, Environmental Branch  
Planning and Environmental Division  
U.S. Army Corps of Engineers  
Little Rock, District, P. O. Box 867  
Little Rock, Arkansas 72203-0867

Dear Mr. Hilburn:

We will participate as a cooperating agency with the U.S. Army Corps of Engineers, Little Rock District, in the Three Rivers Feasibility Study Environmental Impact Statement (EIS) in southeast Arkansas.

My contact information:

Edward Swaim  
101 East Capitol, Suite 350  
Little Rock, Arkansas 72201  
[Edward.Swaim@Arkansas.Gov](mailto:Edward.Swaim@Arkansas.Gov)

Let us know if we may be of further assistance to you.

Sincerely,

A handwritten signature in blue ink that reads "Edward C. Swaim".

Edward C. Swaim  
Chief, Water Resources Management Division

ECS/lab

Enclosure



# Arkansas Natural Resources Commission



J. Randy Young, PE  
Executive Director

101 East Capitol, Suite 350  
Little Rock, Arkansas 72201  
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Phone: (501) 682-1611  
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Asa Hutchinson  
Governor

September 29, 2015

Mr. Craig Hilburn  
Biologist, Environmental Branch  
Planning and Environmental Division  
U.S. Army Corps of Engineers  
Little Rock, District, P. O. Box 867  
Little Rock, Arkansas 72203-0867

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My contact information:

Edward Swaim  
101 East Capitol, Suite 350  
Little Rock, Arkansas 72201  
[Edward.Swaim@Arkansas.Gov](mailto:Edward.Swaim@Arkansas.Gov)

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Edward C. Swaim  
Chief, Water Resources Management Division

ECS/lab

Enclosure



Bekki White  
Director  
State Geologist

**ARKANSAS GEOLOGICAL SURVEY**  
VARDELLE PARHAM GEOLOGY CENTER  
3815 WEST ROOSEVELT ROAD  
LITTLE ROCK, AR 72204-6369



Asa Hutchinson  
Governor

September 30, 2015

Mr. Craig Hilburn  
Biologist, Environmental Branch  
Planning and Environmental Division  
U.S. Army Corps of Engineers, Little Rock District  
P. O. Box 867  
Little Rock, AR 72203-0867

Re: Three Rivers Feasibility Study

Dear Mr. Wilburn,

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Bekki White  
Director and State Geologist



Bekki White  
Director  
State Geologist

# ARKANSAS GEOLOGICAL SURVEY

VARDELLE PARHAM GEOLOGY CENTER  
3815 WEST ROOSEVELT ROAD  
LITTLE ROCK, AR 72204-6369



Asa Hutchinson  
Governor

September 30, 2015

Mr. Craig Hilburn  
Biologist, Environmental Branch  
Planning and Environmental Division  
U.S. Army Corps of Engineers, Little Rock District  
P. O. Box 867  
Little Rock, AR 72203-0867

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Bekki White  
Director and State Geologist

ARKANSAS STATE HIGHWAY  
AND  
TRANSPORTATION DEPARTMENT

Scott E. Bennett  
Director  
Telephone (501) 569-2000  
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P.O. Box 2261  
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October 8, 2015

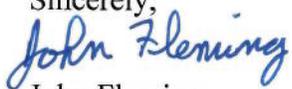
Mr. Craig Hilburn  
Biologist  
Environmental Branch  
Planning and Environmental Division  
U.S. Army Corps of Engineers  
Little Rock District  
P.O. Box 867  
Little Rock, AR 72203-0867

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Sincerely,  
  
John Fleming  
Division Head  
Environmental Division

JF:DN:fc

c: Director  
Deputy Director and Chief Operating Officer  
Deputy Director and Chief Engineer  
Assistant Chief Engineer-Planning



## United States Department of the Interior

National Park Service  
Midwest Region  
601 Riverfront Drive  
Omaha Nebraska 68102-4226



OCT 08 2015

10.A(MWR-PC)

Mr. Craig Hilburn, Biologist  
Environmental Branch, Planning and Environmental Division  
U.S. Army Corps of Engineers, Little Rock District  
P.O. Box 867  
Little Rock, Arkansas 72203-0867

Dear Mr. Hilburn:

Thank you for the invitation to become a cooperating agency for the Three Rivers Feasibility Study in southeastern Arkansas. The study area includes the Arkansas Post National Monument (Monument) near Gillette, Arkansas. The study intends to address problems currently affecting the Corps' mission areas of navigation, recreation, and flood risk management, as well as the aquatic ecosystem of the three rivers area.

As the authorized official, I accept your invitation to become a cooperating agency under the National Environmental Policy Act (NEPA). In addition, I would suggest a memorandum of understanding be developed between our agencies to further define the role you see the National Park Service fulfilling in this effort (43 CFR 46.225(d)). The National Park Service (NPS) recognizes that the Corps of Engineers would be the lead Federal agency for the purposes of this agreement.

The NPS also believes the Corps to be the lead federal agency under the National Historic Preservation Act (NHPA), as amended, and that a member of the staff of the Monument is currently acting as a consulting party for the NPS. Ms. Kirby McCallie, Natural/Cultural Resource Manager for the Monument, has been designated the point-of-contact for purposes of addressing comments and issues related to the process and documentation under the NEPA and NHPA. Any comments or questions may be directed to Ms. McCallie at 870-548-2210 or via email [kirby\\_mccallie@nps.gov](mailto:kirby_mccallie@nps.gov).

The NPS appreciates the opportunity to work with you on these issues.

Sincerely,

Cameron H. Sholly  
Regional Director





IN REPLY REFER TO:

# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

110 South Amity Road, Suite 300  
Conway, Arkansas 72032  
Tel.: 501/513-4470 Fax: 501/513-4480



October 8, 2015

Craig Hilburn  
Biologist, Environmental Branch, Planning and Environmental Division  
U. S. Army Corps of Engineers  
Little Rock District  
P.O. Box 867  
Little Rock, AR 72203-0867

Dear Mr. Hilburn:

The U.S. Fish and Wildlife Service (Service) formally accept the U.S. Army Corps of Engineers (Corps), Little Rock District's request for participation as a cooperating agency on the Environmental Impact Statement (EIS) for the Three Rivers Feasibility Study. As a cooperator, we will review preliminary drafts of the EIS before it goes out for public review, participate in scoping meetings, and assist with alternative development. Other project participation is covered under the authority of the Fish and Wildlife Coordination Act (FWCA). Jason Phillips of my staff has been assigned to this project and has already participated in early coordination and planning meetings.

As specified in the Scope of Work for Service activities under the FWCA, the Service will prepare a planning aid letter (PAL) for the Little Rock District. The PAL will provide information on known fish and wildlife resources in the area, identify information needs, and articulate resource concerns that should be addressed in the study. As the study progresses, we will also provide a draft and final Coordination Act Report.

We appreciate the opportunity to work with the Corps and others to investigate sustainable and environmentally responsible solutions to the problems identified in the Three Rivers area. If you have questions regarding our comments, please contact Jason Phillips at (870) 503-1101 or [jason\\_phillips@fws.gov](mailto:jason_phillips@fws.gov).

Sincerely,

Melvin Tobin  
Field Supervisor

cc:

Bo Sloan, Project Leader, Dale Bumpers White River National Wildlife Refuge  
Jennifer Sheehan, Federal Regulatory Program Chief, AGFC  
Cindy Osborne, Data Manager/Environmental Review Coordinator, ANHC  
Lazendra Hairston, Biologist, ADEQ  
John Turner, Program Coordinator, ANRC  
Matt McNair, Environmental Review Coordinator, ADPT



THE DEPARTMENT OF ARKANSAS  
**HERITAGE**

Asa Hutchinson  
*Governor*

Stacy Hurst  
*Director*

Date: October 15, 2015  
Subject: Three Rivers Feasibility Study  
Cooperating Agency  
ANHC No.: F-COEL-15-048

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Arkansas Arts Council  
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Arkansas Historic  
Preservation Program  
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Delta Cultural Center  
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Historic Arkansas Museum  
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Mosaic Templars  
Cultural Center  
\*  
Old State House Museum

Mr. Craig Hilburn  
Environmental Branch  
Planning and Environmental Division  
Corps of Engineers, Little Rock District  
P.O. Box 867  
Little Rock, AR 72203-0867

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Sincerely,

Chris Colclasure  
Director



323 Center Street, Suite 1500  
Little Rock, AR 72201

(501) 324-9619  
fax: (501) 324-9618  
tdd: 711

e-mail:  
[info@naturalheritage.com](mailto:info@naturalheritage.com)  
website:  
[www.naturalheritage.com](http://www.naturalheritage.com)

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## United States Department of the Interior

National Park Service  
Midwest Region  
601 Riverfront Drive  
Omaha Nebraska 68102-4226



OCT 08 2015

10.A(MWR-PC)

Mr. Craig Hilburn, Biologist  
Environmental Branch, Planning and Environmental Division  
U.S. Army Corps of Engineers, Little Rock District  
P.O. Box 867  
Little Rock, Arkansas 72203-0867

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Sincerely,

Cameron H. Sholly  
Regional Director





IN REPLY REFER TO:

# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

110 South Amity Road, Suite 300  
Conway, Arkansas 72032  
Tel.: 501/513-4470 Fax: 501/513-4480



October 8, 2015

Craig Hilburn  
Biologist, Environmental Branch, Planning and Environmental Division  
U. S. Army Corps of Engineers  
Little Rock District  
P.O. Box 867  
Little Rock, AR 72203-0867

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Sincerely,

Melvin Tobin  
Field Supervisor

cc:

Bo Sloan, Project Leader, Dale Bumpers White River National Wildlife Refuge  
Jennifer Sheehan, Federal Regulatory Program Chief, AGFC  
Cindy Osborne, Data Manager/Environmental Review Coordinator, ANHC  
Lazendra Hairston, Biologist, ADEQ  
John Turner, Program Coordinator, ANRC  
Matt McNair, Environmental Review Coordinator, ADPT



**DEPARTMENT OF THE ARMY**  
LITTLE ROCK DISTRICT CORPS OF ENGINEERS - PE  
POST OFFICE BOX 867  
LITTLE ROCK, ARKANSAS 72203-0867  
OFFICE: (501) 324-5751 FAX: 501-324-5605 <http://www.swl.usace.army.mil>

September 18, 2015

The Honorable Gary Batton  
Chief  
The Choctaw Nation of Oklahoma  
P.O. Drawer 1210  
Durant, OK 74702

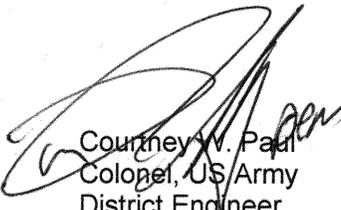
Dear Mr. Batton:

The Little Rock District, U.S. Army Corps of Engineers (USACE), in partnership with the Arkansas Waterways Commission recently initiated a three year study to investigate hydrologic problems threatening navigation, aquatic ecosystem habitat, recreation, flood damage reduction and existing infrastructure at the convergence of the White, Arkansas, and Mississippi Rivers in Arkansas and Desha Counties, Arkansas. This study, known as the Three Rivers Study, will result in an integrated draft Project Feasibility Report and Environmental Impact Statement (EIS); anticipated to be available for public review in the spring of 2017.

Studies in the area, starting since mid-1960, showed that the hydrology of the White and Arkansas Rivers are strongly influenced by high water in the Mississippi River. Structures were placed along the White River between the White and Arkansas River to regulate water flow between the two systems starting in the 1960's and into the late 1980's. Nevertheless, significant hydrological and hydraulic problems continue to threaten the USACE mission areas of navigation, recreation, flood risk management, as well as aquatic ecosystem habitat and existing infrastructure. Proposed possible solutions to these problems may include increased water detention upstream, raising the height of the water containment structure, removal of the water control structure, or construction of a passive or active weir to restore a more natural hydrology between the Arkansas and White Rivers. These proposed improvements may impact (positively or negatively) navigation, agriculture, silviculture, hydropower, recreation, flood risk management, cultural resources, and fish and wildlife.

The USACE invites the tribal government to provide formal comments pursuant to the National Environmental Policy Act. Please direct all comments to Mr. Craig Hilburn at (501) 324-5735 or via e-mail at [David.C.Hilburn@usace.army.mil](mailto:David.C.Hilburn@usace.army.mil) no later than October 18, 2015. If you or representatives of your government would like to participate on interagency conference calls during the course of this study to discuss alternatives, modeling results, and project schedules, please provide appropriate contact information in your reply to this invitation.

Sincerely,



Courtney W. Paul  
Colonel, US Army  
District Engineer



**DEPARTMENT OF THE ARMY**  
**LITTLE ROCK DISTRICT CORPS OF ENGINEERS - PE**  
**POST OFFICE BOX 867**  
**LITTLE ROCK, ARKANSAS 72203-0867**  
OFFICE: (501) 324-5751 FAX: 501-324-5605 <http://www.swl.usace.army.mil>

September 18, 2015

The Honorable Geoffrey Standingbear  
Principal Chief  
The Osage Nation  
P.O. Box 779  
Pawhuska, OK 74056

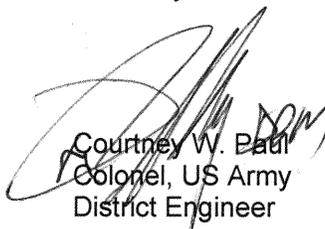
Dear Mr. Standingbear:

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Colonel, US Army  
District Engineer



**DEPARTMENT OF THE ARMY**  
LITTLE ROCK DISTRICT CORPS OF ENGINEERS - PE  
POST OFFICE BOX 867  
LITTLE ROCK, ARKANSAS 72203-0867  
OFFICE: (501) 324-5751 FAX: 501-324-5605 <http://www.swl.usace.army.mil>

September 18, 2015

The Honorable John Berrey  
Chairman  
The Quapaw Tribe of Indians  
P.O. Box 765  
Quapaw, OK 74363

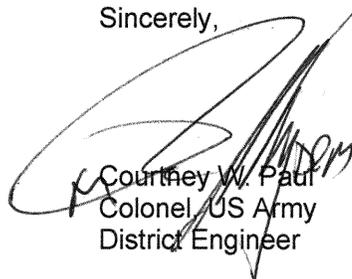
Dear Mr. Berrey:

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Colonel, US Army  
District Engineer



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LITTLE ROCK DISTRICT CORPS OF ENGINEERS - PE  
POST OFFICE BOX 867  
LITTLE ROCK, ARKANSAS 72203-0867  
OFFICE: (501) 324-5751 FAX: 501-324-5605 <http://www.swl.usace.army.mil>

September 18, 2015

The Honorable Ron Sparkman  
Chief  
Shawnee Tribe  
P.O. Box 189  
Miami, OK 74354

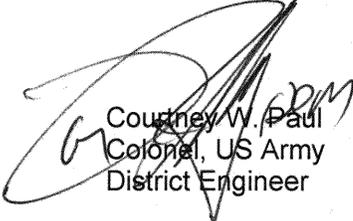
Dear Mr. Sparkman:

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The USACE invites the tribal government to provide formal comments pursuant to the National Environmental Policy Act. Please direct all comments to Mr. Craig Hilburn at (501) 324-5735 or via e-mail at [David.C.Hilburn@usace.army.mil](mailto:David.C.Hilburn@usace.army.mil) no later than October 18, 2015. If you or representatives of your government would like to participate on interagency conference calls during the course of this study to discuss alternatives, modeling results, and project schedules, please provide appropriate contact information in your reply to this invitation.

Sincerely,



Courtney W. Paul  
Colonel, US Army  
District Engineer



**DEPARTMENT OF THE ARMY**  
LITTLE ROCK DISTRICT CORPS OF ENGINEERS - PE  
POST OFFICE BOX 867  
LITTLE ROCK, ARKANSAS 72203-0867  
OFFICE: (501) 324-5751 FAX: 501-324-5605 <http://www.swl.usace.army.mil>

September 18, 2015

The Honorable Joey P. Barbry  
Chairman  
Tunica-Biloxi Indian Tribe  
P.O. Box 1589  
Marksville, LA 71351

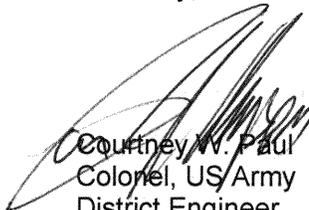
Dear Mr. Barbry:

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Sincerely,

  
Courtney W. Paul  
Colonel, US Army  
District Engineer



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**LITTLE ROCK DISTRICT CORPS OF ENGINEERS - PE**  
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LITTLE ROCK, ARKANSAS 72203-0867  
OFFICE: (501) 324-5751 FAX: 501-324-5605 <http://www.swl.usace.army.mil>

September 18, 2015

The Honorable Bill Anoatubby  
Governor  
The Chickasaw Nation  
P.O. Box 1548  
Ada, OK 74821

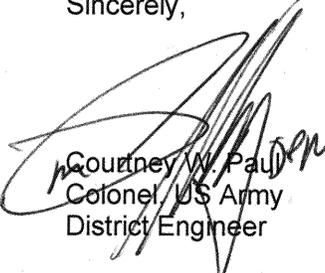
Dear Mr. Anoatubby:

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Sincerely,

  
Courtney W. Paul  
Colonel, US Army  
District Engineer



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LITTLE ROCK DISTRICT CORPS OF ENGINEERS - PE  
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LITTLE ROCK, ARKANSAS 72203-0867  
OFFICE: (501) 324-5751 FAX: 501-324-5605 <http://www.swl.usace.army.mil>

September 18, 2015

The Honorable George Wickliffe  
Chief  
The Keetoowah Band of Cherokee Indians in Oklahoma  
P.O. Box 746  
Tahequah, OK 74465

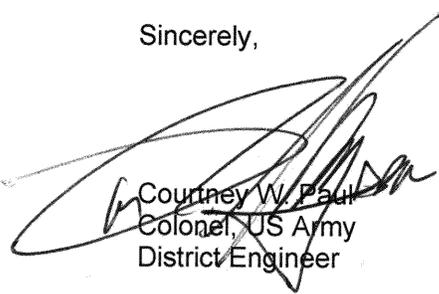
Dear Mr. Wickliffe:

The Little Rock District, U.S. Army Corps of Engineers (USACE), in partnership with the Arkansas Waterways Commission recently initiated a three year study to investigate hydrologic problems threatening navigation, aquatic ecosystem habitat, recreation, flood damage reduction and existing infrastructure at the convergence of the White, Arkansas, and Mississippi Rivers in Arkansas and Desha Counties, Arkansas. This study, known as the Three Rivers Study, will result in an integrated draft Project Feasibility Report and Environmental Impact Statement (EIS); anticipated to be available for public review in the spring of 2017.

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Sincerely,

  
Courtney W. Paul  
Colonel, US Army  
District Engineer



**DEPARTMENT OF THE ARMY**  
LITTLE ROCK DISTRICT CORPS OF ENGINEERS - PE  
POST OFFICE BOX 867  
LITTLE ROCK, ARKANSAS 72203-0867  
OFFICE: (501) 324-5751 FAX: 501-324-5605 <http://www.swl.usace.army.mil>

September 18, 2015

The Honorable Tamara Michele Francis  
Chairperson  
Caddo Nation of Oklahoma  
P.O. Box 487  
Binger, OK 73009

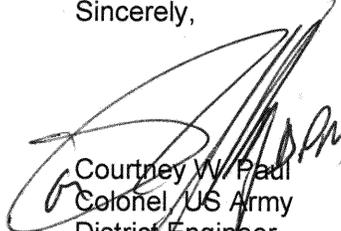
Dear Ms. Francis

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Sincerely,



Courtney W. Paul  
Colonel, US Army  
District Engineer



DEPARTMENT OF THE ARMY  
LITTLE ROCK DISTRICT, CORPS OF ENGINEERS  
POST OFFICE BOX 867  
LITTLE ROCK, ARKANSAS 72203-0867

REPLY TO  
ATTENTION OF: CESWL-PE

October 13, 2015

**SUBJECT: Three Rivers Study, Arkansas and Desha Counties, Arkansas**

Lisa C. LaRue-Baker  
Acting Tribal Historic Preservation Officer  
The United Keetoowah Band of Cherokee Indians in Oklahoma  
P.O. Box 746  
Tahequah, OK 74465

Dear Ms. LaRue-Baker:

The Little Rock District of the US Army Corps of Engineers (USACE) in partnership with the Arkansas Waterways Commission recently initiated a three year study to investigate the hydrologic problems threatening navigation, aquatic ecosystem habitat, recreation, flood damage reduction and existing infrastructure at the convergence of the White, Arkansas, and Mississippi Rivers in Arkansas and Desha Counties, Arkansas. As described in the September 18, 2015 letter addressed to your Tribal Government this study known as the Three Rivers Study will result in an integrated draft Project Feasibility Report and Environmental Impact Statement (EIS); anticipated to be available for public review in the spring of 2017. This action has been determined by the USACE to be an undertaking that has the potential to cause adverse effects on historic properties per 36 CFR Part 800.3(a).

The USACE would like to initiate Section 106 consultation according to the National Historic Preservation Act, as amended, and implementing regulation 36 CFR Part 800 as amended. A map of the proposed Area of Potential Effect (APE) is enclosed for your review and comment. At this time we are seeking your Tribal Government's recommendations or concurrence on the boundaries of the proposed APE and for information pertaining to properties within the area as defined, which have religious or cultural significance. Please respond to this letter via electronic mail or regular mail by November 15, 2015 in accordance with 36 CFR 800.3(c)(4). If there are any concerns or questions, contact Ms. Cindy Thomas at (501) 324-5752 or email at [Cynthia.G.Thomas@usace.army.mil](mailto:Cynthia.G.Thomas@usace.army.mil).

Sincerely,

A handwritten signature in black ink that reads "Dana E. Coburn".

Dana Coburn  
Branch Chief, Environmental

Enclosure



DEPARTMENT OF THE ARMY  
LITTLE ROCK DISTRICT, CORPS OF ENGINEERS  
POST OFFICE BOX 867  
LITTLE ROCK, ARKANSAS 72203-0867

REPLY TO  
ATTENTION OF: CESWL-PE

October 13, 2015

**SUBJECT: Three Rivers Study, Arkansas and Desha Counties, Arkansas**

Amber Hood  
Tribal Historic Preservation Office  
The Chickasaw Nation  
2020 Arlington, Suite 4  
Ada, OK 74820

Dear Ms. Hood:

The Little Rock District of the US Army Corps of Engineers (USACE) in partnership with the Arkansas Waterways Commission recently initiated a three year study to investigate the hydrologic problems threatening navigation, aquatic ecosystem habitat, recreation, flood damage reduction and existing infrastructure at the convergence of the White, Arkansas, and Mississippi Rivers in Arkansas and Desha Counties, Arkansas. As described in the September 18, 2015 letter addressed to your Tribal Government this study known as the Three Rivers Study will result in an integrated draft Project Feasibility Report and Environmental Impact Statement (EIS); anticipated to be available for public review in the spring of 2017. This action has been determined by the USACE to be an undertaking that has the potential to cause adverse effects on historic properties per 36 CFR Part 800.3(a).

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Dana Coburn  
Branch Chief, Environmental

Enclosure



DEPARTMENT OF THE ARMY  
LITTLE ROCK DISTRICT, CORPS OF ENGINEERS  
POST OFFICE BOX 867  
LITTLE ROCK, ARKANSAS 72203-0867

REPLY TO  
ATTENTION OF: CESWL-PE

October 13, 2015

**SUBJECT: Three Rivers Study, Arkansas and Desha Counties, Arkansas**

Mr. Ian Thompson  
Tribal Historic Preservation Officer  
The Choctaw Nation of Oklahoma  
P.O. Drawer 1210  
Durant, OK 74702

Dear Mr. Thompson:

The Little Rock District of the US Army Corps of Engineers (USACE) in partnership with the Arkansas Waterways Commission recently initiated a three year study to investigate the hydrologic problems threatening navigation, aquatic ecosystem habitat, recreation, flood damage reduction and existing infrastructure at the convergence of the White, Arkansas, and Mississippi Rivers in Arkansas and Desha Counties, Arkansas. As described in the September 18, 2015 letter addressed to your Tribal Government this study known as the Three Rivers Study will result in an integrated draft Project Feasibility Report and Environmental Impact Statement (EIS); anticipated to be available for public review in the spring of 2017. This action has been determined by the USACE to be an undertaking that has the potential to cause adverse effects on historic properties per 36 CFR Part 800.3(a).

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Dana Coburn  
Branch Chief, Environmental

Enclosure



DEPARTMENT OF THE ARMY  
LITTLE ROCK DISTRICT, CORPS OF ENGINEERS  
POST OFFICE BOX 867  
LITTLE ROCK, ARKANSAS 72203-0867

REPLY TO  
ATTENTION OF: CESWL-PE

October 13, 2015

**SUBJECT: Three Rivers Study, Arkansas and Desha Counties, Arkansas**

Dr. Andrea Hunter  
Director, Tribal Historic Preservation Office  
The Osage Nation  
P.O. Box 779  
Pawhuska, OK 74056

Dear Dr. Hunter:

The Little Rock District of the US Army Corps of Engineers (USACE) in partnership with the Arkansas Waterways Commission recently initiated a three year study to investigate the hydrologic problems threatening navigation, aquatic ecosystem habitat, recreation, flood damage reduction and existing infrastructure at the convergence of the White, Arkansas, and Mississippi Rivers in Arkansas and Desha Counties, Arkansas. As described in the September 18, 2015 letter addressed to your Tribal Government this study known as the Three Rivers Study will result in an integrated draft Project Feasibility Report and Environmental Impact Statement (EIS); anticipated to be available for public review in the spring of 2017. This action has been determined by the USACE to be an undertaking that has the potential to cause adverse effects on historic properties per 36 CFR Part 800.3(a).

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Dana Coburn  
Branch Chief, Environmental

Enclosure



DEPARTMENT OF THE ARMY  
LITTLE ROCK DISTRICT, CORPS OF ENGINEERS  
POST OFFICE BOX 867  
LITTLE ROCK, ARKANSAS 72203-0867

REPLY TO  
ATTENTION OF: CESWL-PE

October 13, 2015

**SUBJECT: Three Rivers Study, Arkansas and Desha Counties, Arkansas**

Mr. Everett Bandy  
Tribal Historic Preservation Officer  
The Quapaw Tribe of Indians  
P.O. Box 765  
Quapaw, OK 74363

Dear Mr. Bandy:

The Little Rock District of the US Army Corps of Engineers (USACE) in partnership with the Arkansas Waterways Commission recently initiated a three year study to investigate the hydrologic problems threatening navigation, aquatic ecosystem habitat, recreation, flood damage reduction and existing infrastructure at the convergence of the White, Arkansas, and Mississippi Rivers in Arkansas and Desha Counties, Arkansas. As described in the September 18, 2015 letter addressed to your Tribal Government this study known as the Three Rivers Study will result in an integrated draft Project Feasibility Report and Environmental Impact Statement (EIS); anticipated to be available for public review in the spring of 2017. This action has been determined by the USACE to be an undertaking that has the potential to cause adverse effects on historic properties per 36 CFR Part 800.3(a).

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Enclosure



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LITTLE ROCK DISTRICT, CORPS OF ENGINEERS  
POST OFFICE BOX 867  
LITTLE ROCK, ARKANSAS 72203-0867

REPLY TO  
ATTENTION OF: CESWL-PE

October 13, 2015

**SUBJECT: Three Rivers Study, Arkansas and Desha Counties, Arkansas**

Ms. Kim Jumper  
Tribal Historic Preservation Office  
Shawnee Tribe  
P.O. Box 189  
Miami, OK 74354

Dear Ms. Jumper:

The Little Rock District of the US Army Corps of Engineers (USACE) in partnership with the Arkansas Waterways Commission recently initiated a three year study to investigate the hydrologic problems threatening navigation, aquatic ecosystem habitat, recreation, flood damage reduction and existing infrastructure at the convergence of the White, Arkansas, and Mississippi Rivers in Arkansas and Desha Counties, Arkansas. As described in the September 18, 2015 letter addressed to your Tribal Government this study known as the Three Rivers Study will result in an integrated draft Project Feasibility Report and Environmental Impact Statement (EIS); anticipated to be available for public review in the spring of 2017. This action has been determined by the USACE to be an undertaking that has the potential to cause adverse effects on historic properties per 36 CFR Part 800.3(a).

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Branch Chief, Environmental

Enclosure



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LITTLE ROCK DISTRICT, CORPS OF ENGINEERS  
POST OFFICE BOX 867  
LITTLE ROCK, ARKANSAS 72203-0867

REPLY TO  
ATTENTION OF: CESWL-PE

October 13, 2015

**SUBJECT: Three Rivers Study, Arkansas and Desha Counties, Arkansas**

Mr. Earl J. Barbry Jr.  
Tribal Historic Preservation Officer  
Tunica-Biloxi Indian Tribe  
P.O. Box 331  
Marksville, LA 71355

Dear Mr. Barbry:

The Little Rock District of the US Army Corps of Engineers (USACE) in partnership with the Arkansas Waterways Commission recently initiated a three year study to investigate the hydrologic problems threatening navigation, aquatic ecosystem habitat, recreation, flood damage reduction and existing infrastructure at the convergence of the White, Arkansas, and Mississippi Rivers in Arkansas and Desha Counties, Arkansas. As described in the September 18, 2015 letter addressed to your Tribal Government this study known as the Three Rivers Study will result in an integrated draft Project Feasibility Report and Environmental Impact Statement (EIS); anticipated to be available for public review in the spring of 2017. This action has been determined by the USACE to be an undertaking that has the potential to cause adverse effects on historic properties per 36 CFR Part 800.3(a).

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Branch Chief, Environmental

Enclosure



DEPARTMENT OF THE ARMY  
LITTLE ROCK DISTRICT, CORPS OF ENGINEERS  
POST OFFICE BOX 867  
LITTLE ROCK, ARKANSAS 72203-0867

REPLY TO  
ATTENTION OF: CESWL-PE

October 13, 2015

**SUBJECT: Three Rivers Study, Arkansas and Desha Counties, Arkansas**

Ms. Tamara Francis-Fourkiller  
Tribal Historic Preservation Office  
Caddo Nation of Oklahoma  
P.O. Box 487  
Binger, OK 73009

Dear Ms. Francis-Fourkiller:

The Little Rock District of the US Army Corps of Engineers (USACE) in partnership with the Arkansas Waterways Commission recently initiated a three year study to investigate the hydrologic problems threatening navigation, aquatic ecosystem habitat, recreation, flood damage reduction and existing infrastructure at the convergence of the White, Arkansas, and Mississippi Rivers in Arkansas and Desha Counties, Arkansas. As described in the September 18, 2015 letter addressed to your Tribal Government this study known as the Three Rivers Study will result in an integrated draft Project Feasibility Report and Environmental Impact Statement (EIS); anticipated to be available for public review in the spring of 2017. This action has been determined by the USACE to be an undertaking that has the potential to cause adverse effects on historic properties per 36 CFR Part 800.3(a).

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Sincerely,

A handwritten signature in black ink that reads "Dana E. Coburn".

Dana Coburn  
Branch Chief, Environmental

Enclosure

-----Original Message-----

From: Lindsey Bilyeu [mailto:lbilyeu@choctawnation.com]

Sent: Tuesday, October 27, 2015 12:48 PM

To: Hilburn, David C SWL

Subject: [EXTERNAL] RE: Three Year Study Investigating Hydrologic Problems, White, Arkansas, and Mississippi Rivers; Arkansas and Desha Co.'s, AR

Mr. Hilburn,

The Choctaw Nation of Oklahoma thanks the USACE, Little Rock District, for the correspondence regarding the above referenced project. Portions of Arkansas and Desha Co.'s contain the Choctaw Nation's Trail of Tears Removal Routes. The Choctaw Nation Historic Preservation Department requests to be a consulting party on this project.

If you have any questions, please contact me.

Thank you,

Lindsey D. Bilyeu

NHPA Senior Section 106 Reviewer

Historic Preservation Department

Choctaw Nation of Oklahoma

P.O. Box 1210

Durant, OK 74701

580-924-8280 ext. 2631

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This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure. If you have received this message in error, you are hereby notified that we do not consent to any reading, dissemination, distribution or copying of this message. If you have received this communication in error, please notify the sender immediately and destroy the transmitted information. Please note that any view or opinions presented in this email are solely those of the author and do not necessarily represent those of the Choctaw Nation.

Classification: UNCLASSIFIED

Caveats: NONE

**From:** [Everett Bandy](#)  
**To:** [Lynch, Amanda L SWL](#); [Thomas, Cynthia G SWL](#)  
**Subject:** [EXTERNAL] Proposed Three Rivers Feasibility Study  
**Date:** Friday, November 13, 2015 3:47:19 PM

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Ms. Lynch and Ms. Thomas,

The Quapaw Tribe Historic Preservation Office has received and reviewed the information you have provided for the Proposed Three Rivers Feasibility Study.

This office would first like to thank Ms. Thomas for taking the time to speak about the project and go over some questions.. This was very helpful and has increased our understanding about what the project may entail. As we understand it, this project is not in the stage where it can be submitted for a formal Section 106 review; however the Little Rock USACE has taken the opportunity to include the Quapaw Tribe in early planning for this project. We would like to thank the Corps for providing the Quapaw Tribe with this opportunity which is very much in line with the spirit of good faith consultation described in 36 CFR Part 800.

This office is not able to give very much specific information to the Little Rock USACE that would be helpful at this stage of planning. We can express to the Little USACE however that this area is of paramount significance to the Quapaw Tribe as we occupied this area for a long period of time. Numerous sites of religious, cultural, and historic significance that are both rooted in the history of the Quapaw Tribe and are still important in maintaining the continuing cultural identity of our people are located in the area. As a result the Quapaw Tribe Historic Preservation is very interested in this project and can express that we will be engaging the Little Rock USACE in formal consultation regarding this project and we will need additional information as it becomes available in order to effectively review this project.

Some of the information that will be needed for an efficient review of this project includes:

- \* Maps depicting
  - o The final NEPA Study area
  - o The APE for potential impacts to historic properties
- \* this should include any area where ground disturbing work will take place including dredging, collection of fill material etc.
- \* depending on the final nature and APE of the project visual impacts may need to be assessed as well
- \* This can/may be a final map of the proposed project, or may be maps depicting the top project designs and alternatives
  - o Known cultural site locations in relation to the project
  - o LIDAR Data for at least the APE when it is determined (the Study Area would be preferable).
- \* This information will be extremely helpful in reviewing the project. The comparison of this data set with known

sites and cultural information known to this office with the possible features that may be identified while reviewing this project will enable this office to effectively and efficiently recommend areas of concern where additional archeological work may be needed

- \* Information regarding the ownership status of any proposed new structures that may result from this project
- o What long term mechanisms will be in place to deal with potential sediment build-up associated with these structures

Depending upon the nature of the final APE for the project and what potential effects may be anticipated an agreement document may need to be negotiated as well. This will need to be examined at a later date; however it may be prudent to consider that this is a possibility while the planning and scheduling for this project is underway.

This office understand that it will take some time to meet these requests; especially given the early stages of this project. We look forward to being able to review the information when it is received and examine the information we have for the area in order to make recommendations that are well thought out and informed. This will enable the Little Rock USACE to effectively plan and potentially execute this project in a fashion that will meet the preservation interests of the Quapaw Tribe and be in compliance with the applicable acts and laws that govern federal undertakings such as the NHPA.

Thank you for the working with the Quapaw Tribe on this matter.

Please contact me with any questions,

-Everett Bandy

Tribal Historic Preservation Officer, Quapaw Tribe

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THE DEPARTMENT OF ARKANSAS  
**HERITAGE**

Asa Hutchinson  
*Governor*

Stacy Hurst  
*Director*

Date: October 15, 2015  
Subject: Three Rivers Feasibility Study  
Cooperating Agency  
ANHC No.: F-COEL-15-048

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Arkansas Arts Council  
\*  
Arkansas Historic  
Preservation Program  
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Delta Cultural Center  
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Historic Arkansas Museum  
\*

Mosaic Templars  
Cultural Center  
\*

Old State House Museum

Mr. Craig Hilburn  
Environmental Branch  
Planning and Environmental Division  
Corps of Engineers, Little Rock District  
P.O. Box 867  
Little Rock, AR 72203-0867

Dear Mr. Hilburn:

This letter is written to accept the invitation from the Little Rock District Corps of Engineers to participate as a cooperating agency in the development of the Environmental Impact Statement (EIS) for the Three Rivers Feasibility Study in southeast Arkansas. The purpose of the EIS will be to present alternatives and assess the impacts associated with the implementation of environmentally sustainable solutions to address significant hydrologic and hydraulic issues in the Lower Arkansas/White River study area. As a cooperator we will contribute our technical expertise and resources by attending meetings, reviewing documents, providing data, identifying issues, and offering alternatives. We look forward to participating in this study.

Sincerely,

Chris Colclasure  
Director



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