



Transcript of the Testimony of
USACE Public Meeting 7-11-24,

Date: July 11, 2024

Case: USACE Public Meeting 7-11-24

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US ARMY CORPS OF ENGINEERS
VICKSBURG DISTRICT
PEARL RIVER BASIN FLOOD RISK MANAGEMENT PROJECT
PEARL RIVER DEIS PUBLIC MEETING

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Public Meeting for the US Army Corps of Engineers,
Vicksburg District, Pearl River Basin Flood Risk
Management Project, held on July 11, 2024 at Slidell
Municipal Auditorium, 2056 2nd Street, Slidell,
Louisiana 70458, beginning at 11:02 a.m.

Reported by:

Jenna Limjuco, BA-CCR
Certified Court Reporter

1 **APPEARANCES:**

2 **Thomas Shaw**

3 **Troy Constance**

4 **Brandon Davis**

5 **Eric Bush**

6 **Robyn Colosimo**

7 **Colonel Jeremiah Gipson**

8 **Keith Turner**

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TOM SHAW:

Thank you all for showing up. My name is Tom Shaw. I am the project manager for the Vicksburg District on this project, this Pearl River Flood Risk Management, presentation of our Draft Environment Impact Statement.

I want to just thank you all for your attendance. It is very, very much appreciated. I would like to take just a quick moment to recognize any government officials that we have here in the audience who we may not be aware of. Anybody who would like to be recognized?

DAVID COUGLE:

David Cogle, Parish Council District 9.

TOM SHAW:

Thank you.

MIKE COOPER:

Mike Cooper, Parish President, St Tammany Parish.

TOM SHAW:

Thank you.

ROB KREIGER:

1 Rob Kreiger, (inaudible.)
2 **TOM SHAW:**
3 Thank you very much.
4 **JEFF CORBIN:**
5 Jeff Corbin, District 13.
6 **TOM SHAW:**
7 I'm sorry?
8 **JEFF CORBIN**
9 Jeff Corbin, Council District No. 13.
10 **TOM SHAW:**
11 Thank you, sir.
12 **JIMMY STRICKLAND:**
13 Jimmy Strickland, Parish Councilman.
14 **TOM SHAW:**
15 Great.
16 **PAT BURKE:**
17 Pat Burke, Parish Councilman.
18 **JANE DHEMECOURT:**
19 Jane Dhemecourt, Representative
20 Egan's legislative assistant.
21 **TOM SHAW:**
22 Thank you, ma'am.
23 **UNIDENTIFIED SPEAKER:**
24 (From audience, inaudible.)
25 **TOM SHAW:**

1 Great. Glad to have you all.

2 STEPHANIE BERAULT:

3 My name's Stephanie Berault, State
4 Representative, District 76.

5 TOM SHAW:

6 Thank you. I certainly appreciate
7 it. I apologize for not being aware of
8 those of you in attendance today. We
9 would like to express our appreciation to
10 the mayor of Slidell and his
11 administration for all their assistance
12 in making this happen. It's very, very
13 much appreciated.

14 So as we get going today, I would
15 like to recognize the folks that are over
16 here at the table to my left, to your
17 right. I'll begin with Robyn Colosimo.
18 Ms. Colosimo is the Deputy Assistant
19 Secretary of the Army for Project
20 Planning and Policy Review. Mr. Eric
21 Bush -- Mr. Bush is the Director of
22 Planning and Policy at Headquarters, the
23 United States Army Corps of Engineers.

24 Colonel Jeremiah Gipson, who's the
25 commander of the Vicksburg District.

1 Keith Turner with the Rankin -- I'm
2 sorry, Rankin-Hinds Pearl River Flood
3 Control and Drainage District. Brandon
4 Davis with the Regional Planning and
5 Environmental Division South. And then
6 Troy Constance is right down here. Troy
7 will -- when we get to our Q&A session,
8 he will be assisting us there.

9 So the purpose of the meeting today
10 is to give you an overview and to present
11 the draft EIS topics and projects. These
12 public meetings are held as part of the
13 National Environmental Policy Act
14 process, and so Mr. Davis will talk about
15 that just a little bit later. So we've
16 got an agenda, as you might have guessed,
17 but we'll be covering several things.

18 The first thing we want to talk about
19 is a message from the Vicksburg District
20 Command. Some of you may have been at a
21 meeting that we held back in May of 2023
22 at Slidell High School, where we did kind
23 of our scoping meeting, and so our
24 commander at the time was Colonel Klein.
25 Colonel Klein has moved on to another

1 mission and Colonel Gipson is our new
2 commander, so at this time, we would like
3 to have you hear that video, please.

4 (A video was played.)

5 COLONEL KLEIN:

6 (Via Video) Hello. I'm Christopher
7 Klein. On the 7th of June 2024, the
8 Vicksburg District published a Draft
9 Environmental Impact Study, a pivotal
10 step in our journey towards mitigating
11 the flood risks plaguing the Pearl River
12 Basin.

13 Publishing the Pearl River Basin DEIS
14 marks a significant milestone in our
15 collaborative efforts with the community
16 and local leaders to deliver a flood risk
17 management strategy tailored to the
18 unique needs of the city of Jackson and
19 its surrounding areas. We're committed
20 to providing a solution that manages
21 flood risk and, at the same time, enables
22 a wide range of additional benefits.

23 It was an honor to lead the team
24 through the publication of this important
25 document. My time at the Vicksburg

1 District, however, has come to an end, as
2 the Army has transitioned me to another
3 role in a district serving our war
4 fighters, allies, and partners in the
5 Middle East. The good news, though, is
6 that the Army chose a very capable leader
7 to continue the good work in the
8 district. I'd like to introduce Colonel
9 Jeremiah Gipson.

10 Colonel Gipson most recently served
11 as Deputy of the Mississippi Valley
12 Division in Vicksburg, and has been
13 following the development of this plan
14 for months. Colonel Gipson, Jeremiah,
15 welcome.

16 COLONEL GIPSON:

17 (Via video) Thank you, Chris Klein,
18 and for your dedication and leadership.
19 To our partners, I assure you that the
20 mission entrusted to us will continue
21 with the same vigor and resolve.
22 Together, we will navigate the
23 complexities of the Pearl River Basin
24 with diligence and foresight.

25 For decades, flooding along the Pearl

1 River has disrupted lives and
2 livelihoods. Various proposals have been
3 presented, yet none garnered definitive
4 support. In July 2022, the Rankin-Hinds
5 Pearl River Flood and Drainage Control
6 District presented a locally preferred
7 plan to the Assistant Secretary of the
8 Army for Civil Works, the Honorable
9 Michael Connor. This set the stage for
10 the Corps' involvement.

11 Secretary Connor tasked us with
12 bridging data gaps, identifying the
13 National Economic Development plan, and
14 evaluating the merits of that plan.
15 Through extensive public engagement,
16 we've gained valuable insights, ranging
17 from the need for recreational areas,
18 concerns about water quality, and
19 existing concerns in the Lower Pearl
20 River. As we move forward, your
21 engagement is critical. We invite you to
22 attend our scheduled public meetings, or
23 submit your thoughts via email or mail.
24 Your voices will shape the future of
25 flood risk management in our region.

1 In closing, I urge each of you to
2 participate. Together, we can forge a
3 resilient future for those who are
4 affected by the Pearl River Basin, and
5 those who rely on its many benefits.
6 Thank you.

7 (End of video.)

8 TOM SHAW:

9 Okay. So as we get into the
10 presentation, you'll see there will be
11 several slides where we have information
12 about how you can provide comments. We
13 have a QR code that you'll be able to
14 scan if you have a smart phone. It goes
15 directly to the project website, where
16 videos of our prior public meetings will
17 be -- are posted.

18 Videos from these meetings that we're
19 holding right now will be posted as well,
20 as well as transcripts. The questions
21 that we receive will also have answers
22 associated with them, so that project
23 website will tell you a lot of
24 information about the project and where
25 we are today.

1 would like things to go, is we'll conduct
2 this presentation first. Following the
3 presentation, there's a microphone down
4 here in between -- in the aisle, where
5 you can come up and make a statement or
6 comment that will become part of the
7 public record.

8 When we do that, one of the things I
9 would like to mention is, to allow
10 everybody the opportunity that desires to
11 speak, we would ask that you limit your
12 questions to about three minutes. We
13 would also -- please wait to be
14 recognized, so that we can get going. We
15 would ask you to please be respectful of
16 the language with everybody here. And so
17 with that, let's move on. So Ms. Robyn
18 Colosimo will describe our meeting
19 purpose here.

20 ROBYN COLOSIMO:

21 Hi, everyone. Can you hear me okay?
22 Oh, good. All right. My name's Robyn
23 Colosimo, and I am the Deputy Assistant
24 Secretary of the Army for Civil Works. I
25 work in the office of the Assistant

1 Secretary for Civil Works. What's that
2 all mean? My boss, Mr. Michael Connor,
3 is one of six assistant secretaries of
4 the Army. He is an official of the Biden
5 Administration, and our small office
6 oversees the Corps of Engineers Civil
7 Works Program.

8 The work we talk about today is being
9 guided by the direction of my boss. It
10 seeks to resolve decades of repetitive
11 flooding in Jackson and within the Pearl
12 River drainage. The DEIS that is
13 released is responsive to our prior
14 public comment, including listening
15 sessions in 2023, as well as the prior
16 hearings that will benefit from
17 additional work that we will hear and
18 accomplish subject to these meetings;
19 right? That's the purpose of these
20 discussions, is to hear from you all
21 about what we've released and what areas
22 we need to continue to work on.

23 We have outlined those alternatives
24 that we can implement with the current
25 authorities, and most importantly, I

1 think the highlight here is that money
2 was allocated in the Bipartisan
3 Infrastructure Law to implement a project
4 with an implementing authority. So
5 that's kind of what's reinvigorated this
6 work, is the money set aside to resolve
7 these problems in Jackson.

8 All that saying it's imperative with
9 any project that's put forward and
10 potentially endorsed by my boss has to
11 make sure it doesn't implicate other
12 challenges. I know many of you are
13 concerned about downstream matters, and
14 the legislation specifically says we need
15 to address those analyses -- in the
16 analyses; right? So look forward to
17 hearing more about that.

18 We also want to make sure that any
19 work we're undertaking, any potential
20 action dovetails with other investments
21 that are happening in Jackson around
22 water and wastewater improvements that
23 are vastly needed. So all these things
24 are front of mind for us, on behalf of
25 our boss and for our agency.

1 We want to hear more about our
2 discussions today -- your reactions to
3 what you're seeing. We need to continue
4 to strengthen those processes, and
5 appreciate you taking the time out of
6 your busy days to help us understand
7 where you stand on these issues. Next
8 slide. It's just so fast. Okay.

9 The next slide just talks about the
10 public meetings that we're here for.
11 We're holding five of them -- two, we've
12 held already, one was virtual and one was
13 -- two were yesterday, and we're having
14 two today. Tom, you want to hit the
15 other places on here?

16 TOM SHAW:

17 All right. Thank you, ma'am. Next
18 will be Mr. Eric Bush, who will talk
19 about our NEPA process.

20 ERIC BUSH:

21 Thanks, Tom. Thanks for -- first of
22 all, I want to thank you all for coming
23 today, and taking your time to share your
24 questions, your comments, and your views
25 on the alternatives that have been

1 developed for this project. That's very
2 much appreciated.

3 I want to introduce myself. I'm Eric
4 Bush, and I'm the Chief of Planning and
5 Policy for the Corps of Engineers at our
6 Headquarters. One of my responsibilities
7 is to provide technical and policy advice
8 regarding civil works water resources
9 projects like this one to our Chief of
10 Engineers, Lieutenant General Scott
11 Spellmon, and Ms. Colosimo, and
12 ultimately to Mr. Connor at the
13 Secretary's office.

14 And so Colonel Gipson and Tom have
15 already highlighted, we are in a public
16 review process right now with the Draft
17 EIS which was published last month in
18 June. And so for me, this is the most
19 important step in our decision-making
20 process.

21 We've got a draft report out there
22 for you all to review and comment on, and
23 so we will take all of the comments that
24 we receive at these public meetings and
25 through other venues, and take all those

1 into consideration before an action is
2 recommended to the Secretary, and
3 hopefully, later this year. You can go
4 to the next slide, please, Tom.

5 And so here's where I want to just
6 state the obvious. This project is about
7 flood protection critically in the
8 Jackson Metro Area, and when the Corps of
9 Engineers talks about flood protection,
10 we usually use terms like flood damage
11 reduction and flood risk reduction.

12 But what flood protection is really
13 about is reducing human suffering; right?
14 We understand the impacts of devastating
15 floods on people and their communities,
16 and their infrastructure that supports
17 them. And so there's also, of course,
18 environmental impacts associated with
19 flooding that we're seeking to ameliorate
20 and address through this study process,
21 and through the project that we
22 recommend.

23 Our process requires us to evaluate a
24 range of alternatives, and so you'll get
25 an explanation from Brandon today, and

1 Tom, about the alternatives that were
2 developed for this Draft Environmental
3 Impact Statement, and you'll hear about
4 the evaluations that have been performed
5 regarding those alternatives.

6 And here, it's important for me to
7 emphasize the importance of partnership.
8 So we do this in partnership with a local
9 partner. In this case, it's the Rankin-
10 Hinds Flood Control District, represented
11 today by Mr. Turner. They have already
12 done a great amount of technical work to
13 advance this project, and we're taking it
14 into consideration through our decision
15 process in the Corps of Engineers and the
16 Army Civil Works.

17 As has been already pointed out, this
18 project is already authorized by
19 Congress, so that's an important
20 milestone, or an important action that
21 has already occurred that, you know,
22 facilitates future construction and
23 operation of a project to address
24 flooding in Jackson. And as Robyn
25 pointed out, there's also funding set

1 aside to initiate design and construction
2 work once we get through this decision
3 process here.

4 So you know, following the directions
5 that have been provided -- they're very
6 explicit, actually, written directions
7 that have been provided from our
8 Secretary, Mr. Connor, and his staff --
9 our Vicksburg District team has prepared
10 a Draft Environmental Impact Statement to
11 inform you and also agencies of the
12 alternatives and the analysis regarding
13 those alternatives.

14 And so we are in the middle of that
15 public process -- that 60 day public
16 process right now, which concludes on
17 August 6, and so we welcome this
18 opportunity to hear from you and obtain
19 your views and comments.

20 I'll also just add here in closing
21 that we're happy to take questions, too.
22 So we want to hear your comments, we want
23 to hear your questions, and I appreciate
24 the opportunity to be here, and I'll turn
25 over the presentation now to Mr. Turner.

1 Thank you.

2 KEITH TURNER:

3 Thank you, Mr. Bush. A little bit of
4 background -- some of you may be familiar
5 with some of this, of course. We've been
6 down here before presenting some of this
7 history when we were here in 2018.

8 In Jackson, we suffer from historical
9 flooding problems from its origination.
10 Many of you also experience flooding down
11 here. The Pearl is a very active river
12 when it comes to flooding. Throughout
13 the '60s, there were severe problems
14 which prompted levee construction, which
15 I'll mention in a second. '79 was our
16 flood of record, which devastated our
17 community. We had Interstate 55
18 underwater -- which is the main
19 thoroughfare -- downtown was underwater,
20 and many of our neighborhoods. It
21 occurred again several years after that.

22 More recently, we had a number of
23 street flooding records in 2020, and
24 another in 2022, so we're still very
25 vulnerable. As you can see in that

1 picture there, that's actually -- the
2 lower corner is I-55. The levee was
3 overtopped. That's right near downtown,
4 so we had sections of this levee in
5 particular fail. Next slide, please.

6 As I mentioned, in the '60s, the
7 Corps was tasked with helping us deal
8 with flood control. They constructed
9 levees in part of the area, and also
10 reconstructed the river channelized
11 stream to help move water through the
12 area.

13 Again, '79 was the flood of record,
14 and since that period of time, there is
15 entities, including Rankin-Hinds, that
16 has been trying to find solutions for the
17 area. We've looked upstream, tried
18 things downstream with additional levees
19 and things, and unfortunately, due to
20 various reasons, there's objections
21 upstream and objections downstream.
22 We've been unable to find a solution that
23 works for everybody at this point.

24 The 2007 report was kind of the
25 beginning of other concepts that also,

1 unfortunately, did not move past that.
2 It was the core where we picked it up --
3 core in the sense of c-o-r-e, not C-o-r-
4 p-s. We picked the project up, and in
5 2012, we entered an agreement with the
6 Corps of Engineers to conduct our own
7 environmental impact statement under the
8 authority of WRDA 3104.

9 We completed that in 2018. As I said
10 earlier, in 2018, we presented our Draft
11 EIS, and some of you may have attended
12 that meeting. And then ultimately, we
13 finished the document and submitted it to
14 the Corps of Engineers in 2022, and at
15 that point in time, they picked it up and
16 we're going to hear what they've been
17 doing since that period of time. Next
18 slide.

19 One of the things -- and this is the
20 less important to y'all, but we have
21 tributary issues up there as well, and
22 we're also trying to deal with those
23 through other authorities -- the counties
24 and other federal authorities that are
25 funding various tributary problems, which

1 is not only along the Pearl River, but we
2 have local flash flooding, as everybody
3 does. Next slide.

4 So the purpose of this, of course, is
5 to find flood risk control or flood risk
6 benefit with the Pearl River to deal with
7 the Pearl River flooding in the Jackson
8 Metropolitan Area. That's what our
9 authority is limited to, that area of the
10 Jackson Metropolitan Area.

11 And it causes -- some of you are
12 familiar, or I know you know about the
13 Ross Barnett Reservoir. So north of the
14 reservoir, when rain occurs, it floods up
15 there and it brings large volumes of
16 water down, and then comes through the
17 Jackson area, which is fairly tight, and
18 we have flooding as a result of that.

19 I mentioned that we have critical
20 infrastructure that goes underwater -- I
21 mentioned I-55 -- which should be a
22 concern to y'all down here. Our
23 wastewater treatment plant in '79
24 flooded, overtopped with raw sewerage
25 that was flowing for many, many months

1 after that period of time, all the way
2 down the Pearl. So those things still
3 remain at risk.

4 There's also quite a few
5 environmental justice communities. The
6 areas that flood first in the Jackson
7 area are environmental justice
8 communities. They're the low-lying areas
9 and they're hit first. They've had to
10 move out multiple times because, of
11 course, Jackson -- excuse me -- the Pearl
12 floods several times a year, and then
13 they're often threatened whenever they
14 see rain, they have to worry about it
15 backing up. So next slide, please.

16 TOM SHAW:

17 Thank you, Mr. Turner. So the USACE
18 activities that are listed up there, of
19 course, we were directed as part of
20 Section 3104 that the Secretary was
21 authorized to construct the NED Plan,
22 which is the National Economic
23 Development Plan, the locally preferred
24 plan, or a combination thereof. A
25 combination thereof is a term you're

1 going to hear a good bit. As government
2 does, we abbreviate things, and that is
3 currently what we call CTO, so
4 combination thereof.

5 The Secretary also directed us to
6 closely collaborate with Rankin-Hinds to
7 come up with the best solution that we
8 could, frankly, to resolve flooding in
9 the Jackson Metro Area, which included
10 identifying the NED Plan, compare it to
11 other flood protection for the
12 alternates, and then assess the
13 environmental acceptability and technical
14 feasibility of the alternates.

15 So the way this was actually
16 accomplished was, as mentioned earlier,
17 we used a lot of historical data that we
18 had. We also did a re-analysis from an
19 engineering perspective, economic, and
20 environmental perspective, you know, to
21 address and alleviate the flooding in the
22 Pearl River Watershed study area, which
23 is -- in and of itself, it's the
24 Metropolitan Jackson Area, so I'll talk
25 about the study area shortly.

1 The alternates that were assessed
2 were Alternate A, Alternate A-1,
3 Alternate C, and a combination thereof,
4 that hybrid plan. They were done in
5 accordance with the proper Army criteria
6 guidelines, and the Draft EIS, the
7 challenge there was to reasonably assess
8 foreseeable environmental impacts of all
9 the reasonable alternatives that could
10 possibly be proposed.

11 So as Mr. Turner -- he mentioned one
12 of the things that we wanted to make sure
13 of is that everybody understood that we
14 recognized the ongoing activities by
15 multiple local municipalities and local
16 entities with respect to the tributaries,
17 because they are connected hydraulically
18 and we do need to account for that. So
19 we have been coordinating with the state
20 and federal agencies with respect to the
21 ongoing -- their activities.

22 So I mentioned the study area. The
23 study area is what was actually defined
24 by our authorization, and that includes
25 Rankin and Hinds County -- Rankin and

1 Hinds Counties, including those cities
2 that you see there in the metro area and
3 the creeks listed. That's actually
4 represented on our map over there by the
5 yellow circle, which basically runs like
6 that.

7 And then the project area is actually
8 the area that the -- that our project
9 efforts actually looked at, and that's
10 represented by the oval area there. That
11 basically runs from the Ross Barnett
12 Reservoir down to just south of Byram,
13 Mississippi right there. And so -- and
14 basically, the project area is limited to
15 the proposed areas where our actions
16 would be implemented.

17 And then there's the last slide,
18 which is this kind of green looking
19 trapezoid there, which represents the
20 area of influence, and that's the area in
21 which changes, you know, from a
22 hydrological or hydrology standpoint
23 would exist based on the proposed
24 alternatives.

25 And so as part of that collaborative

1 effort, one of the things I mentioned are
2 several alternatives. There is
3 Alternative A, which is the non-
4 structural plan; B, the levee plan; and
5 C, the locally preferred plan. These
6 were all in the Rankin-Hinds submittal.
7 And after the ASA's office made a review,
8 one of the charges they gave to us is to
9 generate some comments. Many of them
10 were able to be answered, but there were
11 some which there looked like there was a
12 bad gap of things that they asked us or
13 charged us to work with Rankin-Hinds to
14 resolve. That's how we ended up with the
15 collaborative plan here that we're
16 talking about.

17 We're talking about a modified non-
18 structural plan, Alternate D, which is a
19 combination thereof plan which included
20 the weir; and then Alternate E, which was
21 a combination thereof plan without the
22 weir. Okay. And so Alternate A-1 is
23 evaluated at the 25-year flood event,
24 that flood plain, and so it applies to
25 any structures that are found within that

1 area. If the structures were
2 residential, then those structures would
3 be raised to the hundred-year flood
4 elevation. If it is non-residential,
5 then there would be basically dry flood
6 proofing to take care of that.

7 There is a possibility of voluntary
8 property acquisitions, and I will point
9 out that if that acquisition does happen,
10 the spaces would be converted to
11 greenspace thereafter. So within the
12 area for Alternate A-1, it was determined
13 there were 143 structures total, and you
14 can see the breakdown is 81 residential
15 with the balance being non-residential.

16 And so as I mentioned earlier, we did
17 -- have been identifying and working with
18 the locals that are doing trib work from
19 the hydrology and hydraulic standpoint.
20 The modeling did include the rainfall
21 which actually falls in the weir within
22 the tribs, and so that is added into our
23 hybrid models, so it does include the
24 tribs there.

25 And so we talked about Alternative C.

1 Alternate C is the locally preferred
2 plan, and you can see there are several
3 features associated with that plan, all
4 to improve the high water conveyance, if
5 you will, to move water in a more
6 efficient manner, and so that included
7 some excavation of what's called the
8 channel overbanks. Basically, it's
9 technically outside the channel -- we're
10 not changing the channel itself, but it
11 really comes into play when you're
12 talking about a hundred-year flood event.
13 It helps move water down.

14 It also included demolition of an
15 existing weir at the Fewell Water
16 Treatment Plant with construction of a
17 new weir, and that weir is going to sit
18 at an elevation of 258, and included
19 upgrades to non-federal levee around the
20 Savanna Street Wastewater Treatment
21 Plant. And lastly, it includes some
22 improvements to interior drainage that
23 would basically be required for us, but
24 there will be a permit pulled.

25 All right. So moving on to the CTO,

1 and this is the, if you will,
2 collaborative efforts, really, mainly for
3 us. And so we mentioned earlier that the
4 combination thereof was considered from
5 several different perspectives. One is
6 that we were looking to see what we could
7 do the lessen the impacts and still get
8 to the very -- to a solution from a flood
9 risk management. And so one of the key
10 things was we determined that we could
11 move the weir upstream.

12 That's the location of the weir --
13 the recent weir was further downstream
14 here, but by moving that weir upstream,
15 several things were gained in terms of we
16 reduced the amount of excavation that
17 actually had to happen. We avoided some
18 non-HTRW or hazardous toxic and
19 radioactive waste sites -- not that there
20 was radioactive waste there, but I mean,
21 it's HTRW, and so we always hope to avoid
22 or minimize our exposure there. The
23 other thing is that because we reduced
24 excavation in there, it lessened the
25 mitigation requirements as well. And so

1 the only difference between Alternate D
2 and Alternate E is, like I said, the
3 addition of that weir that's right there
4 in D, and not having it in E.

5 One other feature that I would like
6 to mention associated with D is that
7 there are some environmental justice
8 areas that are within the study area, and
9 this is an example of one at the Canton
10 Club neighborhood that would need some
11 help there because they -- they are
12 impacted.

13 The other thing that's very
14 interesting is that we determined that we
15 could actually reduce the weir height.
16 And so that weir now is at 256 elevation
17 instead of 258, and so that actually --
18 it actually helps our case a good bit.
19 It also includes a modified non-
20 structural plan, that modified A-1.
21 That's basically all you would need. If
22 you notice, there is no weir.

23 So from the H&H impact standpoint,
24 there are a couple of interesting things
25 on this slide that I would like to point

1 out. When you see this line -- the blue
2 line on the screen, that line there
3 represents the without project condition
4 -- that's the way the basin currently
5 exists with a hundred-year flood event.

6 And you'll notice this line here is
7 -- the lower line is the with project
8 condition, and that is about five feet of
9 water surface elevation reduction by
10 having the project. The weir itself is
11 just south of I-20, so that's about the
12 location of this weir. So this is
13 upstream, moving downstream from right to
14 left.

15 And so there are several items of
16 interest that are shown here, including
17 the environment. Right there, it talks
18 about the raise of downstream water
19 elevation to about six inches, which is
20 actually represented here. A couple
21 things that I want to point out is, one,
22 that it is within the tolerance of the
23 model itself, and that the areas that are
24 impacted are already getting wet; it's
25 just that there's an increased level of

1 flooding. We recognize one thing that
2 has to be done that we're not doing -- it
3 will be done in another phase, and that
4 is sedimentation modeling.

5 Okay. At this time, Brandon will
6 talk about the environmental side.

7 BRANDON DAVIS:

8 Thank you, Tom. I decided to come to
9 the podium since I have to use this fancy
10 clicker, so I don't have to turn my neck
11 so much. Good morning to you all. I'm
12 glad you are here. I know it's the
13 middle of the day and there's a lot of
14 other places you could be, so it's great
15 to have you here. I also want to thank
16 our first responders that are joining us
17 as well today.

18 My name is Brandon Davis. I'm the
19 planning lead out of Vicksburg, and I've
20 been a part of this project for a long
21 time. In the next few slides, we're
22 going to talk about the National
23 Environmental Policy Act. I'm going to
24 call it NEPA going forward.

25 Before I do that, I want to set the

1 table on a couple of things that may be
2 some of the questions that you have.
3 First and foremost, my commitment to you
4 today is that we're going to address your
5 questions and comments to the best of my
6 ability. But if I'm not able to, we
7 brought subject matter experts. We have
8 them out in the foyer, and you saw some
9 of the boards as you came in.

10 We have environmental subject matter
11 experts, local resources, economics, HTRW
12 -- so we have a very good panel out there
13 that are probably better suited to
14 address a majority of your more
15 technically sound questions, but we'll
16 certainly do our best, or I'll do my best
17 to address anything that you may have.

18 Also, I want to set the table that
19 we, as the Corps of Engineers, we are a
20 risk-informed decision making agency. So
21 what does that mean? That means that we
22 take the information that we have readily
23 available and we make assumptions, and we
24 move forward with it the best that we
25 can.

1 Now, with that being said, we always
2 are looking for ways to improve, and if
3 we have to make adjustments, we do that,
4 and we mitigate when we have to do that
5 as well. One of the great things about
6 NEPA that brings us here today is that,
7 as a federal entity, we are held
8 accountable to disclose to you what we
9 are doing. I think that is a benefit
10 that we're able to come together, because
11 what this does, this interaction and
12 collaboration allows us to produce a
13 better product.

14 I will say about this EIS, we as an
15 agency, we are vertically aligned by the
16 information that we have, but there's
17 always ways that can be improved, and
18 today is one of those ways that we can
19 move forward on that. So I want you to
20 know that this EIS, the draft -- that
21 what it is, it's a draft. There are some
22 areas that we probably need to make
23 adjustments to, and again, leaning on you
24 guys to help us with that as we go and do
25 additional analysis.

1 As we know what alternatives are
2 going to be selected, we're going to have
3 to button up some issues, but this first
4 slide here, we're talking about the
5 habitation of -- excuse me, habitat
6 mitigation -- combining my words there.
7 You know, mitigation is a -- it confuses
8 a lot of people of what it is, and kind
9 of an elementary way of mitigation is
10 that if I take something or damage
11 something, I replace it with something
12 else; okay?

13 And that's a very elementary approach
14 to that, and it's a little more
15 complicated, but that's the general idea
16 of what mitigation is. We're trying to
17 replace and put back in service something
18 that we had to take away for a project.
19 So this first table here will give you an
20 understanding of what we have, is that
21 this table here basically shows the acres
22 impacted based on the alternatives that
23 -- Alternative D and Alternative E, and
24 also the AA issues we'll talk about in a
25 second.

1 Now, you'll notice that we don't have
2 Alternative A up there. Being a non-
3 structural alternative, our team felt
4 like there wasn't any type of impacts
5 that were going to be to the environment
6 with a non-structural plan. So looking
7 at Alternative C, which was the original
8 lake plan and then the combination
9 thereof, as Tom was talking about, the
10 CTO -- Alternative D is the CTO with the
11 weir; Alternative E is the -- basically,
12 the same project minus the weir.

13 So you see here the various types of
14 habitats -- you have open water, forest,
15 and wetlands, and things of that nature.
16 I want to point out that when we
17 mitigation, this is not a one-to-one type
18 exercise. So you know, the value of what
19 a -- like a Tupelo swamp or a bottomland
20 hardwood swamp, the value in that
21 mitigation more than likely is going to
22 be higher than what you would see in open
23 water. So that's why I'm allowing our
24 team to help us determine what those
25 mitigation numbers would be.

1 But getting back to this table here,
2 as you can see, the acres impacted for
3 Alternative C, if you can see -- I'm not
4 going to read those off to you, but you
5 can see how they are much more than --
6 have substantially less acres impacted
7 with this combination thereof plan in
8 Alternative D or Alternative E, and also
9 -- so that's the acres impacted.

10 So then the next thing we look at is
11 the AAHUs -- that's a mouthful. So what
12 is that? That's the average annual
13 habitat unit, and that represents a
14 function in values of a particular
15 habitat; okay? And like I said, when we
16 mitigate for a project, we're not going
17 to do them one-to-one. So the value of
18 open water mitigation, likely, is not
19 going to be the same as replacing
20 bottomland hardwood, so there is some
21 differences there.

22 Our terrestrial impacts are developed
23 by running a certified habitat evaluation
24 process model. Some of you may know that
25 a HEP, H-E-P. This was completed by a

1 non-federal interest contractor who did a
2 great job on that, and that has been
3 presented in the Draft EIS. One thing I
4 do want to point out and talked about a
5 little bit earlier, we are still
6 developing -- I did want to say we are
7 developing a mitigation plan for this
8 study. There are some things we need to
9 know -- what path, what direction is
10 going to be selected by Secretary -- but
11 we are working to have that completed,
12 and that will be completed before any
13 construction activities are scheduled to
14 take place.

15 All right. So this next slide, this
16 falls under the NEPA umbrella as well --
17 threatened and endangered species. As
18 you can see here, there are eight listed
19 species within the area that we have --
20 that we're looking at. Our team did a
21 great job of collaborating with the U.S.
22 Fish and Wildlife Service in making these
23 determinations. There was collaboration
24 hand in hand on this, so the
25 determinations that you're going to see

1 and I'm about to talk about wasn't
2 something that was independently just
3 thought of by the Corps of Engineers. We
4 had help from our sister agency as well.

5 But what you see here, you see this
6 LAA and this NLAA. The LAA is likely to
7 adversely affect, but not likely to
8 jeopardize the continuing existence of.
9 There will be impacts to the habitat of
10 the species, but as I said, not likely to
11 jeopardize the continuing existence of
12 that species. And then NLA, not likely
13 to adversely affect. So you can see how
14 these are laid out based on the various
15 alternatives. Again, I want to point out
16 to you you're not going to see this for
17 Alternative A, the non-structural plan.
18 It's only going to be for the CTO with
19 the weir, or the CTO without the weir.

20 As you see, you'll notice that the
21 impacts are the same for Alternative C
22 and Alternative D, the CTO with the weir.
23 They have the same impacts. It was
24 assumed that, like Alternative C, the
25 construction of the weir could likely

1 eliminate some of the riverine habitat.
2 The velocity analysis is something that
3 has to be conducted for Alternative C,
4 and we are going to be doing that to
5 better understand the impacts a CTO would
6 have on a riverine system. There's a lot
7 of -- some people that are interested in
8 Gulf sturgeon and various other species.
9 That's something that we want to make
10 sure that we are fully understanding, how
11 the riverine system is going to be
12 impacted.

13 Alternative E, the CTO without the
14 weir, has slightly different impacts, but
15 the river channel, even though there's
16 not going to be a weir, there is still
17 going to be some impacts, as you see,
18 with some of these turtle species because
19 there's going to be some excavation of
20 the banks. Turtles really rely on the
21 banks for various mechanisms of survival,
22 so there will be some type of impacts to
23 the Ringed sawback, and I also believe it
24 was the Pearl map turtle. There will be,
25 as you can see there, LLA, as determined

1 by the Corps and the Fish and Wildlife
2 Service on that.

3 A biological assessment has been
4 prepared by our team. It's been
5 submitted to the Fish and Wildlife
6 Service for the above determinations that
7 you see here on the slide, and our
8 consultation's continuing. They're
9 ongoing and we're anticipating that to be
10 completed by the release of the final
11 EIS. Again, we've had very good
12 collaboration with our sister agency in
13 this process.

14 So next slide is cultural resources,
15 and all alternatives that we have listed
16 here has some type of potential affect
17 with cultural resources. Cultural
18 resources are all around us. Most of the
19 time, we don't think about things being a
20 historical, or some type of Native
21 American -- there's various things that
22 we don't really know where they are, and
23 we find them sometimes by accident with
24 some of our projects. So cultural
25 resources around us are something that we

1 take very seriously in the Corps of
2 Engineers.

3 Our team is currently negotiating a
4 programmatic agreement with the State
5 Historical Preservation Office, SHPO,
6 tribal nations, and other stakeholders.
7 So what is a programmatic agreement?
8 Well, really, it's a plan of what you're
9 going to do to address any impacts.

10 It's programmatic, so if we know that
11 we're going to do Alternative D, the CTO
12 with the weir, we'd have to go and talk
13 to SHPO and say, "Okay, so what are the
14 potential barriers?" Even some of the
15 things with the SHPO, there may look at
16 historical structures that are out there
17 as well. It's a big array of things we
18 have to look at.

19 So our team has done a great job of
20 having regular consultation meetings to
21 reach an agreement, and they actually had
22 a call yesterday -- a very successful
23 call yesterday -- and that agreement is
24 expected to be signed before our record
25 of decision has been executed for this

1 project.

2 Tribal resources is similar and falls
3 under Section 106. It's a policy of the
4 federal government to consult with
5 federally recognized tribal governments
6 and nations. Currently, there are no
7 tribal lands or rights within the project
8 area, but we're going to continue to
9 consult with our tribal partners in case
10 there's any type of protected tribal
11 resources that we haven't identified that
12 we need to work with.

13 So the next slide is environmental
14 justice, and this is something that some
15 of us -- I know, me, I've had to do a lot
16 of homework on this one, and you know,
17 really credit to the Biden and Obama
18 Administration for pushing this. They've
19 done a great job of making us recognize,
20 and you know, helping us do a better job
21 of serving our communities. But what is
22 environmental justice?

23 So it means the just treatment and
24 meaningful involvement of all people,
25 regardless of income, race, or disability

1 -- giving everyone a voice. Not us as a
2 Corps finding cheap land and going and
3 pushing people off if it and building a
4 project; making sure that everyone's
5 treated equally and has a voice in what
6 we're going to do be doing. So it's
7 something that's very important to us,
8 and I'm glad the Administration is taking
9 those steps.

10 What I want to point out is for the
11 no-action alternative. So the current
12 conditions that's going on out there,
13 there's about 773, 800 structures,
14 somewhere in that neighborhood, that are
15 in EJ areas of concern; okay? This being
16 the Jackson, Mississippi area, Hinds
17 County, and part of Rankin County. It's
18 about 800 -- close to 800 structures in
19 that area. The vast majority of about
20 143 of those structures are within the
21 alternative A-1, the non-structural plan.

22 One thing I do want to point out down
23 here is -- Tom mentioned it a second ago,
24 talking about structural inducements. He
25 was talking about some of the potential

1 error model. When you see this number
2 here, this 52, that's not 52 new
3 structures that are getting wet. That's
4 52 structures that are currently getting
5 wet in the current conditions, and that's
6 within the EJ area.

7 So what does that mean? So
8 basically, we do a project and it's still
9 happening, we have to mitigate for it
10 through some type of non-structural
11 solution, be that elevation or dry
12 proofing, or some other measure that way.
13 But again, I just want to point that out
14 to you for any concern that you might
15 see, but that is kind of the elephant in
16 the room. That's not 52 new structures
17 that are getting wet. That's already
18 been involved in that.

19 I think the important thing to point
20 out is that we're not just here over -- I
21 know our comment period for the NEPA
22 process here is going to end in August,
23 but we're going to continue to be
24 reaching out to our EJ communities
25 through the next, I think, two or three

1 meetings coming up throughout the summer
2 and the fall, and we want to hear from
3 them and answer their questions. There
4 may be some individuals who didn't have
5 the ability to join us for these public
6 meetings, so the EJ element is something
7 that's going to continue to be ongoing.

8 And our next slide, we get to the
9 recreation component of this. Recreation
10 makes up about \$5 million dollars of
11 benefits for this project. One thing
12 about the Corps of Engineers and our
13 policy, the study that we are doing and
14 the EIS that is put out is for flood risk
15 management solutions; okay? This is not
16 a recreation-type project. 50 percent or
17 more of our benefits have to be derived
18 from one of our main commissions -- flood
19 risk management, in this instance here --
20 before we can account for recreation.

21 We do have that with Alternative C in
22 the CTO. Obviously, recreation is not
23 going to be included for anything on the
24 no-action or non-structural plan, but
25 like I said, it would be for C, and then

1 for the CTOs. We do, again, have
2 benefits up here in the Jackson area. If
3 you've ever been to Jackson, you know
4 there's no public ability to reach the
5 Pearl River.

6 There are some ways of getting
7 through LaFleur's State Bluff and Mayes
8 Lake, but there's really not an easy way
9 for the public to have access to that
10 river, as far as boat ramps and things go
11 to that nature. So we do see benefits
12 for C and the CTO, and we also have
13 recognized that there is potential
14 impacts to LeFleur State Park over there,
15 so the area -- for those that are
16 interested if it has potential impacts,
17 it's going to be on the east side, next
18 to the river where there's inducements.

19 Now, these are lands that are already
20 -- that are wet when the high water
21 events is up. I don't mean to sound
22 positive about that or that I don't care
23 about that, but what I'm saying is that
24 if we -- if this project was selected --
25 if the CTO with the weir was selected,

1 we'd have to go through working with park
2 services to make sure we're mitigating
3 and doing what we need to do. There's a
4 lot of minor things that we could
5 implement that could actually make this
6 part even better, because of the flooding
7 in those areas that we have had.

8 So again, the goal is to avoid and
9 minimize, obviously, but if we can't, we
10 mitigate as necessary to make it better.

11 So finally, one of the last things I
12 want to talk about to you is economics,
13 and this is the stuff that really can
14 make your eyes cross because it's a lot
15 of numbers. What I want to tell you
16 somewhat, so you can understand what
17 we're talking about here.

18 This is a summary slide, and in a
19 moment, I'll have a full table that you
20 will be able to see. We have all the
21 alternatives that Tom was talking about a
22 little bit earlier, and you can see the
23 project first calls for anything from
24 \$487 million to \$655 million. Well, why
25 do we have a range like that?

1 Well, to be honest with you, there is
2 risk involved in those numbers. Our
3 engineers did a great job of
4 collaborating on that, but we do have --
5 you know, they assign some risk to that
6 to give us that range and some
7 flexibility. Currently, those numbers
8 are going through an agency technical
9 review. The cost numbers are being
10 reviewed by an individual out of our
11 Walla Walla Center of Expertise, Walla
12 Walla, Washington.

13 They have the Center of Expertise for
14 Cost Engineering. The individual I've
15 worked with several times was extremely
16 tough on review, so it's in good hands in
17 the essence of finding and making sure
18 their numbers are sound. So more to come
19 on that, because that needs to go in at
20 the end -- I believe at the end, toward
21 the end of August.

22 Net benefits is something that we
23 look at, and also benefit to cost ratio.
24 I want to be clear, again, that the
25 charge that we were given by the

1 Secretary of the Army for Civil Works --
2 Assistant Secretary of the Army for Civil
3 Works -- were to analyze an array of
4 alternatives in this EIS, determine an
5 NED plan, and help them make an informed
6 decision on a path forward.

7 Again, the information that we do
8 have, we vertically align with. We
9 realize that more or maybe better
10 information in the input coming from you
11 can help make this a better project, but
12 we feel good about the information that
13 we have at the time that we're doing this
14 analysis.

15 So when we talk about an NED Plan, a
16 National Economic Development Plan, okay,
17 really, what that means is we're looking
18 for the project that's going to provide
19 the most net benefits, and we're also
20 looking for a benefit to cost ratio of
21 being above unity or one.

22 Now, a benefit -- a simplified
23 version of that, you know, you have a job
24 and you go to it and you're paid a wage.
25 That's a benefit of you having a job. So

1 you would think that, you know, if you
2 want to maximize those benefits, you want
3 to get as much as you can; right? That's
4 kind of the elementary approach to
5 thinking of net benefits when we're
6 looking at an NED Plan.

7 Now, down here on this benefit to
8 cost ratio numbers that you have, you see
9 what we're going to do is, we're going to
10 take our benefit number provided to us by
11 our economists, then we're going to take
12 the cost of that project and divide that,
13 then you're going to come up with a
14 number. For the instance here on
15 Alternative D, we're seeing a 1.4 to 1.1.
16 So what does that mean? So for every one
17 dollar that's invested by the federal
18 government, in theory, \$1.40 is going to
19 be returned to the public for that
20 project. So that's how that plays out.

21 I wanted to lay that out to you so
22 you understand a little bit more on this
23 next slide, and you're not seeing a bunch
24 of numbers -- because that's a bunch of
25 numbers. I want to be as transparent as

1 I possibly can on this. So we talked
2 about the Secretary asking us to provide
3 them an NED project, and if I'm looking
4 at that, I'm actually looking at a couple
5 of options here. Alternative D on the
6 low cost -- you see an annualized net
7 benefit of \$8.2 million and a benefit
8 cost ratio of 1.4.

9 Now, you would think that you would
10 want this higher number here, and you
11 would say that would be your NED plan,
12 but not necessarily. As I said, the key
13 to having the NED plan is having a BCR
14 above unity and above one, but also
15 maximizing the net benefits associated
16 with that.

17 So in this case here, you have
18 actually about three that you can look
19 at. Alternative D, the CTO with weir,
20 I'm looking at the low cost. You have
21 Alternative E, the CTO without the weir
22 is a little -- you know, a \$6.8; and then
23 you have the non-structural plan down
24 here is a 2.2 with \$2.1 million dollars.
25 So why is there a variation there? Well,

1 as we talked about, there's risk
2 associated with the cost that we have,
3 and we're going through that ATR process
4 right now to further refine what those
5 numbers might be.

6 So it might be that when we go
7 through the process of being reviewed,
8 we're saying maybe it's a low number of
9 \$478 or \$487, it actually could go up
10 higher to \$655, which would take this out
11 of contention. So there's still some
12 things to be sorted out on the
13 alternative that the Secretary might
14 select. Again, our charge is to give
15 them information to make a, you know --
16 to make an informed decision, and that's
17 what we feel like we're doing here with
18 these results.

19 All right. And finally, the last
20 thing I want to talk to you about today
21 is the HTRW -- hazardous, toxic, and
22 radiologic waste. Our sponsor has done a
23 great job of using the numerous tests so
24 far on this area. Once we have a refined
25 project, we'll make sure that the site is

1 clear of any HTRW. It needs to be
2 pointed out that the Corps of Engineers
3 is not going to go in and construct any
4 type of project that has some type of
5 concern about HTRW. You know, we're next
6 to a landfill that has radioactive waste,
7 that site's going to have to be cleared
8 so we're not having any kind of leeching
9 into the system. So that's a concern
10 that would have to be addressed before
11 we're able to move on with that.

12 Again, thank you so much for your
13 time. We have our subject matter experts
14 in the back. I will be here as well, so
15 will my chief down here. If you have any
16 questions, I'd love to hear from you.
17 Again, thank you for helping us make this
18 project even better.

19 TOM SHAW:

20 Thank you, Brandon. So that
21 concludes our presentation part. We will
22 take questions and answers here shortly,
23 and then if your question is more of a
24 technical nature, we may ask you to go
25 back out into the lobby where our subject

1 matter experts are, to get a little bit
2 better information.

3 Not knowing how many questions we may
4 have, if we can't get to everybody, I
5 would ask that you use one of the three
6 methods that we mentioned -- by the
7 website, the project email, or even U.S.
8 Postal Service. We would really, really
9 like to get your comments and feedback.

10 So the last thing I will talk about
11 is our timeline, where we are today. As
12 you heard, our comment period for the
13 public is through the 6th of August.
14 Once that period ends, then, of course,
15 we will begin addressing those public
16 comments, and we anticipate that taking
17 us a couple months to do. If everything
18 remains on schedule, a Notice of
19 Availability in October with us, the
20 Corps, presenting a Final Environmental
21 Impact Statement to the Secretary for his
22 determination and a Record of Decision,
23 if he chooses to.

24 So now for the question period. So I
25 will just ask if Mr. Constance, you'll

1 TOM SHAW:

2 Right. And so from a hydraulics and
3 hydrology standpoint, the modeling
4 determined that the influence, if you
5 will, is basically -- it goes within the
6 topics on modeling, which we did about
7 five miles north of Monticello,
8 Mississippi.

9 So from an H&H standpoint, there
10 should be no impact downstream. I
11 mentioned earlier that we do need to
12 conduct a sedimentation model as part of
13 the next phase. Okay. Next? Anybody
14 else have a question? Yes, ma'am?

15 STEPHANIE BERAULT:

16 Thank you. Stephanie Berault. I'm State
17 Representative for District 76. First, I
18 want to say thank you all for being here,
19 being in Slidell. I know that at other
20 times, maybe you didn't make it here. There
21 is noone that's going to cheer you on more
22 for flood protection than people in this
23 room. Noone understands that better than
24 they do, as long as it doesn't affect us.

25 A couple of questions: number one, A-1,

1 my understanding is you -- and I'm going to
2 talk a little bit about Congressional
3 authorization. There is current
4 Congressional authorization that would cover
5 A-1. There is not downstream impact of A-1.
6 There is, obviously, a much better -- less
7 cost, better BCR. So why are you not giving
8 a big presentation, I guess, more focused on
9 A-1?

10 And then I'll add just a little bit on my
11 second part of that and then I'll sit down,
12 but on what looks to be the preferred -- the
13 combination D with the weir -- my
14 understanding that you do not currently have
15 enough Congressional authorization and
16 funding for that project. So you would have
17 to -- you have it up to a certain amount, but
18 the amounts I've seen listed up here would
19 exceed your Congressional authorization and
20 would exceed your funding.

21 So that would mean you would have to go
22 back and get additional authorization and
23 additional funding. So if you're going to go
24 back to Congress and say, "Hey, we need more
25 money for this," my question to you and for

1 the people in this room is how much are you
2 measuring in all of those numbers that are up
3 there for downstream mitigation? I know in
4 the project, it says that there would have to
5 be a full study of the Pearl River. My
6 question is how much are you projecting to do
7 that project, and how much are you projecting
8 for any mitigation for downstream impacts?

9 I've seen estimates as high as a billion
10 dollars. I don't know what that -- how that
11 would factor into it. How much are you
12 projecting, in whatever you're going to have
13 to go back and ask Congress for, in any
14 project other than A-1, for downstream impact
15 for us? Thank you.

16 TROY CONSTANCE:

17 Thank you for that question. I will
18 start with the first part. You asked how
19 do we make the selection. And you're
20 right -- so we look at the affects and
21 the cost, and the benefit return. So if
22 you look at A-1 by itself, then it has
23 higher benefit because of -- high BCR and
24 higher benefits over a certain condition.
25 That's not the only thing that we do when

1 we look at alternatives. We also look at
2 its effectiveness.

3 So one of the things about the non-
4 structural plan is the participation.
5 The rate that we use to develop that is
6 it assumes 100 percent participation. We
7 know that that's not true, because we do
8 non-structural all over the country. The
9 participation rate drops subject to the
10 type of community.

11 In this community, we're anticipating
12 the participation rate to drop nearly 50
13 percent. When you get a rate that low,
14 you start to ask yourself how effective
15 is the plan? You're not really
16 addressing the problem in the area
17 through that vision. But we present it
18 to get Congress and the public to
19 determine whether or not that
20 participation rate is going to be close
21 to 100 percent or not, and that's how we
22 ultimately make the decision.

23 When you're looking at effectiveness
24 -- how much damage and how many
25 structures you're actually going to be

1 able to pull out of the current damage,
2 you start to see the construction plans
3 are generating the more direct reduction
4 than damages. So that's kind of where we
5 are right now. We won't be able to make
6 that final decision until we've completed
7 the public comment period.

8 So to your point about the indirect
9 impacts downstream, one of the things
10 that we did is we ran a hydrologic model,
11 and we ran it many, many miles
12 downstream. What we saw is that right at
13 the face of the weir, there's about a six
14 inch rise in water surface elevation, and
15 then it very rapidly drops off about
16 three inches, almost to nothing. By the
17 time you get just north of Monticello,
18 it's almost nothing, even in the
19 modeling.

20 And when we talk, it's a computer
21 model and the ability of the model to
22 predict, and there's a range of certainty
23 which is in there, so it's within that
24 six inches of certainty. So what does
25 that really mean? It could be plus or

1 minus six inches. So if it's minus, that
2 means there's nothing there, and there's
3 nothing all the way down there; or it
4 could be six inches higher.

5 We take that seriously and we assume
6 that there is an impact, and that's why
7 you see we're including additional
8 structures in the non-structural
9 component element, to take those
10 structures and bring them out of that
11 inducement.

12 As we sit here right now, the
13 influence of the project -- I'm not
14 saying that there aren't issues that are
15 going on throughout the river -- the
16 implementation of this project does not
17 have an affect further than five river
18 miles from Monticello, and so there's no
19 additional -- at this point, no
20 additional mitigation plan in the plan.

21 However, as we advance the analysis
22 and we continue to look at it, that may
23 change. We may have to start doing some
24 things downstream, but at this point,
25 we're not seeing significant downstream

1 influence.

2 STEPHANIE BERAULT:

3 I'm sorry, one follow up question.

4 TROY CONSTANCE:

5 Sure.

6 STEPHANIE BERAULT:

7 This was all talking about high
8 water. I'm talking about low water.

9 TROY CONSTANCE:

10 Right.

11 STEPHANIE BERAULT:

12 I'm talking about in a low water
13 scenario, downstream impacts.

14 TROY CONSTANCE:

15 So for low water, we need to maintain
16 the amount of water that's naturally
17 there, so we look it up. What's the high
18 crest, and so with rainfall events, the
19 hydrographic change up and down. So we
20 look at a hydrographic map and we see
21 what we have to maintain that amount of
22 water going down the stream.

23 There's a low flow structure
24 incorporated into this weir to ensure
25 that the amount of water that you would

1 see in a hydrographic map continues
2 downstream, so we're not having an
3 impact. When the weir is in place and we
4 do have a flood, it gets completely
5 submerged, so you don't even -- it's like
6 it's not even there. It's just helping
7 convey the water through that tight
8 point. So there's provisions in the plan
9 to ensure that the amount of water going
10 downstream remains the same as it is
11 today.

12 ERIC BUSH:

13 I want to acknowledge one of the
14 points the representative made. You were
15 talking about additional Congressional
16 authorization, potentially. You're
17 correct that Congress has authorized a
18 plan already with an associated cost.

19 And so through this process, if we
20 recommend a plan that exceeds that
21 authorized cost -- plus inflation, plus
22 20 percent, which is what, you know, the
23 rules are -- then additional
24 Congressional authorization may be
25 needed. So I just wanted to acknowledge

1 that.

2 TOM SHAW:

3 Okay. Next question. Sir?

4 BARRY KOHL:

5 I don't have any specific questions, but
6 I have some observations.

7 TOM SHAW:

8 Can I get your name, please, sir,
9 for the Record?

10 BARRY KOHL:

11 My name is Barry Kohl, K-o-h-l.

12 TOM SHAW:

13 Thank you.

14 BARRY KOHL:

15 I'm here representing the Sierra Club New
16 Orleans group. We have a few observations --
17 I'll be brief -- where information was
18 lacking in the Draft Impact Statement.

19 The Sierra Club has used the Pearl River
20 for over 50 years, and we have six natural
21 and scenic rivers in the lower part of the
22 Pearl River. They're very precious,
23 beautiful, scenic, and natural rivers, and
24 they're used by many of our folks in New
25 Orleans and Slidell for canoeing and enjoying

1 the environment.

2 But we noticed in the EIS, there was a
3 lot of critical information missing. One was
4 information on the impacts on the Lower Pearl
5 River. There are concerns about eco-tourism
6 in the Lower Pearl, water level changes.
7 It's important to have water levels
8 predictable, and we're afraid that with the
9 project -- the Corps project in Jackson with
10 changes in water levels, we won't know how to
11 it would affect the area in the Lower Pearl.

12 One sort of philosophical issue -- I'm a
13 geologist by training, and we were always
14 taught don't build in the flood plain.
15 Evidently, that information hasn't gotten out
16 to the politicians, because we're here today
17 because of flooding in the flood plain and
18 building in the flood pain. Flood plains
19 flood. That's what they do. The city of
20 Jackson spread into the flood plain, and
21 that's why we have a problem.

22 Now, based on topographic maps, elevation
23 maps which we geologists use daily, manmade
24 -- the flooding of manmade structures is
25 predictable, and also preventable if you're

1 aware of where the water goes, and it's very
2 easy to determine the width and breadth of
3 flood plains. It's on topographic maps.

4 Developers like to build in flood plains
5 because the land is cheap and the profits are
6 high. Also, they are usually helped by their
7 political allies, and those of you in the
8 Corps, I'm sure, have heard a lot from
9 politicians who have invested interest in
10 potential Corps projects.

11 I'm particularly concerned about the dam.
12 The Pearl River Navigation Project which was
13 built by the Corps, the dams and locks, back
14 in the '50s, there are major safety problems
15 with two of the dams -- one at Pools Bluff
16 Sill, and the -- Pools Bluff Sill near
17 Bogalusa and the Bogue Chitto sill. The
18 Corps' design created a permanent rollover
19 which causes boats to capsize, pulls people
20 under water, and they can't escape.

21 Between 2010 and 2020, eight people lost
22 their lives when the boats overturned and the
23 occupants drowned. Both of the proposed
24 alternatives C and D include dams, but the
25 design of these dams was not presented in the

1 Draft EIS. In 2003, the hydrologic study
2 concluded that the rock ramps added in front
3 of sills will allow migration of endangered
4 species like the sturgeon, and prevent
5 continuous loss of human life, but the
6 agencies -- state and federal, and BP Task
7 Force -- ignored this solution, and people
8 died.

9 There has been no removal of the dams,
10 even though the Pearl River Navigation Canal
11 and locks project has been de-authorized.

12 TOM SHAW:

13 Excuse me, sir --

14 BARRY KOHL:

15 I would just like to finish and say that
16 the Draft EIS, in our opinion, is adequate.
17 There are whole sections of information
18 that's missing, which has been recognized by
19 the Corps in the main document. Of the
20 alternatives presented, we support
21 Alternative A-1, the non-structural plan. It
22 proposes elevation of homes, flood proofing
23 businesses, and offers voluntary buyouts in
24 Jackson's flood plain area, and it doesn't
25 expand development into the flood plain.

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TOM SHAW:

Thank you, sir.

BARRY KOHL:

So those are some of the observations. We will be submitting very detailed comments before August 6. And one concern that we have -- will the Final EIS have a comment period for the public, or will this be all after the fact?

TOM SHAW:

Yes, it will.

BARRY KOHL:

It will have public comments?

TOM SHAW:

Yes.

BARRY KOHL:

Okay. Because much of the information that we're concerned about does not appear in the draft, so we'll be reviewing the final and we would like to see that the omissions in the draft are now in the final EIS, with all the necessary information for us to determine whether the project's going to be beneficial to the public.

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TOM SHAW:

Thank you.

BARRY KOHL:

Thank you.

TOM SHAW:

Next?

MIKE COOPER:

Good morning. Again, my name is Mike Cooper. I'm St. Tammany Parish President, and I represent not only East St. Tammany Parish, but our entire parish, which is made up of 275,000 people. And I want to reinforce some of the comments that were made earlier, but briefly, we believe that the interests of our parish are at risk with any plan that may affect downstream water quality, water quantity, and habitat, and we have previously expressed our concerns to the Corps.

We feel that sustained and adequate flow during low flow conditions in the Lower Pearl Basin are critical to estuary, health, and to support robust recreational and commercial fisheries in St. Tammany Parish and St. Bernard Parish. Again, I'm here on behalf of

1 our citizens. We have members of the parish
2 council here as well that have already
3 expressed concerns, and we will be following
4 up with a formal letter with regard to this.

5 TOM SHAW:

6 Thank you, sir.

7 MIKE COOPER:

8 Thank you.

9 TOM SHAW:

10 Sir? Next.

11 TOM COLLINS:

12 I'm Tom Collins. Has environmental
13 change been figured into the equations that
14 they were considering today? I couldn't
15 agree more with the gentleman from the Sierra
16 Club. Building our way out of this is not an
17 option to me because conditions are going to
18 bring more water as time goes on. We're
19 seeing it locally, of course, and we're
20 seeing it all over the earth.

21 We need solutions that will stop the
22 population growth in coastal areas, and help
23 to move the people out that already live in
24 coastal areas, as the sea levels are going to
25 rise and the rainfall, evidently, is going to

1 get worse. So what type of weight is being
2 given to environmental change?

3 BRANDON DAVIS:

4 So when we do our analysis, we look
5 at a 50 year period, and we calculate the
6 differences between today and that 50
7 year analysis, and those are included in
8 our assessments and everything that we
9 do.

10 TOM COLLINS:

11 Well, when I look at the flooding
12 situation at my own home, which is in a
13 different flood area, I don't know if
14 I'll be living my life out in my home
15 because it becomes an island, although
16 it's a raised home. So a 50 year period
17 is fine, but to me, I like to look at the
18 big picture. 50 years is a short period
19 of time where man is concerned.

20 BRANDON DAVIS:

21 Sir, if I could, are you referring to
22 climate change, things of that nature?
23 Is that what you're asking about?

24 TOM COLLINS:

25 Yes, sir.

1 BRANDON DAVIS:

2 Yes, sir. So we have individuals
3 that are actually part of the ATR review
4 that I was talking about. Right now, we
5 have climate change and a climate change
6 reviewer there, reviewing that, so that
7 is one of the things that we do consider
8 now in our studies, is the climate change
9 and the impacts that would have in a
10 study area. So I hope that answers your
11 question. If not, like I said, a subject
12 matter expert can talk to you in a little
13 more in detail about that if you'd like a
14 little more information.

15 TOM COLLINS:

16 Thank you.

17 BRANDON DAVIS:

18 Yes, sir.

19 TOM SHAW:

20 Thank you, sir. Next.

21 CHARLES ALLEN:

22 Good afternoon. Charles Allen here with
23 the National Audubon Society. Thank y'all
24 for this opportunity. Real quickly, I just
25 want to read some observations and remarks,

1 similarly to what was read earlier and
2 shared.

3 Audubon Delta and National Audubon
4 Society has had presence in Louisiana for a
5 century, and as a non-profit conservation
6 organization guided by the principle "What's
7 good for birds is also good for our people,"
8 we understand just how important the Pearl
9 River is for birds, for communities, and for,
10 ultimately, our people.

11 Because of that, Audubon has been working
12 for many years with our local chapters and
13 partners across Louisiana and Mississippi to
14 protect the Pearl River from the ecologically
15 destructive One Lake Dam Project, a proposal
16 we know to be a private real estate
17 development project masquerading as a flood
18 control project.

19 The Army Corps' latest Pearl River flood
20 plan, while incomplete, makes clear that One
21 Lake and all similar dam dredge projects
22 should be rejected -- specifically,
23 Alternative C, D, and E. We only put more
24 people and property in harm's way and
25 threaten the way of life for so many

1 downstream communities.

2 These alternatives will cause massive
3 environmental impacts, expose local and
4 downstream communities to toxic
5 contamination, and induce flooding on
6 vulnerable communities. Instead, Audubon
7 urges that the Corps pursue effective flood
8 relief for our neighbors in Jackson through
9 Alternative A-1's home elevations and flood
10 proofing of buildings, and very importantly,
11 we call on the Corps to expand this plan to
12 benefit more homes, businesses, and address
13 local creek flooding; restore flood plains,
14 elevate roads, and include levee setbacks and
15 protections for vulnerable Jackson
16 neighborhoods.

17 Audubon believes an expanded A-1 plus
18 alternative can deliver meaningful flood
19 relief for those who need it in Metro
20 Jackson, while protecting the birds in
21 downstream communities. We look forward to
22 providing these comments in writing. Thank
23 you so much.

24 TOM SHAW:

25 Thank you, sir. Good morning,

1 ma'am... or good afternoon, ma'am.

2 SHARON HEWITT:

3 Good afternoon. I'm Sharon Hewitt. I'm
4 the former state senator in this area that
5 represented the citizens that are here today.
6 You know, the people in this room are very
7 much against this project, and it is because
8 of, as you heard, the concern is the
9 downstream impact.

10 We held a number of legislative hearings
11 in 2018, and Mr. Turner and his levee
12 district team were there, and we talked about
13 what you all are calling Alternative C. And
14 the State of Louisiana -- namely like the
15 Louisiana Department of Wildlife and
16 Fisheries, the Louisiana Department of
17 Environmental Quality, the Coastal
18 Restoration and Protective Authority, the
19 Louisiana Department of Transportation and
20 Development -- all worked together to provide
21 a comprehensive response, at that time,
22 during another public hearing part of the
23 process to talk about our concerns from a
24 technical standpoint of what you are
25 proposing.

1 Now, I know that you're obviously leaning
2 towards the D CTO with a weir, it sounds
3 like, and it's not that different from, as I
4 understand it, from C, other than the weir.
5 You're moving the weir up and you're not
6 dredging as much of the hazardous waste area.
7 But I would like to know, then -- my question
8 -- I have two questions.

9 My question, first, is have you addressed
10 those issues from the State of Louisiana, and
11 specifically, the Louisiana Pearl River Basin
12 Taskforce -- those issues that we raised in
13 2018, many of which are relevant still for
14 Alternate D? Have you addressed those?

15 And as you mentioned to the lady there at
16 the center of the table, that was part --
17 that was included in the WRDA Act that you
18 had to address the downstream concerns, and
19 this project had to be economically
20 justified. And so I would like to know if
21 you have addressed those, if you believe, in
22 the work that you've done, that it was more
23 than just the water levels. You've talked a
24 lot about that, but there was a lot more in
25 that document than just water levels.

1 My second question, I'm shocked to hear
2 that you can actually include the benefits of
3 recreation in your cost benefit analysis,
4 because as we all know, this is largely being
5 driven by the opportunity to create a lake in
6 the Jackson area. And so I would like to
7 know if this project can meet the muster of
8 1.0 cost benefit ratio without recreation
9 being included in the calculation?

10 BRANDON DAVIS:

11 Let me try this one. There we go.
12 Sorry about that. I don't know why that
13 thing died on us. To answer your
14 question, yes, ma'am, the benefits of --
15 just to clarify, like I said, we have in
16 our policy, we have to make sure that at
17 least 50 percent of the benefits that we
18 are capturing is with an authorized --
19 per our mission we have, flood risk
20 management being one of those.

21 To answer your question -- Tom, if
22 you could go back a of couple slides on
23 that, sir, to that table, if you don't
24 mind? Go back to the economic table.

25 TOM SHAW:

1 (Inaudible.)

2 BRANDON DAVIS:

3 No, you're fine. Okay, so if you
4 notice, you have Alternative D and C --
5 I'm sorry, I'm being too loud with this.
6 The Alternative C, CTO with weir, and
7 Alternative D, CTO without weir. Thank
8 you, Tom.

9 So the difference in the two here is
10 about \$5 million dollars, and that is
11 taken out with the weir. You're not
12 going to have the same type of
13 recreational benefits that you would have
14 because you've taken away some of the
15 shoreline type of recreation that you
16 would have with that weir not being in
17 place. Really, you have the same type of
18 riverine channel of volume, probably kind
19 of what you have now.

20 So when you take that weir out and
21 you're not having as much volume of
22 water, it's about a \$5 million dollar
23 difference. So from right here, you see
24 \$27.7 -- and I'm just going to assume the
25 high number, since we're talking about

1 the risk here. \$27.7, that's with the
2 recreational benefits that give us \$22.4,
3 so here, the difference is about \$5
4 million dollars.

5 So going back to the old NED things
6 we were mentioning about, taking that
7 away -- the CTO without the weir --
8 depending on the cost, whatever the cost
9 comes out to be, you're still about unity
10 on both projects, based on the flood risk
11 features that it helps with.

12 So I hope I answered your question on
13 that. I do have Ben Logan in the back,
14 our economist, who would be glad -- and I
15 would be glad to talk to you as well
16 afterwards if you have more questions.

17 Thank you.

18 DAVID A. WHITE:

19 Hello, everyone. My name is David --

20 TOM SHAW:

21 Excuse me just a second.

22 DAVID A. WHITE:

23 Yes?

24 TOM SHAW:

25 Thank you. Okay. Yes, sir?

1 DAVID A. WHITE:

2 Yes.

3 DAVID A. WHITE:

4 My name is David A. White. First and
5 foremost, I shortened my --

6 TOM SHAW:

7 Can you get a little closer to the
8 mic, sir? Thank you.

9 DAVID A. WHITE:

10 Is this better?

11 TOM SHAW:

12 Yeah, absolutely. Thank you.

13 DAVID A. WHITE:

14 Sorry. I'm too tall.

15 UNIDENTIFIED SPEAKER:

16 We could raise the mic.

17 DAVID A. WHITE:

18 That's all right.

19 DAVID A. WHITE:

20 My name's David A. White, and first and
21 foremost, as I submitted before in similar
22 hearings, just to say this quickly -- the One
23 Lake concept is an ecological disaster,
24 disaster to the aquatic communities
25 downstream, and in my opinion, the

1 professionals who seek this lake must show
2 how no downstream wildlife communities will
3 be significantly ecologically impacted.

4 Now a little bit about me and this story,
5 and why I'm here today. My background,
6 first: I've lived in New Orleans since the
7 middle 1970s. I came to this city to attend
8 Tulane University, ultimately receiving my
9 PhD there in 1979. My research thesis and
10 dissertation work were all within the
11 wetlands of Southeastern Louisiana. I wrote
12 a monograph summarizing the state of
13 knowledge of the water ecology of acid
14 streams in Southeastern Louisiana -- acid
15 streams in the Southeastern United States, of
16 which the Pearl River is one.

17 Specifically, my dissertation research
18 topic was a landscape plant community study
19 on the entire west to east Pearl River Basin
20 within its southernmost 25 miles, covering
21 the transition from hardwood wetlands down
22 through into the southern saline marshes.

23 I moved next door to Loyola University in
24 1983 to begin a teaching and research career
25 that has kept me in and associated with its

1 Department of Biological Sciences for the
2 past 41 years, the last with emeritus status.
3 Over this time period, I published and orally
4 presented several other research studies on
5 the Lower Pearl River Basin, often with
6 student authors. I am considered, in this
7 region of the state, a top natural historian
8 and wetland scientist, having presented
9 professional lectures, talks at meetings and
10 public lectures across the country and
11 literally the world.

12 From this short biography, I know the
13 Lower Pearl River Basin like literally the
14 back of my hand. I understand its ecology,
15 its need for conservation, and what it
16 intrinsically presents to the average
17 regional citizenry if they choose to explore
18 that area. I know for certain that the Pearl
19 Basin is on top for least disturbed of all
20 coastal plain streams entering into the
21 Northern Gulf of Mexico. I want to repeat
22 that again: I know for certain that the Lower
23 Pearl River Basin is on top -- the number one
24 -- for least disturbed of all coastal plain
25 stream systems entering into the Northern

1 Gulf of Mexico.

2 I know that basin is continually under
3 ecological, hydrological, and geological
4 threat from human activities, period. I am
5 now very old enough to understand and have
6 even witnessed the changing knowledge
7 baselines of each generation that visits this
8 wetland complex. Impacts by humans continue
9 each -- and each user group comes up with
10 only what they see first as their baseline,
11 not having experienced prior impacts, and so
12 ignorance of the creeping damage results
13 generationally, leading to ever more
14 degradation.

15 I think all of you in this room could
16 understand that. If you witnessed an
17 environment that you've lived in all your
18 life, from an ecological or love of
19 environment perspective, you know the changes
20 that have occurred over that time period. I
21 could talk for literally an hour about what
22 is happening in this region of the basin.
23 One last couple of comments here.

24 Now, my recommendations. The only
25 environmentally and ecologically rational

1 route in this matter is outlined by this
2 Pearl River Riverkeeper Organization, who
3 state that the Army Corps of Engineers should
4 consider their own incremental approach to
5 the Jackson flood risk management as the one
6 to follow, and we've heard that that has been
7 recommended by a number of different
8 individuals and organizations.

9 Riverkeeper -- now quoting: "Guidance
10 recommends an incremental analysis, a process
11 that examines stages of plans or project
12 features that determine the incremental cost
13 and benefits. As a Corps reviewer noted in
14 the 2020 agency technical review, that this
15 type of analysis, in quotes, "Specifies that
16 the proposed project features must be shown
17 to incrementally reduce the problem."

18 Still quoting: "It is unclear how
19 construction of the weir and impoundment of
20 water reduces the risk to the adjacent
21 communities. The existence of the 1500 lake
22 -- 1500 acre lake does not create any
23 additional flood storage capacity or
24 conveyance capacity."

25 And then finally, quoting: "The Corps

1 reviewer recommends starting with the
2 features with the greatest risk reduction,
3 and then adding additional features while
4 documenting the incremental benefits is the
5 way to go. And incremental analysis could
6 include many of the options already studied
7 by the Corps of Engineers."

8 And finally, put another way, most up to
9 date, I would support A-1, Alternative A-1,
10 in the Corps' DEIS. With due respect and a
11 lot of work from everybody here, I do
12 appreciate having the opportunity to make a
13 few comments, and sorry for taking so long.
14 Thank you.

15 TOM SHAW:

16 Thank you, sir. Ma'am?

17 SHARON HEWITT:

18 Just as a follow up, I was hoping to get
19 an answer to my first question, and that was
20 have you all addressed the issues raised in
21 2018, during the last public comment period,
22 from the agencies from the state of Louisiana
23 through the Lower Pearl River Basin Taskforce
24 on how it affects us downstream?

25 TROY CONSTANCE:

1 Ma'am, as I said, we looked at the
2 existing conditions as they are today,
3 and we tracked the water to watch those
4 elevation changes. We tracked it down to
5 just above Monticello. Thereafter, once
6 those elevation changes, the velocity is
7 good enough.

8 We are also looking at doing a
9 sediment model in a subsequent phase here
10 to determine if there are any additional
11 impacts downstream with that. So I know
12 there's a lot more in there, but I think
13 it would take a little bit of
14 conversation between us, and we can --

15 SHARON HEWITT:

16 There's a lot more in there, and
17 again, that's in the WRDA bill that you
18 all have to address the downstream
19 impacts, and we're going to make sure
20 that our congressional delegation ensures
21 that that happens.

22 TROY CONSTANCE:

23 Yes, ma'am. We'll review that and
24 get you a response.

25 TOM SHAW:

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Sir?

ANDREW WHITEHURST:

Good afternoon. My name is Andrew Whitehurst. I'm the Water Program Director for Healthy Gulf, or the Gulf Restoration Network. As I stated yesterday, my main question for Secretary Connor is this: how can he issue a record of decision to approve a project, and then wait until the pre-construction engineering and design stage to determine the cost of things like wetland mitigation, toxic waste site remediation, modifying bridges, moving utility lines, and initiating sediment and water velocity studies -- all those things that we don't have in front of us in this DEIS?

From my reading of the DEIS, it seems that the Army Secretary has put us like opponents in a box, because he can issue a record of decision without having all the studies completed and cost reported. Can he do this?

TOM SHAW:

Ms. Colosimo?

ROBYN COLOSIMO:

1 Hi. Hey, Andrew. Thanks again for
2 mentioning this. You handed me a paper.
3 As I suggested yesterday, I need you to
4 submit it officially. The answer right
5 now is we've made no decisions at the
6 Assistant Secretary's office.

7 My job, overseeing the Corps with my
8 partner Eric and others here, is to hear
9 from the public and see where we land at
10 the EIS before any decisions happen.
11 There is no predisposition by my boss.
12 We've given direction to the Corps on the
13 work to do as part of this public
14 process, and as we move through that
15 process and contemplate, he'll come to
16 that conclusion with the Corps. There is
17 no pre-decision now, but we will be
18 responsive to the law, and that's all I
19 can give right now until we've gone
20 through this.

21 And ma'am, Ms. Hewitt, I remember
22 these conversations coming up in the
23 scoping. That's part of this, too -- to
24 see we've met the scope and intent of the
25 law, hear the public, how we are

1 responsive, and if any decision on a
2 project can move forward consistent with
3 the law, he'll make that, but he'll make
4 it a public process.

5 ANDREW WHITEHURST:

6 I have a couple other comments to go.
7 Yesterday afternoon in Jackson at two
8 different meetings, my notes show that a
9 combined 40 comments came from the speakers.
10 24 were against building a lake, 5 were
11 strong favorables for a lake, and 11 were
12 neutral comments seeking more information,
13 and that was on the home turf of the Rankin-
14 Hinds Drainage District.

15 Three commenters last night, landowners
16 downstream in Copiah County, implored the
17 Army to do a comprehensive watershed study of
18 the entire Pearl River system before
19 initiating any further channel modifications
20 in the name of flood control. How can you
21 build a weir and new lake on a river that the
22 Corps admits, in this document, that is not
23 understood well enough? It's good scientific
24 practice to gather as much data as possible
25 before you propose further alterations to a

1 regulated river like the Pearl.

2 It's a fragmented river system. It's got
3 its problems, but nevertheless, it provides
4 more fresh water to the coastal estuaries of
5 Louisiana and Mississippi than the combined
6 fresh water discharge of all the streams that
7 flow into Lake Pontchartrain. The watershed
8 study isn't the only opportunity feature that
9 the Corps suggested in the DEIS. It also
10 listed a Mississippi-Louisiana agreement on
11 minimum flows that could be worked out
12 between state agencies to provide a basic
13 water budget for the river's recreational and
14 commercial users.

15 After nearly 40 years of the Rankin-Hinds
16 Drainage District doing very little to
17 improve flood risk reduction, where is the
18 fire and what's the hurry about to render a
19 record of decision by December? Tell
20 Secretary Connor to gather as much data as
21 possible, especially about cost, and tell him
22 to engage the affected communities from
23 Northeast Jackson through Copiah to
24 Washington and St. Tammany Parish to the
25 coastal estuaries.

1 Tell him to do the studies first and
2 formulate science-based river modifications
3 second if that's what has to be done.
4 Remember how ecology goes -- Congress funds
5 the Corps, the Corps changes the river, and
6 these folks are the ones that have to live
7 with the changes. Thank you.

8 TOM SHAW:

9 Next.

10 VICTOR N. RICHARD III:

11 Thank you. Good afternoon. Thank you
12 for hosting this meeting and for having us.
13 For the Record, my name is Victor N. Richard
14 III. My ancestors, our family, have been
15 living back here for 200 years. I currently
16 reside in the Indian Village.

17 14 years, I've heard comments regarding
18 there's no changes that's going to take
19 place. I've heard comments about sediment.
20 I also understand that there is no data
21 relative to sediment. There is something
22 going on with the river currently, without
23 this project even taking place -- the water
24 table, the water level, how fast the water
25 rises, how fast the water will recede, how

1 slow the water will recede. It will rise
2 fast with or without a rain event. We have
3 no idea.

4 To do a project of this nature without
5 having knowledge of the topography, the
6 erosion, the sediment challenge that's on the
7 river presently, I'd never put my name on it,
8 and I am a tree hugger. Property land
9 erosion, bayou canal dredging, property
10 landfill, replenished land erosion, constant
11 height of water level -- fluctuating not
12 spoke of -- impact of the runoff currently
13 now, which we have no answers to, or nobody
14 wants to address down river impact, and I'll
15 present this formally to make sure you have
16 it on record.

17 I think there's a lot of answers that
18 needs to be answered internally in order to
19 be able to put all of the homeowners and the
20 people affected currently. The water has
21 been in my backyard. One-third of my
22 backyard has been underwater for six months.
23 When I bought this home 14 years ago, that
24 never happened. It's been in the last four
25 years, and even more prevalent in the last

1 three. Thank you for having me.

2 TOM SHAW:

3 Thank you, sir. Ma'am?

4 JANICE O'BERRY:

5 Yes. My name is Janice O'Berry. So in
6 1996, you built a weir on the Louisiana-
7 Mississippi state line that was supposed to
8 divide the water coming down the Pearl 50-50.
9 It was supposed to make 50 percent go down
10 the West Pearl, and 50 percent go down to the
11 East Pearl. Unfortunately, as soon as the
12 project was done, even after y'all did all
13 these studies and built it, it never did work
14 right.

15 Straight out the door, it worked 70-30.
16 So you sent 70 percent of the water one way
17 and 30 percent of the water the other way,
18 and it was an accident. It was a mess up.
19 "My bad," right? I mean, that's all y'all
20 said. Y'all just let it go, let it go, let
21 it go, so then it kept getting worse. So
22 last year, we had a real high -- the river
23 stayed high all year. So once the river got
24 down low, we got back to the diversion and
25 there's probably three people in this room

1 that's ever seen it.

2 Once we got back to the diversion, it's
3 completely gone. I don't know if anybody
4 sent y'all pictures of it. It's nothing but
5 a hazard at this point, for boaters. So I
6 guess my question for y'all is are y'all
7 going to have any money set aside for
8 perpetual care of this weir? So this one
9 didn't even last 30 years. It lasted 28.
10 It's completely blown out. It's a mess, even
11 after y'all studied and did everything to
12 build it.

13 So if y'all build another one and you
14 accidentally messed up, and you mess up the
15 water, or in 70 years, this weir's falling
16 apart, are y'all going to have the money
17 budgeted ahead of time to fix that?

18 TROY CONSTANCE:

19 So there's a lot wrapped up into that
20 question. When we complete a project, we
21 turn it over to the local sponsor to
22 maintain. If it's not performing, we
23 have opportunities to come back and re-
24 study and make adjustments. To make
25 profound adjustments with lack of cause,

1 we have to submit that back to Congress
2 and request money to make the changes.

3 JANICE O'BERRY:

4 So it's going to be just like where
5 we're at today with the weir? Well, guy,
6 y'all don't have the money and y'all
7 won't even consider fixing it; correct?

8 UNIDENTIFIED SPEAKER:

9 Why won't you fix it for us?

10 JANICE O'BERRY:

11 Yeah, why wouldn't y'all fix that
12 weir before you go build another one?

13 UNIDENTIFIED SPEAKER:

14 Yeah.

15 JANICE O'BERRY:

16 So we're just totally against weirs.
17 There's nothing you can say to make it
18 better. It's stupidity, 100 percent, for
19 there to be a weir that is 100 percent
20 falling apart and that we have to travel
21 through, you know, sheet piling and
22 stuff. Y'all won't even go pick it up,
23 man, and then y'all want to build another
24 one?

25 BRANDON DAVIS:

1 So you're talking about Walkout
2 Bluff?

3 JANICE O'BERRY:

4 Yes, sir.

5 BRANDON DAVIS:

6 Yeah. So that's a problem that's
7 been brought up to our hydraulic
8 engineers, and yeah, I agree with you.
9 I've been down there to look at that
10 area. I think the engineers, they're
11 looking at that right now as something
12 that the Vicksburg District is looking to
13 try to repair. We're getting the funds
14 to look at that.

15 As Troy was talking about with the
16 project here, we have operation and
17 maintenance fund and it's turned over to
18 our -- this project here, whatever the
19 project will be, once we construct it,
20 it's turned over to the local sponsors to
21 maintain. I do understand your comment
22 on Walkout Bluff. If you want to,
23 afterwards, you can talk with us some
24 more and give us some more information
25 about that.

1 JANICE O'BERRY:

2 Okay, so the same thing with the
3 Pearl River Navigational Canal. You
4 built it, you won't come back and fix it.
5 It's my understanding y'all
6 decommissioned it; right?

7 BRANDON DAVIS:

8 Well, that -- you're talking about
9 the West Pearl Navigation Canal. That
10 was put in caretaker status back in, I
11 believe, 1992.

12 JANICE O'BERRY:

13 And decommissioned?

14 BRANDON DAVIS:

15 Decommissioned because of, I believe,
16 the affect on endangered species. We
17 were going to go in and dredge and clean
18 that, and we had some -- I believe there
19 was litigation brought against the Corps
20 because of various endangered species,
21 but that's another thing that we were
22 talking about and that we've studied. We
23 opted for a disposition study on that and
24 turned that area over to the state of
25 Louisiana. There's been talks about

1 that, and again, we can talk about that
2 on the side here.

3 JANICE O'BERRY:

4 I already know about that. There's
5 no funding to pay for the property to be
6 changed over. So that's all I have to
7 say. I think it's really dumb for y'all
8 to come in here and to tell us, "Hey, let
9 us build a weir. It's going to be a
10 great idea," when you already built one,
11 it didn't work like you studied for it
12 to, and now it's a mess and you won't
13 even come fix it. That's all.

14 TOM SHAW:

15 Thank you, ma'am. Sir?

16 BRANDON MIZELL:

17 I'm Brandon Mizell, and I'm from
18 Bogalusa, and I grew up on the Pearl River.
19 I started water-skiing at 6-years-old --

20 TOM SHAW:

21 Can you speak up just a little bit,
22 please? Thank you.

23 BRANDON MIZELL:

24 All right.

25 BRANDON MIZELL:

1 Anyways, y'all talked about maintaining a
2 flow the whole time downstream. Well, I
3 don't understand how you're going to have two
4 reservoirs back to back and we get in a
5 drought, and there's no water. Ross Barnett,
6 they're going to be holding back water, then
7 when they get to the level they want, they'll
8 release their water, only to be caught by
9 Lake Borgne.

10 In the meantime, we're going to be
11 starving for water downstream, which we
12 already are. In the heat of the summer,
13 running a boat motor, you hit the bottom,
14 logs and everything, and I just can't see two
15 reservoirs back to back and us not getting
16 water because they're going to be holding it
17 when we're in a drought.

18 TOM SHAW:

19 Yes, sir. The Ross Barnett Reservoir
20 has minimum discharge requirements that
21 they can't go lower than. They have to
22 discharge the -- our H&H folks in the
23 back can help you with that. As
24 mentioned previously, the weir is under
25 consideration.

1 This weir has a low flood gate as
2 well, and so it would have to discharge
3 at least as much as would be discharged
4 by Ross Barnett, and possibly a little
5 bit more. So that's the purpose of that
6 low flow gate, is for a dry type
7 situation.

8 BRANDON MIZELL:

9 All right, thank you.

10 TOM SHAW:

11 Yes, sir. Sir?

12 RICHARD CARRIERE:

13 My name is Richard Carriere. I live in
14 Metairie, Louisiana. I go canoeing in the
15 Pearl River Basin often. Actually, my work
16 and many other people joining in in the '80s
17 brought the Nature Conservancy into Louisiana
18 with the preservation of about two square
19 miles -- we called it the White Kitchen
20 Wetlands back then, but that's -- I'm just
21 telling you something about me. I'm also a
22 member of the Sierra Club and the Audubon
23 Society, and I also have a Master's degree in
24 Science Teaching.

25 But the main thing I'm concerned about,

1 because I've researched it for a previous
2 meeting in this building, is the idea of
3 putting in a small lake, because I actually
4 contacted the people at the Fewell Water
5 Treatment Plant, and the individual I spoke
6 with had managed the plant for a while and he
7 was not even aware about the One Lake
8 Project.

9 But if you actually look at where they
10 had their water intake, it was just upstream
11 of a weir that prevented water from where the
12 Creosote site is -- which was almost declared
13 a superfund site, but for some reason, it
14 wasn't. We don't need to get into that, but
15 it allowed them to collect water upstream of
16 that and also of Eubanks Creek, which was
17 just beyond that weir. So they had their
18 intake above those possible -- not possible;
19 those believed prudent aspects, taking water
20 from Jackson.

21 I know Eubanks Creek has had problems
22 over time with water pollution from one of
23 the utility company power plants, and also,
24 it's going to collect a lot of effluent from
25 Jackson in rain events and such. I know that

1 Jackson has issues, just like many
2 municipalities, with sewerage -- the old
3 sewerage pipes and stuff break, and it gets
4 into the creeks. It would flow into that
5 lake. And also, by having a dam and having
6 the water level above all these weirs, the
7 Creosote contamination superfund site, which
8 was not quite declared a superfund site, but
9 I know Creosote is noted there. It was, you
10 know, recorded.

11 But all of that pollution might
12 contaminate that lake, so you can have
13 chloroform problems, your truification
14 problems, and toxic problems, which would be
15 a health issue. One of the earlier speakers
16 said that the majority of the people who
17 spoke about the lake in Jackson -- I guess it
18 was yesterday -- were against the lake. I
19 think it might be wise to not expose the
20 public to what might be a health issue.

21 TOM SHAW:

22 Yes, sir. Thank you. David Gray,
23 the gentleman in the blue shirt, is our
24 HTRW specialist, and some of your
25 questions seem to be a little technical,

1 so you certainly would want to speak with
2 him about it.

3 RICHARD CARRIERE:

4 Okay. Thank you.

5 TOM SHAW:

6 Thank you.

7 RICHARD CARRIERE:

8 This is not with me talking about --
9 with one person with it. This needs to
10 be part of the study as to whether or not
11 to have a lake there that the people
12 would be accessing, which may very
13 possibly be a problem for health issues.

14 TOM SHAW:

15 I understand.

16 RICHARD CARRIERE:

17 Creating a problem. I understand,
18 actually, that the federal treatment
19 plant, perhaps as a result of me bringing
20 this up to them -- I don't know -- in my
21 previous report, they now extended their
22 water intake up above the Ross Barnett
23 Reservoir. I don't think they're taking
24 it just above Eubanks Creek anymore. So
25 that was probably multiple millions of

1 dollars spent to avoid that issue of,
2 perhaps, bad water.

3 TOM SHAW:

4 Thank you. Ma'am?

5 JESSICA GAULEY:

6 Hey, I'm Jessica Gauley. I am the owner
7 and operator of Honey Island Kayak Tours. I
8 work on the Lower West Pearl every day of my
9 life, so my concern is maintaining the water
10 levels down where we are. So someone had
11 mentioned the low water and you said Ross
12 Barnett is legally required to release so
13 much water. Well, last year, when we were in
14 a drought, they weren't doing that. There
15 was something less 16,000 cubic feet per
16 second that we should have been getting that
17 we weren't getting.

18 And then when Ross Barnett releases their
19 water levels, it takes about a week and a
20 week and a half to reach us, and then a week
21 and a week and a half to get past us. So we
22 did not have rain where we are for at least a
23 month, but we're still dealing with the water
24 from the Ross Barnett, so my question, too,
25 is how long -- now that we have two lakes or

1 two big bodies of water, how long does it
2 take that water to get past us and proceed
3 into the Gulf of Mexico?

4 So my business, I cannot safely operate
5 when the water level is higher than 16.5
6 feet. There's just too much current. I
7 don't want to take that risk with people from
8 all over the world. So at 18.5 feet, my
9 roads go under water. Houses don't flood,
10 but what high water is going to be, like,
11 maintained for you guys up there to affect
12 down here? Are you going to keep us at 18.5
13 for three months at a time? Do you guys know
14 that yet?

15 TOM SHAW:

16 Because it's a little bit more of a
17 specific detailed question, our
18 hydrologist, Dana, is in the back. She
19 can certainly give you some more
20 feedback. The other thing is that with
21 these type of questions, specifically
22 when they're a little more technical, we
23 definitely want to get those on the
24 Record, if you don't mind writing in that
25 and (inaudible.)

1 JESSICA GAULEY:

2 Okay, I'll go submit it. Thank you.

3 TOM SHAW:

4 Thank you, ma'am. Yes, sir?

5 JOHN D'HEMECOURT:

6 My name is John D'Hemecourt --

7 TOM SHAW:

8 I'm going to ask if you can speak up.

9 That rain is really loud up here.

10 JOHN D'HEMECOURT:

11 My name is John D'Hemecourt. First, I'd
12 like to thank you all for being here. God
13 has given me a couple of gifts, and one of
14 those it to take a large amount of disparate
15 pieces of information, assimilate it, and
16 come up with a conclusion. I got to tell
17 you, this presentation's kind of made my head
18 spin with all the information.

19 It brings me down to something really
20 quite simple. My background is in economics
21 and geography, and in both of those studies,
22 I came to the understanding there were two
23 force majeure, one for each one. In
24 economics, it's the marketplace; in
25 geography, it's Mother Nature. Those are

1 forces you cannot dismiss.

2 How about a unique approach? How about
3 instead of spending millions, billions, and
4 trillions of dollars trying to adjust and
5 persuade and stop Mother Nature, why don't we
6 spend money to just live with Mother Nature?
7 Certainly, there are issues that need to be
8 addressed. I think one of the biggest ones
9 was the decision that was made to stop the
10 Mississippi River from flowing back and forth
11 the to the Atchafalaya, thereby giving the
12 United States a deep water port at the
13 Mississippi's mouth.

14 The consequences of that is we lose a
15 football field a day in our wetlands and our
16 marshlands in Louisiana because of erosion,
17 because we have prevented that river from
18 swaying back and forth. Now, was that worth
19 it for a deep water port? I'm not going to
20 argue that, but I am going to suggest it
21 would be a lot more efficient that instead of
22 trying to change Mother Nature, we spend
23 money to live with Mother Nature.

24 When you put a weir up, it slows down the
25 flow of water. When the velocity of the flow

1 of water is reduced, its ability to suspend
2 particulates falls, and those particulates
3 precipitate out, clogging up the river and
4 creating floods. Every time we make an
5 adjustment, Mother Nature counters us. We
6 need to stop this.

7 We need to let Mother Nature do what it's
8 going to do, and we need to make it very
9 clear to people that if you decide to invest
10 in a flood zone, do it at your own peril.
11 Just a thought. It would be a whole
12 different direction than the direction we've
13 been going in for the last many, many, many
14 years. Thank you.

15 TOM SHAW:

16 Thank you, sir. Ma'am?

17 LINDSAY REEVES:

18 Good afternoon. My name is Lindsay
19 Reeves. I am a resident of New Orleans. My
20 grandmother lives here in Slidell. I have
21 been paddling and bird watching and visiting
22 Honey Island Swamp along the Pearl for about
23 20 years. I'm also an attorney for the
24 Center for Biological Diversity, that works
25 on endangered species issues.

1 \$400 to \$655 million dollars is a lot of
2 money, and I would just like to echo the
3 comments made by Former Senator Hewitt and
4 Mr. Whitehurst with Healthy Gulf that before
5 that kind of money is spent, that we need a
6 comprehensive watershed study for the Pearl.
7 It just simply doesn't make sense to put the
8 cart before the horse and not have all the
9 information that we need on this project
10 before a record of decision is issued on it.

11 This project needs to comply with WRDA.
12 It also needs to address the riverine impacts
13 that are going to occur both at the site and
14 down river, which it does not. That's all
15 been punted to the design phase.

16 We need to know how this project is going
17 to affect the multiple endangered species
18 that live on the Pearl, including two species
19 of turtle that don't live anywhere else in
20 the world -- the Pearl River Map turtle and
21 the Ring Map turtle. Both of those are
22 protected species that live on the Pearl.

23 We need to know how that's going to
24 affect them. We need to know the cost of
25 mitigating impacts of these river affects,

1 and we don't have that. All that makes it
2 very difficult for the scientists in this
3 room, for the environmental groups who care
4 about the Pearl, for the public that lives
5 along the Pearl and recreates along the Pearl
6 and makes their living from seafood -- it
7 makes it impossible for us to evaluate this
8 statement when we don't have that
9 information, and that's punted to, you know,
10 another stage.

11 And so we also need a velocity study. We
12 cannot determine if the sturgeon can survive
13 without that velocity study. And so again, I
14 would just echo all the sentiments that have
15 been given today that this is kind of a half-
16 baked proposal, even after all these years,
17 and we need a comprehensive watershed study,
18 and that should occur before we're even in
19 this room considering that.

20 TOM SHAW:

21 Thank you. Sir?

22 MATTHEW RYLAND:

23 My name is Matthew Ryland. I'm the
24 executive director for Northshore Riverwatch,
25 a non-profit here for the rivers, and I agree

1 with most of what's been said here. There
2 are many problems with this, but there is one
3 that I really don't think was addressed well,
4 and that is the fact y'all haven't -- don't
5 have a sediment study yet.

6 Sediment transportation is a major part
7 of river systems. It's what built South
8 Louisiana. It's one of the reasons --
9 sediment transport, or lack of, from
10 Mississippi is one of the reasons we have
11 coastal loss. Now, the Pearl River Delta
12 right down here in the southeast corner of
13 St. Tammany is built on the sediment from the
14 Pearl. Putting more dams and more weirs
15 retains that, and has the great possibility
16 to degrade our wetlands, which actually
17 provide hurricane protection for the
18 residents of St. Tammany Parish and the rest
19 of the Pontchartrain Basin.

20 I think it's unconscionable to have a
21 Draft Environmental Impact Statement without
22 consideration of the sediment transport and
23 the affects it would have on the Lower Pearl
24 and its delta. Thank you.

25 TOM SHAW:

1 Thank you, sir. Yes, ma'am?

2 STEPHANIE BERAULT:

3 One quick follow up question I wanted to
4 follow up on. As you just heard, the Ross
5 Barnett has a required minimum output and
6 they're not doing it. If this lake would
7 have required minimum output, what happens if
8 they don't do it?

9 TOM SHAW:

10 With respect to the Ross Barnett,
11 this project is really looking at that.
12 Hey, Keith, do you want to touch on that?

13 KEITH TURNER:

14 Can y'all hear me? So this weir
15 would be required to have a permit from
16 the Mississippi Department of Water
17 Quality because it locks a certain amount
18 of water height and so forth. So that
19 permit is enforced through that state
20 agency, but the state agency would have
21 penalty enforcements and any other type
22 of, you know, enforcement mechanisms to
23 ensure that that occurs with minimum flow
24 or any other type of activity associated
25 with that river.

1 TOM SHAW:

2 Thank you, sir. Ma'am?

3 CAROL FRANZ:

4 My name is Carol Franz. I'm a resident
5 of St. -- can you hear me?

6 TOM SHAW:

7 No, ma'am.

8 CAROL FRANZ:

9 My name is Carol Franz. I am a resident
10 of St. Tammany Parish. I am also one of the
11 Louisiana Sea Grant area agents, marine
12 extension agents. My question is regarding
13 in the Draft EIS under the Fish and Wildlife
14 Coordination Act, you have some comments of
15 the responses by the Corps, and they can --

16 TOM SHAW:

17 Ma'am, could you pull that mic down
18 just a tad so we can hear?

19 CAROL FRANZ:

20 Yeah. I guess the rain; right?

21 TOM SHAW:

22 Yes, ma'am. Thank you.

23 CAROL FRANZ:

24 Okay. Does that work better?

25 TOM SHAW:

1 Yes, ma'am.

2 CAROL FRANZ:

3 That sounds really loud to me, so --

4 UNIDENTIFIED SPEAKER:

5 No, it's good.

6 CAROL FRANZ:

7 Okay, all right.

8 CAROL FRANZ:

9 So in the Draft EIS, the Corps gives
10 responses to comments; right? Under the Fish
11 and Wildlife Coordination Act of 1943, that
12 discussion of the fish and wildlife, one of
13 the Corps responses is about the Corps is
14 working closely with the service to develop a
15 mitigation plan to compensate for all the
16 affected habitats. The mitigation would take
17 place within the Pearl River Basin, and
18 that's impossible due to lack of opportunity.
19 We get that mitigation does not always occur
20 in the same basin, so my question is multiple
21 questions.

22 One is that we've heard a lot of people
23 mention wondering about missing components
24 like the mitigation plans. I believe one of
25 you mentioned earlier that until you choose a

1 plan, you weren't really writing the
2 mitigation plan. If I misunderstood that,
3 please clarify that.

4 The other thing is, it is a component of
5 the EIS. Is that correct? That's how you
6 look at cost benefit ratios as well, is what
7 is the cost of mitigation. So mirroring what
8 everybody else has said here, can you tell us
9 what the process is clearly regarding the
10 mitigation plan being missing? Is that part
11 of before there is a decision made about what
12 alternative you choose?

13 And two, then will there be a cost
14 benefit ratio established to include all of
15 those missing parts, like the mitigation
16 plan, those hazardous things that were
17 mentioned before that would cost
18 infrastructure like building bridges or
19 whatever? Where are those components? But
20 clarify that process of the Environmental
21 Impact Statement for us so we understand
22 that.

23 TOM SHAW:

24 Brandon, is that something that you
25 -- okay. With respect to the mitigation

1 issues, I would really refer -- since
2 some of that is a little more detailed
3 information, Tammy Gilmore is in the
4 back. That's one of our subject matter
5 experts, and she would be happy to speak
6 with you about that. Okay?

7 CAROL FRANZ:

8 The process -- can you explain why
9 it's not in there now as part of the
10 process?

11 TROY CONSTANCE:

12 So typically, when we do a
13 feasibility study, which is what you're
14 really referring to, we'll present a plan
15 to Congress and it's a step-based process
16 in which we go through. And at the point
17 of the TSP, which is the Tentatively
18 Subject Plan, we are telling the public
19 this is what we proposed and present, and
20 it would have a mitigation plan in it.

21 In this case, we already have
22 authorization for a plan, and the
23 decision as to what plan we're going to
24 ultimately make has not been made, so
25 it's difficult for us to actually lay out

1 a mitigation plan until we make a
2 decision on what that plan would be. And
3 so this public comment period here helps
4 inform us and ultimately inform the
5 Secretary as to what the right plan would
6 be. At that point, we can flesh it out.

7 We are looking at -- we already know
8 what the mitigation impacts, and
9 therefore, the requirements. We are
10 looking at mitigation sites now, as to
11 whether or not it can be -- the
12 mitigation requirements can be serviced
13 in these areas. We're not complete with
14 that. We think that all the terrestrial
15 mitigation can be done in the basin, and
16 the riverine impacts is a bit of a
17 challenge, which you pointed out.

18 We're working with Fish and Wildlife
19 Service and the state Wildlife and
20 Fisheries. There's opportunity there,
21 but we're trying to look into what's the
22 best plan for the riverine. We're
23 hopeful that we can do that in the Pearl
24 River, but if we can't, then we would
25 have to tell the Secretary we need to go

1 outside, which would further inform his
2 decisions as to what the right plan would
3 be.

4 TOM SHAW:

5 Yes, sir?

6 JACK SESSIONS:

7 Hi, my name is Jack Sessions. I used to
8 -- I'm the police chief of Pearl River,
9 Louisiana now, but I used to work on the
10 river for years with the swamp tour -- the
11 Honey Island Swamp Tours. And when I first
12 started there as a captain, the river wasn't
13 too bad. I think the average, around ten
14 foot, pretty much throughout the year; and of
15 course, in the summer, it drops a good bit.

16 So as time went on, a few years later,
17 the river started dropping and it started
18 getting lower and lower. As I speak today,
19 right now, I think it's at 7'6", if I'm not
20 mistaken. I've seen it as low as 3.5, 4
21 foot. Just about every single day on that
22 swamp tour -- my son and my nephew run it
23 every day. They've been running it for
24 years, and it's getting worse.

25 Just about every single day, in the

1 middle of that river, coming out of Devil's
2 Elbow right below the West Pearl Bridge,
3 going across 10 -- I mean 12, excuse me --
4 that you're going to hit the bottom. And
5 we're talking about flat boats that are
6 bottoming out in that river every single day.

7 There's no way on this earth you can tell
8 me that it's not -- that this weir --
9 especially this weir that you're talking
10 about now, how is that not -- it's going to
11 affect this river. It's going to have to. I
12 don't care if it's an inch, two inches -- we
13 can't afford it. We really can't.

14 I think that there needs to be some
15 serious -- it's hard to set up -- it's an
16 emotional thing too. We've been out here all
17 of our lives with these rivers and streams,
18 and we love to hunt and fish, and it's part
19 of us. It's just bred in us. It's the way
20 it is.

21 So for us to sit here and say it's not
22 going to impact the West Pearl, as being at
23 an all-time low right now, how can you
24 explain it? I just don't see how in the
25 world -- I think it's going to be a major

1 impact, and so does all these people here.

2 You know, I don't know.

3 And second thing, I went to the very
4 first meeting and my question was are y'all
5 going to put houses around this lake out
6 here, and they said no -- it's strictly going
7 to be a retention pond for flooding,
8 strictly.

9 Now, I ask them today is there going to
10 be houses out there -- are y'all going to let
11 houses be built on these lakes? Can anybody
12 answer that?

13 UNIDENTIFIED SPEAKER:

14 That's a yes.

15 JACK SESSIONS:

16 Because they said from day one that this
17 was strictly going to be flood control, no
18 houses whatsoever. So at the last meeting, I
19 asked that and nobody can answer it. So
20 today, I'm asking it again: are y'all going
21 to let houses be built on this?

22 BRANDON DAVIS:

23 So to answer your questions, the
24 Corps of Engineers is not -- I guess
25 we're not going to allow houses to be

1 built on that. That land is going to be
2 acquired through our real estate
3 easements arm. The recreation that we're
4 talking about is boat ramps, bike paths,
5 things of that nature. So the Corps of
6 Engineers is not in the business of
7 residential development or anything of
8 that nature, so that's -- I wouldn't see
9 that being there.

10 JACK SESSIONS:

11 So no houses? Okay.

12 TOM SHAW:

13 Thank you. Yes, ma'am?

14 LINDSAY REEVES:

15 Sorry. I have a quick process question
16 that Ms. Franz's comment raised for me.
17 Several of the species that were affected
18 that you described in the Draft Environmental
19 Impact Statement are likely to adversely
20 affect those species. The DEIS includes a
21 biological assessment. Will you be doing a
22 biological opinion with the service, and if
23 so, what's the time line we can expect that?

24 TOM SHAW:

25 Yes, that is an affirmative. There

1 will be a biological opinion, and we are
2 currently in consultation with them.

3 LINDSAY REEVES:

4 Do you know a time line?

5 TOM SHAW:

6 Before the final.

7 RICHARD CARRIERE:

8 Richard Carriere again. So my concern
9 about public health with the lake is sincere.
10 In Lake Pontchartrain, we now have testing
11 that occurs often on Northshore, Southshore,
12 all around the lake, in the interest of
13 public safety and to understand what's going
14 on. If, perchance, the lake is built and the
15 weir goes in, I think it would be very
16 important to have weekly testing of the water
17 quality and pollutants -- chloroform and
18 things like that.

19 I know a lot of sewerage probably does
20 flow down these various streams and enter
21 from the Jackson area, and maybe from Rankin
22 County across the river into that area that
23 would be retained in the lake. And I'm sure
24 there's a lot of leakage in Jackson from
25 people's sewer lines breaking, just like

1 there is in Jefferson Parish and Orleans, so
2 it's obviously going to flow from the streams
3 into that lake.

4 So that's a big question that I think
5 should be addressed going forward, whether or
6 not to have a lake, and also the lake would
7 tend to sediment in, so that would be another
8 maintenance issue over time, is that lake
9 gets sedimented in. Thank you.

10 TOM SHAW:

11 Yes, sir. I think he's going to
12 raise your mic for you. Thank you, sir.

13 Yes, sir?

14 HOWARD PAGE:

15 Yes, sir. My name's Howard Page, and a
16 question that was asked just before this
17 gentleman spoke -- I would like -- I saw that
18 the gentleman from Rankin-Hinds, the local
19 sponsor, I would like him to answer the
20 question: are any houses going to be built
21 because of this project? My understanding
22 has always been absolutely, yes, this is
23 absolutely a real estate development project.

24 And so I was wondering if we could hear
25 directly from you, if you agree. Noone ever

1 thought the Corps was going to build houses,
2 so that really wasn't the answer I was
3 looking for. So I was wondering if this
4 gentleman could answer that question.

5 UNIDENTIFIED SPEAKER:

6 Good job.

7 KEITH TURNER:

8 So first off, this has never been a
9 real estate project, contrary to what
10 many people say. This has always been a
11 flood risk management project from the
12 very beginning, but we've also stated
13 from the very beginning that if there are
14 ancillary benefits such as recreation or
15 others, or some economic development,
16 that's a good thing for the city of
17 Jackson.

18 So there are no plans right now.
19 There are no specific plans for any
20 development of any sort. What we
21 envision is that the communities that
22 this project has improved as a result of
23 the lake, that a planning process would
24 occur with the communities to develop
25 three areas specifically. One would be,

1 obviously, recreational areas, natural
2 areas, and then some areas would be
3 opportunities for economic development.

4 That area under D is much smaller
5 than it was under C, but again, there's
6 no specific plans of any sort. And one
7 thing that's really important to
8 understand is that the property
9 acquisition, as Brandon mentioned, would
10 be controlled by these parties right
11 here.

12 We're responsible, as local sponsors,
13 to actually acquire the property, and it
14 would be controlled by us, and it would
15 not be windfalls for developers of any
16 sort. But specifically, the three areas
17 -- recreation, natural, and some economic
18 development.

19 HOWARD PAGE:

20 So basically, yes, there is potential
21 for development?

22 UNIDENTIFIED SPEAKERS:

23 (Multiple voices) Yes.

24 KEITH TURNER:

25 Yes. Yes, if it's possible, there

1 may be some development there. Now, I
2 didn't say houses and things, no --
3 there's nothing planned of any sort. I'd
4 be glad to talk with you in more detail
5 outside and I can show you those specific
6 areas. They're not that large, and you
7 know, whether they occur or not, I think
8 it depends on whether the economy
9 supports this thing or not.

10 TOM SHAW:

11 Yes, sir?

12 ANDREW WHITEHURST:

13 Andrew Whitehurst again. There's a
14 diagram in the DEIS that shows that the fill
15 from digging out the batture wetlands on
16 either side of the river in D or E will go
17 behind the levees in a lot of places and be
18 terraces, and they're described as level with
19 the levee, 500 feet to 1,000 feet. So that's
20 three football fields in length of terrace,
21 and they can't all be soccer fields. So you
22 can read that in the report. It's a nice
23 diagram.

24 The terraces on the back of the levees
25 are about this big that you have to, in your

1 mind, go to the full extent. Those are
2 called multipurpose levees in other parts of
3 Corps work, and they're used in places like
4 after Hurricane Sandy, and the reason given
5 for a multipurpose levee that I read was that
6 when the levees overtopped, it's less likely
7 that that wide surface will make a crevasse.

8 And I know that at the Carrollton Levee,
9 for instance, the back of the levee has been
10 matted with concrete mats for the same
11 reason. That's where I grew up, three blocks
12 from the Carrollton Levee. The Corps of
13 Engineers blocks out the sunset on Hilary
14 Street. But those are terraces, multipurpose
15 levees -- whatever you want to call them --
16 and they can't all be soccer fields. Thanks.

17 TOM SHAW:

18 Thank you, sir. Anyone else? Okay.
19 We thank you all for your attendance.
20 Just a reminder, you can go to the back
21 to talk to the subject matter experts --
22 yes, sir? Come on to the mic, please.

23 GERALD MORRIS:

24 All right, yes. My name is Gerald
25 Morris. I have lived in Slidell since '77,

1 and I've experienced the flood in '79 and
2 '83, and these were disasters in the Slidell
3 area. I can assure you, we don't really want
4 any Mississippi -- more Mississippi water
5 coming down.

6 If you can show, I think, with good,
7 reliable models -- that is maybe the high
8 graph models, version one through five -- and
9 show if you took the situation in 1979, in
10 1983, where we had 21.5 feet of water at the
11 I-10 Bridge at the West Pearl River -- that
12 was the record.

13 If you can show that your various options
14 that you're looking at as far as dredging and
15 all would reduce the amount of water coming
16 down into the flood plain of the Pearl River,
17 then it might be acceptable. But until you
18 can do that, then I am violently opposed to
19 any sort of increase in the amount of water
20 coming down from Mississippi into the
21 Louisiana coast.

22 And I would remind you that when we
23 looked at putting floodgates at the Rigolets,
24 they were trying to do that in order to keep
25 the storm water, as it approaches New Orleans

1 area -- keep the water out of the Lake
2 Pontchartrain, because that causes a lot of
3 problems and complications on the Northshore.
4 They idealized with remodels the closing of
5 gates at the Rigolets, and the storm water
6 that comes out of the Gulf has to go
7 someplace, so some of it goes west, some of
8 it goes east, and what goes east was heading
9 towards the Mississippi Gulf Coast.

10 And Mississippi objected to the Rigolets
11 gates because it was going to send additional
12 water to the Mississippi Gulf Coast. I think
13 the same thing applies in this case. If
14 you're going to send additional water to
15 Louisiana into the West Pearl River flood
16 plains, then I violently object to something
17 like that.

18 I also would make a comment regarding the
19 weirs. I don't know if the people -- most of
20 the people in the audience really know what a
21 weir is. Let me explain. First of all, let
22 me tell you that my background, I have a BS
23 in geological engineering, a Master's in
24 geophysics, and a PhD in earth sciences.
25 I've been associated with two universities.

1 I've done a lot of research on the solid
2 earth, the arid earth, and then water earth,
3 so I do know a few things, but I'm certainly
4 not a hydrologist.

5 But a weir, for most of the people, if
6 you build a dam or a flood wall and you don't
7 want to keep the water forever, you put a
8 notch in it, and you can regulate the depth
9 of the notch and the width of the notch, and
10 that notch is the weir. And I think they've
11 been using weirs probably since the days of
12 the Romans. There is no control on them at
13 all. All the control is put in when you
14 design and build them and construct them.
15 You don't get the option.

16 In the New Orleans area, when they're
17 having trouble with the water level in the
18 river, they quite often will announce that
19 maybe next week, they're thinking of opening
20 the Morganza, maybe 10 gates or 20 gates --
21 something like that -- but they decide when
22 to open the gates, how much to open the
23 gates, but with a weir, it's built in. You
24 don't get to change. So I think we should be
25 looking at an era in which we do exercise

1 control, and not use these static weirs
2 anymore.

3 But I think you're going to have to do
4 something to convince the people in Louisiana
5 that whatever you do up there is apt to send
6 more water to our area, and you must convince
7 us that you are not sending us a more severe
8 flood like we had in 1983. Thank you.

9 TOM SHAW:

10 Thanks, sir. Sir?

11 FERNANDEZ:

12 Hey, y'all. I'm Fernandez. Thank you
13 for giving us the opportunity to speak again.
14 This is the third time I've spoken, but I
15 wanted to address Mr. Turner's statements
16 regarding the -- what was it -- real estate
17 -- real estate problem.

18 There's a reason why there is a
19 perception that this is a real estate scheme,
20 and I don't believe it's just because the
21 existing alternatives are, I believe, either
22 the lake or strong end alternatives -- I
23 don't believe Alternative A-1 is truly
24 formulated to be a competitive alternative,
25 but that is not why people have a perception

1 that this is a real estate project.

2 I think that idea is based on certain
3 circumstances around this project, and I've
4 just written myself to a few. So number one,
5 when you guys talk about the contractors that
6 work with the Rankin-Hinds Pearl River Flood
7 Drainage Control District, one of the main
8 ones is the Pearl River Vision Foundation.
9 This group was established largely by
10 landowners who would have lakeside property.
11 In the mission, it was originally called the
12 Two Lakes Foundation, and it was established
13 explicitly to promote these lake plans.

14 Around 2011, the levee board of Rankin-
15 Hinds hired them to do the study. So the
16 Section 211 Study that was the precursor to
17 this DEIS was done by a team made to support
18 lake plans. The team that collaborated with
19 you on this DEIS to formulate Alternatives D
20 and E is a team that was around and
21 established to make lake plans. You can look
22 at these old documents for the Pearl River
23 Vision Foundation, and it includes members
24 like Blake Mendrop, the head engineer that
25 was in the planning.

1 So these are circumstances that we see --
2 oh, an organization made to promote lake
3 plans is now studying -- objectively studying
4 this thing -- right, objectively -- and so
5 this is part of the reason why we believe
6 that this is a real estate scam. You can
7 even look at more modern organizations like
8 the Great City Foundation, which has been a
9 big promoter of Alternative C and now D.

10 The idea that they want to build lakes --
11 I mean houses around the lake, it's in their
12 hype videos. They have videos of the lake,
13 and there's these condos around it, parks
14 around it, happy people playing whatever --
15 pickleball, now? And what's never clear is
16 that some of the people who speak for this
17 foundation own property that would be right
18 next to the lake.

19 So whenever we see this, we don't think
20 these folks really care about flood control.
21 They're looking to make money off of this,
22 and this has been the concern. That's why
23 I'm so involved in this. I think this is a
24 great robbing of the public good. So this is
25 why there's the idea that this is a real

1 estate project. Thank you.

2 TOM SHAW:

3 Thank you. Okay, we've got -- we've
4 exceeded our time limit. Yes, sir, go
5 ahead. Let's try this one last question,
6 please.

7 MARK SCHEXNAYDER:

8 These two guys on the right are going to
9 follow up. I noticed that the Pearl River
10 data in the elevated shed did not include any
11 threats to endangered species lists. Can
12 y'all speak to that, because it's your area,
13 and can you present --

14 TOM SHAW:

15 Can we get your name?

16 MARK SCHEXNAYDER:

17 I'm sorry. Mark Schexnayder,
18 fishing biologist with Coastal
19 Environments, Inc. --

20 TOM SHAW:

21 Thank you.

22 MARK SCHEXNAYDER:

23 -- and the president of The Society
24 for Louisiana Irises.

25 MARK SCHEXNAYDER:

1 So one big concern is this appearance of
2 water volume evaporation behind the new lake,
3 so it's going to decrease and probably have
4 an influence all the way down to the Gulf,
5 like other people said. So I would think
6 that to include those species would be a good
7 thing, and any mitigation would also include
8 addressing the Pearl River Navigation Project
9 weirs.

10 TOM SHAW:

11 Could you repeat that last part?

12 We're having problems hearing you.

13 MARK SCHEXNAYDER:

14 Part of the mitigation plan if anything
15 but A-1 was done -- is done -- would be to
16 address the Pearl River Navigation project
17 weirs, and remove those as part of the
18 mitigation.

19 TOM SHAW:

20 That's outside of the current study
21 area, and so --

22 MARK SCHEXNAYDER:

23 I know, but with the map of what --
24 with the influence of the project, y'all
25 run into -- I think it stops at the

1 Mississippi line. It doesn't extend all
2 the way down the river.

3 TOM SHAW:

4 True.

5 MARK SCHEXNAYDER:

6 So if the true influence with the
7 evaporation from the project does extend
8 further, then you have to add more
9 species that are endangered to your list.

10

11 TROY CONSTANCE:

12 As we said, we're still working on
13 some of the components of the mitigation
14 plan with the weirs being gone -- I think
15 that's what you're speaking to?

16 MARK SCHEXNAYDER:

17 Yes.

18 TROY CONSTANCE:

19 It's not off the table. As I said,
20 we'r

21 e
22 still in discussion with Fish and
23 Wildlife Service, Mississippi Fish and
24 Wildlife, so not off the table, but we
25 can't really answer that right now.

24 MARK SCHEXNAYDER:

25 Thank you.

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TOM SHAW:

Okay. Well, thank you all for coming. We very, very much appreciate your comments. There are multiple ways to ask additional questions. If you don't have enough or you felt you weren't able to get enough information here, you can look to the project website because the responses to the questions will be out there. Thank you all. That concludes this meeting.

(THE MEETING CONCLUDED AT 1:26 P.M.)

REPORTER'S PAGE

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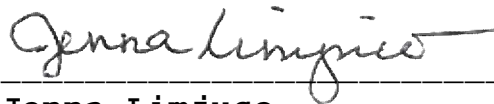


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1 litigant in this matter, nor is there any such
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4 That I am not related to counsel or to the parties
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8 IN WITNESS THEREOF, I have affixed my official
9 signature this 11th day of July 2024 in Slidell,
10 Louisiana.

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