SIERRA CLUB
MISSISSIPPI CHAPTER

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**Delivered to [PearlRiverFRM@usace.army.mil](mailto:PearlRiverFRM@usace.army.mil)**

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Mr. Jason Emery
Environmental Branch
U.S. Army Corps of Engineers, CEMVN-PDS
7400 Leake Avenue
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**Re: Comments on Pearl River Basin Flood Risk Management Revised Draft Environmental Impact Statement, July 3, 2025**

Dear Colonel Gipson and Mr. Emery,

On behalf of the Mississippi Sierra Club and our 2,000+ members in Mississippi, many of whom would be directly impacted by the aforementioned project, we write today to express our Staunch Opposition to the so called "One Lake" project and its various iterations of which your agency is considering; specifically, Alternatives D1 and E1 as described in the Pearl River Flood Risk Management Revised Draft Environmental Impact Statement (RDEIS) being developed for the Greater Jackson area. Our Staunch Opposition extends to any and all similar proposals to dredge or dam the Pearl River under the guise of flood control. We urge the Corps to reconsider and develop a more comprehensive Alternative A1 that includes more non-structural, natural and nature-based solutions as well as additional strategically targeted structural flood protections.

Let us be crystal clear, this proposal is nothing short of a Real Estate Development Scheme, promoted by well-known, politically-connected local real estate developers, that is masquerading as flood control.

The project's local sponsor, the Rankin-Hinds Pearl River Flood and Drainage Control District (Levee Board), continues to push for this bogus real estate development scam that had previously been soundly rejected by the Corps' Vicksburg District. It comes as no surprise that the local sponsor has rejected any alternative proposals that would actually provide effective and environmentally sound flood damage reduction benefits for Greater Jackson.

The One Lake project and the various iterations—Alternatives D1 and E1—will devastate one of the most intact rivers in the United States through massive excavation to widen 9 free-flowing miles of the Pearl River and building a dam at the southern end of this stretch to create a 1,600-acre lake (as in the case of D1), or widening 2.5-square miles of the natural river channel (as in the case of E1) near Jackson, Mississippi.

Again, the well-publicized purpose of this project is to create developable waterfront real estate and recreational access, which in reality will put even more ill-fated development in the Pearl's floodway and floodplain, continuing a decades-long pattern that has plagued the Metro Jackson area. In response to the 1979 Flood of Record, a 1982 report by the U.S. Fish & Wildlife Service (FWS) asserted, **"Flood plain development in Jackson can be compared to sleeping on railroad tracks…Sooner or later, disaster will strike."** Ultimately, Alternatives D1 and E1 will only serve to continue this terrible trend by putting more unsuspecting people in harm's way.

As discussed below, Alternatives D1 (the latest iteration of "One Lake") and E1 will destroy thousands of acres of vital habitat for hundreds of species of fish and wildlife, exacerbate already significant water quality problems, alter water flows all the way to the Gulf of Mexico, and damage the region's vital seafood and nature-based tourism economy.

Critically, construction of One Lake and its various iterations—Alternatives D1 and E1—will expose vulnerable communities in Jackson to extensive toxic contamination. At least three highly contaminated Hazardous-Toxic-Radiological Waste sites, two Superfund sites, and three Hazardous Waste sites are located directly within or adjacent to D1 and E1's proposed dredging footprint.

The damage that Alternatives D1 and E1 would cause to this exceptional resource, and the substantial deficiencies that we and many others have raised since the Levee Board's 2018 Draft Study process, throughout the Corps' 2024 DEIS process, and until today, have generated widespread opposition by political and community leaders, business and conservation interests, state and federal agencies, and the public. Fifteen downstream stakeholders have passed resolutions opposing One Lake – from the Louisiana legislature (unanimously) to the Mississippi Commission on Marine Resources to counties and municipalities. Also, Mississippi Congressman Bennie G. Thompson (D-02, Ranking Member, House Homeland Security Committee) and Louisiana Congressman Steve Scalise (R-01, House Majority Leader) have publicly expressed serious concerns about the project. Overwhelming opposition to the project has been expressed by dozens of stakeholder groups, including tourism, faith, conservation, and recreational-commercial fishing interests.

The Corps has also historically opposed the One Lake proposal and similar plans, instead supporting a Comprehensive Levee Plan. Indeed, in 2007 the Corps terminated its agreement with the Levee Board because the District wanted to continue pursuing a "lake" plan for real estate development purposes and refused to consider any other actual flood risk management alternatives.

The Mississippi Legislature's PEER Committee has also previously signaled its support for alternative plans that did not include economic development components. For example, in 2010, the Committee noted that the **"plans incorporating economic development cost more than levees"** and the **flood control plans developed before 1996 offer less costly options that better address flooding concerns** *(MS Legislature PEER Committee Report #540, p.34, 10/12/2010).* These pre-1996 alternative plans included restoring the Pearl River's floodplain either alone or in combination with commonsense measures such as improvements to existing levees, raising buildings and homes, relocations or buying out properties with historical flooding problems, and stronger floodplain policies and regulations to control development activities.

Therefore, we find it incomprehensible and deeply disturbing that the Corps continues to defy its own position by considering One Lake iterations of Alternatives D1 and E1. We urge the Corps to reject the nonsensical, ineffective, and environmentally damaging Alternatives D1 and E1. In its place, the Corps should reassess and pursue a more comprehensive Alternative A1 that includes more non-structural, natural and nature-based solutions as well as additional strategically targeted structural flood protections that can provide sustainable and environmentally sound flood mitigation relief for the Greater Jackson area while protecting the Pearl River Basin, downstream communities, and the regional economy.

The Corps should reject kowtowing to political pressure generated by self-serving local real estate developers and other economic development interests.

Below are Mississippi Sierra Club's detailed comments which document our concerns that have been identified in the Revised Draft Environmental Impact Statement.

## The Corps Should Adopt and Expand RDEIS Alternative A1

Sierra Club strongly urges the Corps to revisit, endorse, and expand RDEIS Alternative A1 (A1) while rejecting Alternatives D1 and E1. As discussed below, Sierra Club cautions the Corps against dismissing A1 based on the RDEIS's poorly substantiated and biased arguments, which improperly skew the RDEIS's analysis in favor of Alternatives D1 and E1.

Currently A1 is proposed as a non-structural plan to elevate, floodproof, or provide a voluntary buyout for 54 structures (28 homes, 26 non-residential) in flood-prone areas and to construct a 1.4-mile Canton Club Levee to protect over 250 homes. A1 is the only RDEIS alternative that could provide prompt, effective flood relief without causing public health or downstream impacts, or induced flooding on any structures. In addition, it poses limited ecological impacts to 44 acres of habitat if it is expanded to include all four levee segments—a 97% smaller direct habitat impact than Alternatives D1 or E1. A1 is the only RDEIS "alternative with a positive benefit-to-cost ratio and can be used for comparing the level of flood risk reduction, environmental acceptability, and technical feasibility of the proposed Alternatives." (RDEIS at 11). Funding is already available for the Corps to develop and implement a phased, incremental approach through an expanded A1.

While we are supportive of A1's non-structural elements and we are glad to see inclusion of our 2024 DEIS recommendation for a targeted levee segment for the Canton Club neighborhood. However, we are dismayed to see the RDEIS reflect a significant reduction, 62%, in the number homes and structures benefitted by non-structural measures as compared to the 2024 DEIS.[1] We also believe A1 does not go far enough to adequately address local flooding needs. Thus, it is crucial that A1 be designed with additional key components as discussed below. Appendix B of Attachment 1 presents examples of how many of these approaches, such as nature-based flood solutions, levee setbacks, and voluntary relocations, have been used in other parts of the country to protect communities and the environment. This demonstrates their real-world potential for applicability and use in the Greater Jackson area.

With regards to Alternative A1, we recommend the Corps:

[1] The 2024 DEIS proposed non-structural measures for 143 structures (elevate 81 homes, floodproof 62 businesses), while the RDEIS proposes such measures for 54 structures (elevate 28 homes, floodproof 26 businesses), which is a 62% reduction.

**Reconsider and expand Alternative A1.**

It is stunning that the Corps has chosen to ignore the majority of feedback provided on the 2024 DEIS that urged the agency to move forward with an expanded version of A1. The RDEIS alleges, "A1 is not an effective solution, and has been screened from further consideration, and is not recommended for implementation." (RDEIS at 11) The RDEIS discards A1 based on a number of missed opportunities and priorities, many of which were raised in the Sierra Club's 2024 DEIS letter. Once again as in the 2024 DEIS, the RDEIS has chosen to present A1 in manner that undermines this alternative.

It is evident from the RDEIS is that the Corps has failed to answer or acknowledge key points we raised in our 2024 letter, which addressed many of the Corps' claims for setting aside A1.

**Increase the number of homes to be elevated and businesses to be floodproofed.**

We are disappointed to see significant reductions continue regarding the number of structures being considered for elevations or floodproofing—from 600 structures in 2023[2] to 143 structures in the 2024 DEIS to 54 structures in the RDEIS. This trend is counter to recommendations made by the Sierra Club and many others during the 2024 DEIS comment period.

Notably, the DEIS provided little substantive information about the A1 non-structural approaches, which resulted in many community members' being confused, misunderstanding, or in some cases, being misinformed about elevation, floodproof, or voluntary buyout options. These impressions have become an obstacle to garner broader community buy-in for A1, which is of the Corps' own making, and for which the Corps can help to address by providing factually based information and presented it as a detailed suite of options so that individual community members can determine what is best for their respective situation.

To reiterate, priority participation should be given to those structures with historical flooding problems or those that experience chronic flash-flooding, which has been more widely identified by community members as a priority and generally is associated with the Pearl's tributaries, though as discussed later on, the RDEIS wrongly fails to include tributaries in the proposed flood plan.

**Consider targeted voluntary relocations or buy-outs of chronically flood-prone properties.**

We are glad to see the RDEIS acknowledge that A1 could include the option of voluntary buyouts. In our 2024 DEIS comments, we recommended A1 be enhanced to include the development of a plan that considers targeted voluntary relocations or voluntary buy-outs of properties with a documented history of flooding problems. Removal of some of the highest flood risk structures and restoring those properties to green space or natural habitats would support natural infrastructure approaches to capture floodwater, especially from localized rain-induced events.

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[2] U.S. Army Corps of Engineers. [Subject: Pearl River Flood Risk Management Plan]. Letter to Abby Braman, Pearl Riverkeeper, 2023. (Obtained under Freedom of Information Act from U.S. Army Corps of Engineers; requested as "PowerPoint Presentation to Rankin-Hinds Pearl River Drainage & Flood Control District" August 2023; received September 2023).

In fact, the Corps' July 31, 2025, evening RDEIS public meeting in Jackson was preceded with heavy rainfall throughout the area, whereby one community member who spoke expressed concerns about coming back to flooding issues at her home and stated she wanted a buyout option.[3] This reflects that there are community members who are open to this measure such that the Corps should provide a suite of options to property owners who deal with recurring flooding issues.

While the RDEIS suggests that voluntary buy-outs may not be possible under current Corps policy because a policy waiver would be required (Main Report at ES-ix), the Corps is relying on voluntary buyouts as a key element of multiple flood risk reduction projects around the U.S.

The Sierra Club does not find the RDEIS's claim credible given numerous successful examples exist in the Southeast U.S.

**Remove arbitrarily imposed financial burdens placed on community participation.**

The Corps failed to address our 2024 DEIS recommendation that urged the removal of arbitrarily imposed financial burdens placed on community participation.

A majority of the flood prone areas identified in metro Jackson are located in predominantly low-moderate income neighborhoods of color. The Corps should reverse course and remove arbitrarily imposed burdens placed on community participation that require structure owners to pay for an extensive array of "ineligible" costs associated with elevations and other non-structural measures. These requirements appear baseless and intentionally designed to create unnecessary roadblocks that deter community members' participation so as to derail A1 as a feasible alternative and frame Alternatives D1 and E1 as the only possible options.

Along with the outright removal of undue financial barriers, the 2024 Commander's Report[4] identified several ideas for increasing non-structural participation rates, especially for those property owners located in disadvantaged neighborhoods (2024 Commander's Report at 10):

- Temporary relocation assistance.
- Developing an assistance program similar to the Mississippi Disaster Recovery Division Elevation Grant Program that was established for coastal Mississippi counties following Hurricane Katrina.
- Establishing a program to help homeowners defray elevation costs similar to the Homeowner Elevation Grant Program that provides support to four coastal Mississippi counties (i.e., Hancock, Harrison, Jackson, and Pearl River).

Also, there are federal programs, now in varying states of flux, that have helped communities address non-structural financial obstacles, which may provide opportunities for Greater Jackson residents and businesses:

[3] Mastrototaro, Jill. July 31, 2025. U.S. Army Corps of Engineers' Public Hearing on Pearl River Flood Risk Management Revised Draft Environmental Impact Statement, Mississippi Public Broadcasting Auditorium, Jackson, MS.

[4] Pearl River Basin, Mississippi, Federal Flood Risk Management Project – Commander's Report and Environmental Impact Statement. Memorandum for Assistant Secretary of the Army for Civil Works. June 11, 2024.

- FEMA's Building Resilient Infrastructure and Communities Program, Flood Mitigation Assistance Program, and Hazard Mitigation Grant Program;
- Housing & Urban Development's (HUD) Community Development Block Grants for Mitigation and Disaster Recovery;
- U.S. Department of Agriculture's Emergency Watershed Protection Program;
- U.S. Department of Transportation's Promoting Resilient Operations for Transformative, Efficient, and Cost-saving Transportation (PROTECT) Program and Rebuilding American Infrastructure with Sustainability and Equity (RAISE) grants; and
- U.S. Environmental Protection Agency's (EPA) Environmental Justice Small Grants Program and Sewer Overflow & Stormwater Reuse Municipal Grants Program.

**Include targeted road elevations that address transportation corridors with a demonstrated history of flood issues.**

The Sierra Club reiterates our 2024 DEIS letter request that A1 be expanded to include targeted road elevations, specifically for primary and secondary roadways that are known to experience flooding problems and serve as key mobility routes.

This opportunity is reflected in the 2024 Commander's Report,[4] which noted, "A structure in a flood prone area may or may not receive flooding at and above its first floor, but that flooding does, at a minimum, impact transportation networks in the study area causing economic impacts including flooding of vehicles and travel delays for critical services". (Commander's Report at 9)

While the RDEIS does not identify specific roadways that experience more common flash flooding from heavy rain events, tributary-related flooding, or flooding from less frequent high river events, the RDEIS makes clear there are certain transit routes that would benefit from strategic elevations. For example, during the February 2020 flood event "many more businesses and homes were temporarily inaccessible due to roadway overtopping". (Main Report at 2-12) By consulting with the Mississippi Emergency Management Agency and local county emergency managers, the Corps can readily identify a list of priority roadways for elevation.

**Incorporate the Pearl River's tributaries into flood planning.**

The Corps continued decision to set aside local tributary flooding from its flood planning process remains perplexing and is squarely at odds with the continuous refrain by many community members and engaged stakeholders like the Sierra Club, that the Pearl River's 12 tributaries are a well-recognized source of Greater Jackson's flooding challenges and as such their consideration is crucial to developing a comprehensive, effective, and solutions-oriented flood plan.

Even the Government Accounting Office's post-1979 flood report acknowledged, "According to [the National Weather Service], flooding occurs along portions of Town Creek when the Pearl River reaches 32 feet at Jackson. Existing geographical conditions and physical structures cannot prevent flooding of portions of the central business district during periods of high water."[5] (GAO Report at 12)

Similar to the 2024 DEIS, the RDEIS wrongly and baselessly dismisses the inclusion of the Pearl River's tributaries for flood planning purposes. Specifically, "any tributary-related activities were removed from further consideration in Alternatives D1 and E1 upon identifying that this work is being undertaken by NRCS, State and other local entities through the Mississippi Watershed projects". (Main Report at 3-17)

To reiterate, this deliberate shortcoming is beyond reproach as many of the flooding woes experienced in the Greater Jackson area are significantly attributed to rain-induced flash flooding that impacts urban neighborhoods located along the 12 creeks that flow into the Pearl River. It is also noteworthy that the RDEIS's hydrologic discussion of Figure 4-2 makes it abundantly clear that tributary flooding will remain a serious problem under D1 and E1. (Main Report at 4-24)

The RDEIS Section 1.2.4.2 catalogs various government entities various activities in the Pearl River tributaries that are mainly designed to address or mitigate flooding for local neighborhoods. It is crucial that these efforts be included in A1 to ensure a comprehensive and well-coordinated flood relief effort to benefit all in the Greater Jackson area.

Also, it should be acknowledged that tributary flood planning and projects offer tremendous opportunities to incorporate natural and nature-based approaches that can provide ecological and recreational advantages for communities—gains that can deliver on protecting the Pearl River and its floodplain while increasing outdoor recreational opportunities for community members and businesses throughout Greater Jackson. This can also help to address the sentiments expressed by supporters who have called for increased recreation and river access through Alternative D1. As such, including tributary flood planning in this broader Pearl River planning effort can bring numerous co-benefits to this overall effort.

**Incorporate natural or nature-based flood approaches.**

The Sierra Club reemphasizes points already discussed that despite the multitude of requests to see natural or nature-based flood approaches included in flood planning for metro Jackson, we are deeply disappointed that the RDEIS fails to do so. We reiterate that any flood plan should thoughtfully consider restoring river habitat, wetlands, and green spaces in the Pearl River's floodplain. This includes paying particular attention to all 12 of the Pearl's tributaries that flow through the Greater Jackson area where much of the documented chronic flash flooding occurs.

These restoration activities can be approached in such a way so as to maximize their co-benefits, such to support public recreation opportunities. The RDEIS recognizes that, "Within the Study Area, there are few immediate access points to the river and few green spaces for the public" (Main Report at 3-4).

A number of opportunities readily exist to incorporate natural and nature-based flood approaches. For example, the City of Jackson owns 740 acres of property along the Pearl River that is currently unutilized. The community's interest in developing such recreational opportunities is evidenced by a recent design plan created for a 178-acre nature preserve in

[5] U.S. Government Accounting Office. "Improvements Being Made In Flood Fighting Capabilities In The Jackson, Mississippi, Area". December 19, 1979.

northeast Jackson through the leadership of Mississippi Communities United for Prosperity, a community-based nonprofit. Enhancing the water capture and retention potential of such natural habitats and green spaces through hydrologic and native plant restoration, while enhancing community recreational values, should be expanded into the consideration of A1.

**Maximize the management and operation of the Ross Barnett Reservoir and Spillway.**

As the Sierra Club and others have noted throughout the Corps' flood planning process, including most recently during the 2024 DEIS, A1 should be expanded to ensure Ross Barnett Reservoir and Spillway ("Reservoir Complex") operations are being maximized as a flood mitigation tool. This is particularly appropriate given the involvement of the Rankin-Hinds Levee Board as the non-Federal sponsor, who is well-positioned to aid in facilitating proper coordination among the Pearl River Valley Water Supply District (PRVWSD), other local and state entities, and the Corps.

Since the last major flood of the Greater Jackson area in 1983 (a 100-year event), management of the Reservoir Complex has become an increasingly important flood risk reduction tool. During 2018, Mississippi's second wettest year on record, which included several flood stage events on the Pearl, the Reservoir Complex was effectively managed in such as a way as to mitigate and minimize flood threats and help protect structures. These benefits also were evident during the winter of 2020, which included the wettest January on record.

The RDEIS notes, "Although the reservoir was not designed for flood control…[it] has been actively reducing peak flows during large inflow events since at least 1979 with an estimate that peak flows are reduced by as much as 28 percent due to these operations." (Main Report at 3-4)

However, the Corps again misses a significant flood mitigation opportunity by sidestepping discussions that involve the PRVWSD who is responsible for managing the Reservoir Complex. The Sierra Club repeats our request that the Corps expand A1 to ensure Reservoir Complex operations are being optimized to the maximum extent practical as a flood mitigation tool.

Additionally, despite steady requests by the Sierra Club, community members, and other stakeholders, it is disappointing that the Corps continues to refuse to consult or coordinate with the Reservoir management agency in the development of a flood plan. Relatedly, the RDEIS fails to provide any basic information about how D1 and E1, alternatives that will impose extensive, permanent alterations to the Pearl River and its floodplain, will coordinate with Reservoir management and operations.

The Reservoir's vast 33,000-acre footprint located prominently in the Greater Jackson area along with its spillway and operating plan has a constant and continuous impact on river levels, its ecology, and public safety—this includes concerns expressed by and information provided by lower Pearl River stakeholders such as the Town of Monticello, MS, and St. Tammany Parish Government in Louisiana. It is illogical for the Corps to continue to proceed without close consultation with the PRVWSD.

**Incorporate additional selective levee protections for vulnerable Jackson neighborhoods.**

The Sierra Club is pleased that A1 has been adapted to reflect our request—and that of many others—to include a 1.4-mile Canton Club Levee. This new levee would be expected to provide flood protection for 250 structures, whose construction would impact an estimated 10.5 acres of river habitat and 0.04 acres of stream; according to the 2024 DEIS, its construction is estimated to be $10 million. This new levee segment is a prime example of the type of targeted structural flood protection that is needed in the Greater Jackson area.

Relatedly, we are glad to see selective levee protections for McLeod-Parkway[6], Cany Creek, and Richland neighborhoods be identified in D1 and E1. (Main Report at 3-32 – 3-34) Given the support expressed by community members during the 2024 DEIS process for the four neighborhood levee segments, the McLeod-Parkway, Cany Creek, and Richland levees are not tied to D1 or E1 so it appears once again the Corp's decision to leave out the additional three levees in the A1 plan is an arbitrary and capricious decision designed to undermine the A-1plans effectiveness. Given this, A-1 should be updated to include these additional identified levees along with Canton Club.

As shown in Table 1 below, the Canton Club, McLeod-Parkway, and Cany Creek combined segments total 4.7 miles of new levees, which can provide targeted flood risk reduction for at least 705 homes in these neighborhoods, while resulting in measured ecological impacts to an estimated 33.5 acres of wetland and forested upland habitats and 0.12 acres of stream habitat. Also, the Richland Levee should be considered in A1, would benefit 40 mostly industrial structures and impact 9.45 acres of wetland and upland habitat as well as 0.02 acres of stream habitat. The Sierra Club believes the three levee segments providing flood risk reduction to homes should be prioritized first over the Richland levee, which would provide mostly industrial-user benefits.

An expanded A1 with all four levee segments would have 44 acres of direct habitat impacts—this is a fraction, namely 3%, of the direct habitat impacts associated with D1 or E1. The Sierra Club acknowledges that further study of these four levee segments is needed. The RDEIS notes two homes would have to be acquired for construction of the McLeod-Parkway Levee. It is also important to assess the flood risk needs of neighborhoods that adjoin these proposed segments.

Additionally, our 2024 DEIS comments have encouraged the Corps to consider levee setbacks since they are an accepted tool for reducing flood risks along river systems as they provide extra space for floodwater while helping to reduce erosion and support a more dynamic, healthier river system. Similar to the Corps' statements in the 2024 DEIS, the RDEIS wrongly and baselessly dismisses the consideration of levee setbacks, "This feature was determined to provide limited flood risk reduction benefits and therefore was removed from further consideration." (Main Report at 3-10)

The Corps should evaluate the existing levee system to identify segments that may require structural reinforcement or that need improvement. A critical goal should be to identify potential segments where setting levees may be set back farther from the Pearl River in order to allow the river more room to spread out naturally during flood events. Key areas to consider include highly constricted reaches of the Pearl River, such as from River Mile (RM) 288 to RM 291.

[6] Sierra Club refers to the RDEIS's proposed McLeod Levee as the McLeod-Parkway Levee as a way of respecting the adjacent proximity of these two neighborhoods.

**Table 1. Summary of the RDEIS's Four Proposed Levee Segments.**[7]

| Proposed Levee | Number of Structures to Receive Flood Risk Reduction | Length (Miles) | Width (Feet) | Potential Wetland Impacts (Acres) | Potential Forested Upland Impacts (Acres) | Total Acres Impacted (Wetlands + Forested Uplands) | Potential Stream Impacts (Acres) |
|---|---|---|---|---|---|---|---|
| Canton Club | 250+ homes | 1.4 | 60 | 1.5 | 9.0 | **10.5** | 0.04 |
| McLeod-Parkway | 415 homes | 2.3 | 60 | 5.1 | 11.9 | **17** | 0.06 |
| Cany Creek | 40 homes | 1 | 50 | 0 | 6 | **6** | 0.02 |
| Richland | 40 structures, mostly industrial | 1.2 | 70 | 1.05 | 9.45 | **10.5** | 0.02 |
| **Combined Total** | **705 homes, 40 structures** | **5.9** | -- | **7.65** | **36.35** | **44** | **0.14** |

**<u>Include improvements to the Savanna Street Wastewater Treatment Plant levee.</u>**

Under Alternatives D1 and E1, the RDEIS identifies upgrading an existing non-Federal ring levee to a Federalized ring levee around the Savanna Street Wastewater Treatment Plant. (Main Report at 3-29) The Levee Board's 2018 Draft Study estimated the cost to do so would be $1.9 million. This facility serves as critical infrastructure to Greater Jackson and experiences a high flood risk. Upgrading this levee is not tied in any way to D1 and E1, nor has any the Corps provided any logical argument for such. Thus, we again urge the Corps to include Federalizing this ring levee as part of an expanded Alternative A1, or the activity should be pursued independent of this flood plan process.

**<u>Assess structural pinch points that exist in the middle reach of the Pearl River.</u>**

While the RDEIS acknowledges that an abandoned railroad embankment south of the Fewell Weir has been removed, the Corps admits it has not completed of a comprehensive assessment of existing structural "pinch points" or unnatural constrictions within the main stem of the Pearl River nor has it identified possible solutions for flood reduction considerations.

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[7] Data presented in Table 1 was compiled from the RDEIS and personal email communication from Tammy Gilmore, Biologist/Senior NEPA Specialist, U.S. Army Corps of Engineers' New Orleans District, to Jill Mastrototaro, Mississippi Policy Director, Audubon Delta, on August 4, 2025.

(Main Report at 7-12) The RDEIS Table 2.1 already identifies local bridge crossings in the immediate footprint of the project area that should provide a logical starting point for such as assessment. (Main Report at 2-6) Thus, the Sierra Club recommends A1 be expanded to prioritize an assessment of all existing bridges in the Greater Jackson area as well as those downstream. Our recommendation is aligned with numerous stakeholder comments provided during the 2024 DEIS comment period and during the RDEIS public meetings in Jackson on July 31, 2025,[9] which highlighted that several of these bridges serve as structural pinch points, which unnaturally obstruct the Pearl River's flow and may contribute to selective flooding. For example, several commenters raised concerns about the Abandoned Railroad (GM&O) Bridge and Woodrow Wilson (Old Brandon Road) Bridge.

**Consider a reliable flood warning system for the Greater Jackson area.**

The Greater Jackson community has long needed a reliable flood-warning system to help provide timely, accurate information to the general public as well as first responders. Such a system is especially of value given the frequent rain-induced flash flooding events experienced by neighborhoods near the Pearl's tributaries. The Sierra Club recommends the Corps incorporate such a tool into A1.

## RDEIS Alternatives D1 and E1 are Unacceptable, Environmentally Destructive Plans that Should Be Rejected

While the Sierra Club is satisfied to see the Corps set aside the 2024 DEIS Alternative C (the previous "One Lake" proposal) from further consideration, the RDEIS remains incomplete, and it unequivocally makes clear that One Lake's Alternative D1 (current "One Lake" with a weir) and E1 (without weir)—and all similar proposals— are unacceptable, environmentally destructive, and economically unjustified plans that should be rejected by the Corps.

For many years, proponents have claimed that One Lake—along with other river damming/or and digging proposals—is a flood control project, but this widely publicized real estate development scheme would only put more people and property in harm's way. Both Alternatives D1 and E1 are only minor variations of the original One Lake plan, which is part of a concerted effort to put more people and property in harm's way at the expense of the Pearl River.

Alternatives D1 and E1 propose to destroy vital habitat for hundreds of species of birds and wildlife, exacerbate already significant downstream water and sediment resource problems all the way to the Gulf of Mexico and damage threaten the region's vital seafood and nature-based tourism economy. Critically, construction of either alternative would expose vulnerable communities in Jackson as well as those located downstream, to extensive toxic contamination while worsening local flooding problems, especially for local disadvantaged neighborhoods. At least three highly contaminated Hazardous-Toxic-Radiological Waste sites, two Superfund sites, and three Hazardous Waste sites are located directly within or adjacent to D1 and E1's excavation footprint. As discussed, the RDEIS appears to be prepared in such a way as to deliberately set up A1 for failure so that it is no longer considered, in favor of D1, which appears to Rankin-Hinds Levee Board's preferred alternative, or E1, which appears to be the Corps' preferred plan.

Consequently, <u>the Sierra Club urges the Corps to reject Alternatives D1 and E1 in favor of reconsidering and pursuing an expanded A1. We consider One Lake Alternative D1, E1, and any Combination Thereof (CTO), to be fabricated, dangerous, and environmentally unacceptable proposals</u> that are based on a fundamentally flawed planning process as demonstrated by the following:

**<u>Alternatives D1 and E1 would encourage new development in the Pearl River floodway and floodplain, resulting in putting more people and property in harm's way.</u>**

Alternatives D1 and E1 involve extensive excavation of mostly floodplain and river habitat from 9 free-flowing miles of the Pearl River.

- D1 will install a dam to create a 1,556-acre lake/impoundment—2.5 square miles—, whereas E1 does not include installing a structural dam. However, both alternatives create land for new development and recreation, neither of which are a principle goal of the Corps' flood planning effort.
- D1 and E1 will dig up 9.4 million cubic yards of Pearl River floodplain and habitats.
- Per RDEIS Appendix I (at 17), "it is necessary to consider potential damages that may occur in the form of erosion within already excavated areas [during construction]. There is no modeling to support this impact…but it is assumed…during flood events…" an additional 3% of the volume of each excavated area will experience erosion. This would require an additional 270,000 cubic yards of additional material be excavated for each year of construction. (Also noted in Main Report at 3-23) The RDEIS postulates construction would take 3 years; under this scenario D1 and E1 would require digging an additional 810,000 cubic yards of Pearl River floodplain and habitats.
    - This would bring D1 and E1's total volume of excavation of the Pearl River floodway and floodplain to 10.2 million cubic yards.
- D1 or E1 excavation would directly destroy 954 acres of river floodplain and habitat, including 50 acres of undeveloped area in LeFleur's Bluff State Park.
- The excavated material would be used to fill 523 acres on the protected and unprotected side of existing levees as well as other locations within the Pearl's floodplain. The 523 acres would be cleared and grubbed before being filled.
- Nearly 1,500 acres of river floodplains and habitat—2.3 square miles—will be destroyed from being excavated or filled.
- The newly cleared/created areas, "could allow for expanded riverfront access, natural areas, and along with recreational opportunities" (Main Report at 3-24) This is the same statement found in the 2024 DEIS Main Report at 109 and 125 except the phrase "commercial development" has been deleted from it.

- Up to 1.6 million cubic yards of fill (i.e., 100 acres of fill 10 feet high) would be provided to the Rankin-Hinds Levee Board for additional usage within the project area. (RDEIS Appendix E at 48-49)

- Both D1 and E1 would require at least 5,512 – 11,612 acres of forested wetland and uplands habitat mitigation.

- Both D1 and E1 propose 525 feet of rock armoring along where the Pearl's tributaries flow into the newly expanded river channel in order to manage tributary incision.

- While D1 involves creating a 1,556-acre lake/impoundment, E1's proposed maintenance of the excavated riverbed and floodplain areas includes mowing, which essentially would convert 9 free-flowing river miles into what can only be characterized as an enormous drainage ditch.

Both D1 and E1 demonstrate what the Sierra Club and countless others have been highlighting for many years: that the true intent of dam-dredge proposals on the Pearl is to create new developable waterfront property for more residential, commercial, and other economic development. It is ludicrous for the Corps to claim that they are not encouraging new development in harm's way; to reiterate from above, the newly cleared/created areas, "could allow for expanded riverfront access, natural areas, and…recreational opportunities". (Main Report at 3-24) It is irresponsible for the Corps to not accept responsibility for encouraging more development in the Pearl River's floodplain and project area.

As the Main Report rendering of Figure 3-6 (at 3-23) implies, the majority of the 9.4 million cubic yards of fill will be placed behind the existing levees. "Excavated fill would be placed in designated disposal areas on the protected and unprotected side of existing levees as well as other locations within the floodplain." (Main Report at 3-24)

A recent lead, front-page story in a local newspaper titled, *Possibilities: Foundation envisions better quality of life with One Lake Plan*, summarizes how D1 and E1 proponents view the Corps' flood planning effort in the initial sentence, "Imagine a large amphitheater, several miles of multi-use trails and wetland observation spaces along the Pearl River in downtown Jackson."[8]

Another example of pro-development initiatives associated with D1 and E1 can be found at the Great City Mississippi Foundation website, such as a promotional video showing a mixed-use development at Belhaven Beach that includes residential, commercial/retail, marina, and boardwalk on the Pearl River:

[8] Newspaper article. Floyd, Nell Luter. (8/8/2025). Possibilities: Foundation envisions better quality of life with One Lake Plan. The Northside Sun. [https://www.northsidesun.com/foundation-envisions-better-quality-life-one-lake-plan](https://www.northsidesun.com/foundation-envisions-better-quality-life-one-lake-plan)

(Image Source: https://www.facebook.com/greatcityms/videos/1582273838941654/, Accessed on 7/30/2024)

The 1979 GAO Report acknowledges that the building of the Ross Barnett Reservoir gave people, "a false sense of security concerning future flooding. Consequently, more and more people built their homes and businesses in the floodplain."[12] (GAO Report at 12) A 1982 assessment by the U.S. Fish & Wildlife Service (FWS) also blamed floodplain development for much of the city's flood damage, acknowledging, "Flood plain development in Jackson can be compared to sleeping on railroad tracks…Sooner or later, disaster will strike."[9]

Rankin and Hinds Counties, along with local municipalities, have continued this trend without guardrails to prevent or manage development in the Pearl River's floodplain and floodway. This has resulted in expansive residential and commercial development in harm's way of flood threats; Alternatives D1 and E1 will only further fuel this trend. The Greater Jackson area needs less development in flood-prone areas, not more new development that D1 and E1 would bring—an outcome wholly counter to the task at hand: developing a flood risk reduction plan to protect people and property.

As such, the Corps should be required to complete a Programmatic EIS if it chooses to pursue D1 or E1, or any CTO, because these plans will result in significant direct and secondary impacts from induced development and its supporting infrastructure to the Pearl River, habitats, and local and downstream communities.

While D1 and E1 include the Canton Club, McLeod-Parkway, Cany Creek, and Richland levee segments, there is nothing associated with the three latter levee segments that precludes them from being considered in an expanded A1. Also, although D1 and E1 suggest they could include some non-structural elements outlined in A1, A1 demonstrates that those non-structural approaches and selective structural elements, like these targeted levees, can stand on their own and be pursued independent of D1 and E1. Finally, both D1 and E1 have much lower cost-benefit ratios than A1, which presents the only net positive of the three alternatives. In other

[9] Newspaper article. Schmidt, William E. (1/6/1986). Mississippi Awaits Dam As Flood Risk Lingers. The New York Times. https://www.nytimes.com/1986/01/06/us/mississippi-awaits-dam-as-flood-risk-lingers.html

words, A1, along with those expanded considerations discussed above, is a more effective, environmentally sensitive, and economically feasible flood plan.

**The RDEIS dam-dredge proposals fail to deliver effective flood relief for Greater Jackson.**

As the Sierra Club outlines above, the RDEIS's proposed A1, which can be expanded with our detailed recommendations, can provide far more effective flood risk mitigation for the Greater Jackson area in a timely, environmentally sensitive, and economical manner than D1 or E1. As such, the Corps should set aside any further consideration of D1, E1, or any derivations thereof.

The RDEIS states that the proposed dam in D1 "does not provide any flood control benefits, and construction of the weir necessitates additional pumping needs at existing levees as well as seepage protection in the form of berms and slurry walls on existing levee segments"; rather its purpose is for recreation. (RDEIS Appendix I at 36)

The RDEIS admission that the D1 dam and lake proposal does not provide flood risk reduction echoes the Corps' Agency Technical Review (ATR) of the "lake" proposal in the Rankin-Hinds Levee Board's 2018 Draft Study, "[The] lake does not create any additional flood storage capacity or conveyance capacity".[20] (ATR Report at 93) Notably, ATRs are still not completed for the 2024 DEIS or the RDEIS, which violates the law and prevents a full, transparent assessment of the alternatives presented in both flood plans by state and federal resource agencies, municipalities, concerned stakeholders like the Sierra Club, and the public.

RDEIS Appendix I, however, claims that flood risk management for D1 and E1 is provided by excavating varying widths (500-2,600 feet) of riverbank along a 9-mile stretch of the Pearl River, RM 285 to RM 294. This will result in "9.11 million cubic yards of material…excavated from the floodplain and channel overbanks." (RDEIS Appendix I at 15) Proposing such a monumental earthmoving effort as the key solution to provide flood protection to those who need it in Greater Jackson and will result in unprecedented ecological damage and disruption to the Pearl River turns 21st century wisdom on its head.

What the RDEIS makes clear is that the only logical, effective flood risk mitigation that D1 or E1 can provide to the Greater Jackson area is through the proposed levee segments for McLeod-Parkway, Cany Creek, and Richland neighborhoods. These levees can be pursued independently of D1 and E1, and as such, they should be included alongside the Canton Club Levee in A1.

Given the similarities of Alternatives D1 and E1, their ineffective nature to meaningfully mitigate flood risk, along with their multitude of environmental impacts, community harms, and hidden costs, all point to the conclusion that these faulty proposals—and any related derivations—should be rejected on their face.

**Alternatives D1 and E1 would directly destroy thousands of acres of wildlife habitat.**

Both alternatives will each directly destroy nearly 1,600 acres of habitats—2.5 square miles—, much of which are vital river floodplain and in-stream riverine habitat. Many of the habitats to be lost are wetlands, including bottomland hardwood forest, which provide critical natural flood protection to local communities. Additional significant habitat losses are anticipated down river below the proposed project footprint as the fundamental changes to the form and function of the Pearl River system play out over time, including reduction and elimination of natural floodplain inundation.

A notable difference between the 2024 DEIS and the RDEIS is the Corps' changing the terminology of river digging activities being proposed under D1 and E1 from "dredging" to "excavation". It is unclear what drove this shift in word choice, but what it is unequivocal is that the massive ecologic damage being proposed to the Pearl River resulting from D1 or E1 involve tremendous digging in the river's floodplain and main channel. Simply opting for a different word choice does not trivialize what these alternatives pose to the Pearl's ecosystem.

Furthermore, D1 proposes that, "The river will need to be plugged during construction for any weir option selected." (Appendix I at 33) A few scant paragraphs and generalized diagrams follow, all that go to great lengths to simplify what could only be considered an extraordinary undertaking to "plug" this free-flowing reach of the Pearl River in order to construct a dam. The very proposal defies logic and substance, and the RDEIS further fails to provide any assessment about the ecologic impacts such a feat would have on the river's ecology, wildlife, and hydrology—both within the project area and downstream.

**Alternatives D1 and E1 would adversely affect hundreds of species of birds, fish, and wildlife.**

Both alternatives will cause massive direct and indirect habitat loss and fundamental transformation of the Pearl River ecosystem.

Notable endangered species impacts include the federally threatened Gulf Sturgeon (*Acipenser oxyrhynchus desotoi*) as well as the Ringed Sawback Turtle (*Graptemys oculifera*) and Pearl River Map Turtle (*Graptemys pearlensis*), both endemic to the Pearl.

In its review of the Levee Board's 2018 Draft Study, FWS concluded that One Lake Alternative C "is the most environmentally damaging plan" to which RDEIS Alternatives D1 and E1 are quite similar.

FWS also has advised, "[w]ildlife resources within the Pearl River Basin are dependent upon the diverse floral composition of associated forested wetlands" and "a higher percentage" of vertebrate wildlife species in the basin "use bottomland hardwoods as primary habitat (habitat a species depends upon for reproduction and/or feeding during all or a portion of the year) than any other habitat type."[10]

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[10] U.S. Department of the Interior, Fish and Wildlife Service letter to Michael E. Goff at page 1 (August 16, 2018) (providing official comments on the 2018 DEIS).

**The hydrologic modeling for Alternatives D1 and E1 is wholly inadequate.**

The RDEIS's hydrologic modeling is not comprehensive and rigorous enough to shed light on these downstream concerns, especially in low flow or drought periods. This is inexcusable since D1 and E1 will have a lasting impact on the Pearl's flow dynamics. Key analyses not available in the RDEIS include velocity, consideration of 12 tributaries in the project area, low flow and drought conditions, and consideration of the Ross Barnett Reservoir's operations, including during times of high flow/flooding and low flow/drought. The RDEIS also fails to consider long-term trends and impacts of erosion from E1 in permanently altering the shape (i.e., width and depth) of the Pearl River within the project area, and consequent downstream impacts.

The Pearl River is the fourth largest source of freshwater for the Gulf of Mexico, east of the Mississippi River, making it closely tied to the health of the Gulf, Mississippi Sound, and Lake Borgne. Downstream stakeholders concerned about the impact of any project that dams or alters upstream flows on the Pearl River have passed more than 15 resolutions, including municipalities, counties, and unanimously by the Louisiana State Legislature.

Altering the Pearl River's current flow regime with massive permanent impacts to its floodplain and channel are expected to have ensuing impacts on the lower Pearl River, including with regards to water quality and quantity and sediment availability, and those consequent impacts on seafood and tourism sectors as well as hundreds of millions of dollars in coastal restoration projects planned or underway for Mississippi and Louisiana, including a $56 million marsh-oyster project in Hancock County, Mississippi, and several projects identified in Louisiana's Coastal Master Plan.

Economic pillars at risk include Mississippi and Louisiana's combined $14 billion-dollar-a year hunting-fishing culture and the region's multi-million-dollar seafood and tourism industries—all of which support thousands of jobs. Reductions in downstream river flows are anticipated to increase costs to nearly 100 downstream Pearl River industrial users and municipalities that rely on stable freshwater flow and adequate dilution of their discharges, such as International Paper, Georgia-Pacific, and the towns of Bogalusa and Pearl River.

**Alternatives D1 and E1 would further degrade the water quality in the Pearl River.**

The RDEIS acknowledges that two water quality models provided by the Rankin-Hinds Levee Board were limited in duration and scope, and made significant assumptions that resulted in no concerns about water quality degradation, in spite of the understanding that Jackson is plagued by stormwater issues and sanitary sewer leaks. (Main Report at 6-4)

The City of Jackson also has documented the release of billions of gallons of poorly treated sewage into the Pearl River. In 2012, the City of Jackson entered into a consent decree with the EPA and the Mississippi Department of Environmental Quality (MDEQ) regarding sewage overflows from its wastewater collection system. Ultimately in 2019, MDEQ issued a water contact advisory for 20 miles of the Pearl River, closing the reach to swimming, fishing, or wading—from its confluence with Hanging Moss Creek in Jackson to the Swinging Bridge at Byram—and 12 of its Jackson-area tributaries; this area includes the project area outlined in D1 and E1.

Both alternatives would only serve to amplify water quality degradation in the Pearl River by slowing and confining the flow of stormwater and sewage, and creating an eutrophic impoundment (in the case of D1), or a massive drainage ditch (in the case of E1)—both of which are unsuitable for aquatic life or human contact. MDEQ's review of the Levee Board's 2018 Draft Study raised numerous questions about the project's water quality modeling, and called for more analysis "to consider how [the proposal] would affect water quality downstream of the project area". Public exposure and health concerns are especially relevant to the public recreation goals of these alternatives yet the RDEIS completely fails to evaluate these risks.

**Alternatives D1 and E1 would worsen Jackson's drinking water problems.**

The 100-year old J.H. Fewell drinking water plant services 30% of the City of Jackson and draws directly from the segment of the Pearl River where D1 and E1 would be extensively excavating. The Levee Board's 2018 Draft Study noted that this activity to build the "One Lake" plan at the time would significant increase turbidity such that the facility would not be able to operate. The City of Jackson would then be forced to arrange a "temporary" water supply alternative during construction that would take at least "three or four years".[11]

Regarding D1, the RDEIS states, "additional analysis…[and] [v]erification would be needed to demonstrate that adding a large weir would not induce sediment loads to alter the incoming chemistry in such a way to induce failure at the existing J.H. Fewell Plant or any other proposed structure along the newly ponded area". (Main Report at 6-4) The RDEIS also acknowledges concerns for E1, "Potential direct impacts to water supply and flood conveyance due to the deterioration of water quality or quantity from the existence of the channel overbank lowering…[exist] due to increased velocities and entrainment potential." (Main Report at 6-4)

Relatedly, One Lake would not have prevented the 2021 collapse of the Jackson's main water treatment plant, the O.B. Curtis plant, which supplies up to 70% of Jackson's drinking water supply. That collapse was caused by flood-induced high turbidity—and other polluted runoff—in the Ross Barnett Reservoir, which is the water source for the O.B. Curtis plant and is located seven miles upstream of the D1 or E1 footprint. Both alternatives have no ability to–and will not—alleviate flood-induced high turbidity from the Ross Barnett Reservoir.

Since D1 (the current "One Lake") and E1 propose a suite of activities similar to the 2024 DEIS Alternative C ("One Lake"), it is reasonable to consider that D1 and E1 are expected to have comparable outcomes for Jackson's drinking water problems.

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[11] Newspaper article. Floyd, Nell Luter. (6/14/2022). Moving Ahead: Final Public Comment Period For One Lake Coming Soon. The Northside Sun. https://www.northsidesun.com/local-content-top-stories/moving-ahead-final-public-comment-period-one-lakecoming-soon#sthash.bggohcen.dpbs ("Keith Turner, attorney for the Rankin-Hinds Pearl River Flood & Drainage Control District said . . . After funding is secured, the project will require three or four years of construction, and then several more years for developers to produce plans for the economic development component.")

**<u>Alternatives D1 and E1 would expose local and downstream communities to extensive toxic contamination.</u>**

At least three highly contaminated Hazardous-Toxic-Radiological Waste (HTRW) sites, two Superfund sites, and three Hazardous Waste sites have been identified in or near the excavation footprint of Alternatives D1 and E1. In 2014 and 2021, preliminary site assessments were completed for only three of these eight sites, but found cadmium, lead, nickel, benzene, Polynuclear Aromatic Hydrocarbons (PAHs), and creosote compounds at levels well above regulatory standards. (Main Report at 4-29, Appendix H at 10, 13, 14, 76) At one site that is an unpermitted landfill, soil borings found garbage at 3-34 feet deep. Several of these sites will be disturbed by D1 and E1's massive excavation of 10.2 million cubic yards of material from the Pearl River floodplain. This material will then be transported and used as fill in other floodplain areas and along existing levees for anticipated local economic development and public access; disturbance by digging in and near these sites, and then placement of this fill material within proximity to floodplain influences, make local and downstream transport quite viable. The incomplete assessment of these sites at this point in the flood planning process is a significant failure of the RDEIS. No further consideration should be given to D1, E1, or any related alternatives whose activities that may disrupt these HTRW sites until a rigorous environmental assessment is completed.

Extensive digging and transport activities like those proposed would be expected to re-suspend contaminated sediments at those sites and expose Greater Jackson and downstream communities, fish, and wildlife to high levels of toxins. The 2024 DEIS stated that there would be probable exposure to toxic contaminants from HTRW sites within the ponded area at the inflow to J.H. Fewell Drinking Water Plant (2024 DEIS Main Report at 179), though this admission is no longer included in the RDEIS.

Currently, there is no plan proposed for how these contaminated sediments would be handled or remediated to prevent further transmission or exposure to the environment, wildlife, or the public. The Corps asserts that it is prohibited from undertaking HTRW work, passing all related HTRW responsibilities to the non-Federal sponsor, the Rankin-Hinds Levee Board. These responsibilities include site assessments, necessary remediation, and associated costs with the ultimate goal of protecting the health of Jackson and downstream communities. Even so, it is the responsibility of a RDEIS to demonstrate all potential risks of proposed alternatives—therefore the Corps cannot simply pass these serious responsibilities onto the Rankin-Hinds Levee Board nor delay them until the PED phase or some future point in time.

Notably, the Rankin-Hinds Levee Board has a track record of not prioritizing public health and taking these contaminated sites seriously. Their 2018 Draft Study had limited sampling, no remediation plan, and no roadmap to protect public health from exposure during and after dredging and fill placement. The true costs to clean up these sites are likely to be many tens of millions of dollars—well above the paltry $8 million in remediation costs that the Rankin-Hinds Levee Board estimated in their 2018 Draft Study.

The serious toxic contamination issues associated with Alternatives D1 and E1—and any derivations thereof—warrant rigorous attention and study, and as presented in the RDEIS, these proposals should be rejected and not receive any further consideration.

**Alternatives D1 and E1 would worsen environmental injustices by exacerbating flooding in underserved Jackson neighborhoods and downstream communities.**

It is worthwhile to acknowledge that Appendix P – Flood Risk and Other Social Effects attempts to compare the impacts of Hurricane Katrina on the New Orleans, Louisiana, metropolitan area with the Greater Jackson area's flooding hardships. While both metropolitan areas have experienced flooding challenges, such an apples-to-apples comparison could not be further from the truth.

New Orleans is below sea level and relies on pumps to drain every drop of rain that falls in the city/parish limits, and the Corps was heavily criticized for the New Orleans' levee system failures during Hurricane Katrina. On the other hand, most of the flooding experienced in the Greater Jackson area is from the Pearl River's tributaries; flooding also occurs via rain-induced (i.e., flash flood) events that is complicated by poor or inadequate infrastructure, much more infrequently does flooding from the Pearl River occur. Many of the expanded A1 recommendations discussed above are proven and effective methods that can help to address Jackson's flooding challenges. It is wrong-headed for the Corps to misconstrue Jackson and New Orleans' flooding challenges for the sake of trying to justify D1 or E1.

To reiterate, many of the flooding hardships experienced in the Greater Jackson area are attributed to rain-induced flash flooding, particularly those neighborhoods located along the 12 creeks that flow into the Pearl River. These neighborhoods are predominantly low-income communities of color. As recognized in the 2024 DEIS, "lake" alternatives will result in permanently elevating 9 miles of the Pearl River resulting in impeding flow, backing up water into the tributaries, and increasing flooding to underserved neighborhoods. Not only will these alternatives further exacerbate localized flash flooding from rain events, they will increase underserved neighborhoods' vulnerability to backwater flooding from high river events while also magnifying flood risk from rain events in the upper reaches of the tributaries that ultimately flow into the now-elevated creek channels. These concerns are readily evident for D1, the current "One Lake" proposal.

The Levee Board's 2018 DEIS noted that then-proposed iteration of One Lake would not protect against local creek flooding; in fact it stated that the One Lake impoundment would permanently elevate water levels in all 12 Pearl River tributaries. The aforementioned Corps' August 2023 PowerPoint presentation to the Rankin-Hinds

Levee Board noted that the One Lake proposal at that time would induce flooding on 230 structures within the study area and potentially many more structures south from the 5 year to the 500-year event.[5]

The RDEIS's Main Report contains no references to induced flooding of structures. The RDEIS Appendix E – Hydrologic and Hydraulic Model, and Appendix I – Alternative Project

Descriptions, both contain the same single reference to D1 and E1, “Testing of a variety of hydrograph patterns, and coincident flood types indicate that a minor amount of induced flooding will occur due to water being able to move through the Pearl River more efficiently.” (Appendix E at 47, Appendix I at 19) This conclusion is counter to the later statements on the same pages:

- 11 structures would receive additional flooding in the ground floor during 100-year flood.
- 97 structures would receive additional flooding in the ground floor during 200-year and 500-year floods.
- 81 acres would receive additional flooding in the ground floor during 100-year flood.
- 5,822 acres would receive additional flooding during 200-year and 500-year floods.

While RDEIS Alternatives D1 and E1 have slightly smaller footprints than the 2024 DEIS Alternatives D and E, it is worthwhile highlighting the 2024 DEIS Main Report’s induced flooding observations for Alternatives D and E, specifically:

- The 2024 DEIS Alternative D would create a permanent lake that would be six feet higher in elevation than the current river, which will result in impeding flow, backing up water into the tributaries, and increasing flooding for adjacent neighborhoods. (2024 DEIS Main Report at 127)

- The 2024 DEIS’s limited analyses indicate that Alternatives D and E will induce downstream flooding for at least 52 structures (2024 DEIS Main Report at 224). Of the 52 structures impacted, 43 are homes. Many of these structures are located in environmental justice-based “disadvantaged communities” and will receive first floor flooding of 5 inches or more caused by Alternative D.

- These structural numbers are at odds with the DEIS’s assumption that during high flows water levels with or without the weir/dam are assumed to be the same (2024 DEIS Main Report at 173), such that induced flooding downstream from Alternatives D and E “are considered to be the same as Alternative C, given the similarity of the results just downstream of the project area”. (2024 DEIS Main Report at 176)

While limited, the RDEIS’s acknowledgement of induced flooding remains cause for concern regarding the impacts of D1 and E1 on local and downstream communities—especially when considering that hydrologic modeling does not account for influence from the Reservoir Complex, and velocity and sediment studies have not been completed.

Furthermore, the RDEIS contains no information about the total number of structures from the 5-year to the 500-year event that would be expected to experience a reduction in flood risk that Alternatives D1 or E1 are purported to provide. This omission leaves out crucial information and makes it impossible for reviewers to fully evaluate the project harms.

Finally, permanently elevated water levels in the Pearl and the increased tributary flooding will also add to the City of Jackson’s many stormwater permit violations. Urban stormwater flooding already affects mainly disadvantaged neighborhoods, such as those located along Town Creek and Lynch Creek.

In summary, the RDEIS’s hydrologic modeling wrongly fails to incorporate the Pearl River’s tributaries, assess downstream impacts, provide a full scope of structural impacts, and assess stormwater loading—all of which are essential components to understand Alternative D1 and E1's full suite of impacts.

**<u>Alternatives D1 and E1 have a staggering array of unknown and hidden costs.</u>**

The RDEIS includes an economic appendix, which was absent from the 2024 DEIS analysis. Although the economic details remain thin, the RDEIS finds that Alternatives D1 and E1 are economically unfeasible, with respective Benefit-Cost Ratios (BCRs) of 0.7 and 0.8 - 0.9.

However, the BCR analyses still appear slanted and intentionally incomplete in such a way as to dismiss Alternative A1 and to justify D1 or E1 as the preferred approach. Per the RDEIS, "Alternative A1 is the only alternative with a positive [BCR] and can be used for comparing the level of flood risk reduction, environmental acceptability, and technical feasibility of the proposed Alternatives. However, Alternative A1 is not an effective solution, and has been screened from further consideration, and is not recommended for implementation." (Main Report at ES-x)

It is disappointing that the RDEIS would present such a biased assessment, especially for a project of the size and scale of D1 or E1.

The RDEIS acknowledges that D1 and E1 cost estimates are based on numerous assumptions while noting that there are an array of unknown costs that are to be determined during the PED phase.

According to RDEIS Alternative A1 Non-structural and Canton Club Levee:

- The estimated cost is $16.3 million (Non-structural) + $10 million (Canton Club Levee; the 2024 DEIS's estimated cost to construct this levee). Per the 2024 DEIS, the estimated cost of doing Canton Club, McLeod-Parkway, Cany Creek, and Richland levees was $30 million. As such, this would bring the estimated cost for the RDEIS's non-structural proposal and all four levee segments to $46.3 million.
- The Corps' $16.3 million figure includes a 43% cost contingency to account for estimate uncertainties and risks. (Appendix R at 16)

According to RDEIS Alternatives D1 and E1:

- D1's estimated cost is $873 - 917 million.
- E1's estimated cost is $708 - 753 million.
- The RDEIS added a 44% contingency on D1 and E1 cost estimates due to the lack of any meaningful technical design and that the Corps has not accounted for a wide array of costs.
- The Corps acknowledges that it is only using a Class 4 construction estimate; essentially this means that the Corps has only designed 1-15% of D1 and E1 projects. (The Class 1 - 5 Cost Estimate Classification System that the Corps uses ranges with Class 1 being the most accurate cost estimate to Class 5 being the weakest cost estimate.)

- Class 4 cost estimates have an accuracy range of -30% to +50%, which means that D1 and E1 could cost up to 50% more than estimated.

- Also, the high and low cost estimate ranges reflect the range of mitigation that may be required for the project; however, these ranges do not account for likely cost increases that will arise in the technical design phase or the cost of inflation.

These many unaccounted for costs imply that the true dollar-costs of Alternatives D1 and E1 are vastly underestimated. The local cost share borne by the Rankin-Hinds Levee Board will go up astronomically in addition to annual management and operations costs—costs that ultimately will be passed onto Mississippi taxpayers, especially taxpayers and property owners who are under the jurisdiction of the Rankin-Hinds Levee Board.

Unaccounted or incomplete costs include:

- Habitat and other environmental mitigation.

- Site assessments and remediation of eight HTRW sites along with a plan to protect public and environmental health.

- Outlays to provide a "temporary" drinking water supply for 3+ years during D1 or E1 project construction.

- Bridge countermeasures and replacements. The Mississippi Department of Transportation's assessment of the Levee Board's 2018 Draft Study found dredging would result in "catastrophic failure" of critical infrastructure, thereby requiring the replacement of nine bridges. Back-of-envelope estimates in 2018 estimated that this would add nearly $110 million to the project cost.

- Relocating at least 4-5 utility transmission lines.

- Countermeasures or relocation of existing railroad lines.

- Extra engineering, design, and public safety costs involved in building a dam.

- Because recreation is a primary goal of Alternative D1, which proposed to install a dam, not a purported weir, federal law requires this component to be economically justified and bear a 50-50 cost share by the Rankin-Hinds Levee Board as the non-Federal sponsor.

**Public safety modeling is incomplete for Alternatives D1 and E1.**

It is noteworthy that the RDEIS finally acknowledges, "It is probable but not proven that the Alternative D1 proposed weir may be considered a low hazard dam." (Main Report at 6-5) In fact, the Corps' Agency Technical Review (ATR) completed on the Levee Board's 2018 Draft Study asserted that weir was in fact a dam.[12] (ATR Report at 80)

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[12] Agency Technical Review Summary Report. (June 2020). For Review of: Pearl River Watershed Hinds & Rankin Counties, Mississippi Integrated Feasibility Report & Environmental Impact Statement. https://www.pearlriverkeeper.com/uploads/1/6/3/4/16348482/atr_public_version_10-13-2022.pdf

As compared to weirs, dams require much more rigorous design standards and safety protocols to protect the public. Furthermore, the Reservoir Complex located just a few miles north of the project area is a major upstream influence that adds to the complexity of Alternatives D1 and E1, and necessitates comprehensive analyses.

The RDEIS has not completed the required levee safety risk analysis on Alternatives D1 or E1. (Main Report at 6-8) Also, the RDEIS modeling has not assessed what structures or areas of local and downstream communities may be impacted.

The RDEIS's limited evaluation appears to be due to lack of available information. Most of the finite analyses presented were done for 2024 DEIS's Alternative C only, the parameters and assumptions of which are unclear. Further assessment would need to be completed in PED phases. This limited approach and resulting insufficient analyses are unacceptable, and Alternatives D1 and E1 should receive no further consideration until these evaluations are complete.

## Alternatives D1 & E1 Violate Federal Law

The Corps asserts that it will wait until a future time during the pre-construction, engineering, and design (PED) phase to complete a feasibility study and environmental review. NEPA and WRDAs, however, require the Corps to do exactly the opposite before it can recommend Alternative D1 or E1 for construction. The Corps must comply with all federal laws, including the Clean Water Act, Endangered Species Act, and Fish and Wildlife Coordination Act, before recommending Alternative D1 or E1 for construction. To do this, the Corps would have to initiate a fundamentally new planning process. Further, as noted in the DEIS and Commander's Report, Alternatives D or E are NOT authorized, and would at least need Congressional approval for reauthorization and cost approval. The Corps arbitrary timeline to issue a Final EIS by December 2025 to be followed by the Assistant Secretary of the Army for Civil Works' Record of Decision in early 2026 does not allow for these multiple required and necessary steps.

Given the lack of substantive information provided on the impacts of Alternatives D1 and E1 and that numerous studies and reviews that will not be made available to the public until AFTER the Corps has selected its preferred alternative and moved into the PED phase (see list below), The Sierra Club contends that this document is in fact NOT a true RDEIS but a low-level feasibility study. The serious environmental threats, as well as concerns we have raised relative to public health and safety, require a thorough science-based assessment NOW, not the Corps' unlawful dismissal to complete these studies at some future time. As such, this RDEIS rushed schedule ignores science, law and usurps the public's right to meaningful review and that of natural resource agencies, and concerned stakeholders.

The RDEIS is missing numerous analyses, which include, but are not limited to, the following:

1. Mitigation Plan
2. Mitigation Needs
3. Substantive discussion on non-ESA bird, fish, and wildlife impacts
4. Impacts to plant species

5. Clean Water Act 404(b)(1) analysis
6. Water quality impacts including stormwater loading
7. Water supply impacts
8. HTRW site assessment
9. Impacts of Alternatives D1 and E1 on tributary flooding
10. Velocity analyses
11. Impact of Alternative D1 dam at high river and low river flows
12. Sedimentation study
13. Sediment analysis and management plan
14. Impacts of river floodplain and channel excavation from Alternatives D1 and E1
15. Borrow Area analysis for suitability
16. Explanation of why alternative non-structural plans were set aside
17. Consideration of nature and nature-based measures as required
18. Impact of wetland and floodplain habitat losses in the lower Pearl River Basin on storm surge to coastal Mississippi and Louisiana
19. Additional economic details that more definitively account for project design and engineering
20. Further assessment of Alternative D1 “weir” as the RDEIS notes its likelihood as a low hazard dam (Note: One Lake Alternative C dam is considered high hazard)
21. Analysis of “potential life safety impacts” for Alternatives D1 and E1
22. Agency Technical Review of the 2024 DEIS
23. Agency Technical Review of the 2025 RDEIS

## A Comprehensive Watershed Study is Needed

The 2024 DEIS and 2024 Commander’s Report noted, "A comprehensive watershed study of the Pearl River is necessary to fully understand the basin’s hydrology, hydrodynamics, and ecosystem. The scope of the study should be from the headwaters to the terminus at the Gulf of Mexico" (2024 DEIS Main Report at 235; 2024 Commander’s Report at 12). While authorization through a Water Resources Development Act would be required, the Sierra Club supports a complete watershed study of Pearl River. We believe such a study is imperative given the breadth of basin’s biodiversity and ecological value, the complexity of threats and stressors it faces, and its significance to communities and the regional economy.

The Mississippi Sierra Club implores the Corps to soundly reject this real estate development scam—RDEIS Alternatives D1 and E1, and any similar versions--and instead work to implement and expand Alternative A1 such that it thoughtfully incorporates other strategically targeted structural, non-structural and nature-based flood risk reduction protections for the Greater Jackson area while delivering environmental benefits to the Pearl River Basin and downstream communities. Don't continue throwing good taxpayer money after bad to subsidize private development at the expense of local and downstream communities and the Pearl River.

Respectfully,

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