

**BENNI E. G. THOMPSON**  
SECOND DISTRICT, MISSISSIPPI

COMMITTEE ON  
HOMELAND SECURITY  
RANKING MEMBER

WASHINGTON OFFICE:  
2466 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515-2402  
(202) 225-5876  
(202) 225-5898: FAX

E-Mail: [benniethompson@mail.house.gov](mailto:benniethompson@mail.house.gov)  
Home Page: <http://www.benniethompson.house.gov>

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**Congress of the United States**  
**House of Representatives**  
Washington, DC 20515-2402

August 27, 2018

Colonel Michael C. Derosier  
Commander  
U.S. Army Corps of Engineers  
4155 Clay Street  
Vicksburg, MS 39183

RE: One-Lake Project Sponsored by Rankin Hinds Pearl River Flood and Drainage  
Control District

Dear Colonel Derosier:

A number of questions have been brought to my attention by constituents relative to the proposed One Lake Project sponsored by the Rankin Hinds Pearl River Flood and Drainage Control District (Drainage District). I would like to have a written response to these questions as outlined below.

**Process Questions:**

- 1. Is the Corps handling the National Environmental Policy Act (NEPA) filing requirements and public outreach and comment periods for this project as required by your own Engineering Regulations? If so, please provide written documentation to prove it.**
- 2. Is the Corps handling the "peer, policy and legal reviews" for this Section 211 of the Water Resources Development Act (WRDA) study as also required by the Corps' Engineering Regulations? ER 1105-2-100 Appendix H, Amendment #1 20 Nov 07. If so, please provide written documentation of your compliance with this engineering regulation.**
- 3. Did the Corps sign off on releasing this Integrated Draft Feasibility Study and Environmental Impact Statement (EIS) for public comment? Did the sign-off include addressing the many problems identified in the Draft EIS and the process being used by the Drainage District? If so, please provide the written justification for the sign-off.**
- 4. What is the status of the Independent External Peer Review (IEPR) for this project? Was the Draft EIS released without providing the public the benefit of the IEPR? If not, please provide the written justification for not doing so.**

107 WEST MADISON STREET P.O. Box 610  
BOLTON, MS 39041  
(601) 866-9003  
(601) 866-9036: FAX  
(800) 355-9003: IN ST.

728 MAIN STREET, SUITE A  
GREENWOOD, MS 38930  
(662) 455-9003  
(662) 453-0118: FAX

910 COURTHOUSE LANE  
GREENVILLE, MS 38701  
(662) 335-9003  
(662) 334-1304: FAX

3607 MEDGAR EVERS BOULEVARD  
JACKSON, MS 39213  
(601) 946-9003  
(601) 982-5337: FAX

263 EAST MAIN STREET  
P.O. Box 356  
MARKS, MS 38646  
(662) 326-9003  
(662) 326-9003: FAX

MOUND BAYOU CITY HALL  
P.O. Box 679  
106 GREEN AVENUE, SUITE 106  
MOUND BAYOU, MS 38762  
(662) 741-9003  
(662) 741-9002: FAX

5. **Has the Corps released information on the IEPR for this project as required by law? If so, provide information that includes date of release and how.**
6. **Has the Biological Opinion of the US Fish & Wildlife Service (USFWS) on threatened or endangered species or the Independent External Peer Review (IEPR) been released during the public comment process? If so, please provide dates and times of release along with a copy of the release.**
7. **Has the Vicksburg Corps responded completely to a July 3, 2018, letter sent by 25 non-profit groups requesting the Corps to take over the NEPA public comment and outreach process for this project, and re-start the public notice period over when all the missing documents (Biological Opinion, IEPR, Fish & Wildlife Coordination Act report and Biological Assessment) were added? If not, what issues remain outstanding in response to this letter.**
8. **Is the Vicksburg Corps leading the Agency Technical Review (ATR) process for this project? If not, please outline the agencies involved and who is the lead, and why?**
9. **Will the Vicksburg's Corps District be expected to manage the construction of this project?**
10. **Was the Draft Environmental Impact Statement (DEIS) released to the public without having final ATR comments from Corps staff reviewers around the country? If not, please provide written justification as to the reason for not having the reviews completed.**
11. **Did the 3 public meetings held during the comment period include the opportunity for the public to openly ask the project leaders at the Drainage District questions that could be answered so that everyone in the room could hear both question and answer? If not, why?**
12. **Did the Drainage District public comment process allow for everyone in the room to hear individual questions and individual responses from the audience? Please explain the format used for the public comment process.**
13. **In that the U.S. Fish & Wildlife Service (USFWS) comment letter dated 8/16/2018 to Mr. Michael E. Goff (President, Headwaters, Inc. and consultant for the Drainage District) has recommended a second draft EIS is needed to provide "greater details regarding plan formulation, design, operation, mitigation, and adaptive management" before the project advances, what will be the process utilized to reflect this recommendation?**

## **Authorization Issue:**

- 14. Does the Corps believe that the project proposed in the Draft EIS is already authorized as stated in the Draft EIS, or does the Corps believe that new/additional Congressional authorization is required?**

## **Public Safety Questions:**

- 15. Does the Corps believe that it is appropriate to create opportunities—and promote—new development in areas that will be highly susceptible to flooding during larger flood events? Who will bear the burden of those large floods when they come?**
- 16. Given the magnitude and cost of this project, why is the horizon for this project less than 50 years, and the fact that it is unlikely to be completed for several years even if approved?**
- 17. According to the Draft EIS there are a number of contaminated sites that will be impacted by this proposed project. What steps would be carried out to fully protect the public from toxic discharges from these locations and how much would that cost? Please explain why a detailed remediation plan and associated accurate calculation of costs are not included in the plan. Does the Corps recognize these costs as constituting a direct project cost that should be fully accounted for? If not, why not?**
- 18. How can the Corps guarantee that the public will not be exposed to toxic contamination as a direct result of the project? Will the Corps require testing and impact assessments before a decision is made on this project?**

## **Adverse Environmental Impacts:**

- 19. Does the Corps believe that the draft EIS satisfies all the requirements of the National Environmental Policy Act? If so, why? If not, what does the Corps intend to do about it?**
- 20. The draft EIS does not address a single requirement of the mitigation planning reforms enacted in the Water Resources Development Act of 2007 more than a decade ago. Did the Corps approve the discussion of “mitigation” in the draft EIS? If so, how does the Corps justify its position? If not, why did the Corps allow release of this draft EIS?**
- 21. What more detailed analyses are planned to assess the project’s impacts both immediate (footprint) and downstream to Mississippi Sound, the Pearl River Delta, and the Northern Gulf of Mexico?**

22. This project involves dredging nearly 10-miles of the Pearl River and building a dam to create a 1,900-acre lake (i.e. impoundment). **What mitigation plan, if any, is being considered, and what will it cost taxpayers? Please take into consideration wildlife habitat as well as impact on state and federally protected species.**
23. If completed, this project will result in promoting extensive new urban development in the Pearl River floodplain. Given this far-reaching result, the Drainage District should be required to complete a Programmatic Environmental Impact Statement to better understand the project's direct (immediate) and indirect (i.e. future development) impacts on the Pearl River, ecological resources, and local-downstream communities. **What consideration has the DEIS given to inducing further development, and the further ecological impacts (i.e. destroying habitat, impacting wildlife, amplifying water quality and pollution problems) this development will cause?**
24. This project proposes to dredge 25 million cubic yards of sediment from 10 river miles. This material will be placed as fill in the current river floodplain in-order to support new levees and development. **Has any sedimentation sampling been performed to identify potential contamination from legacy pesticides or heavy metals, especially samples from sites that have been identified as Hazardous-Toxic-Radiological Waste areas? If so, what are the results?**

### **Cost/Benefit Questions:**

25. **What are the number of homes and businesses that will be flood-free because of this project, versus those that will only have a reduction in flood stage?**
26. **Currently how much local and federal monies have been spent (or committed) to date, on Pearl River flood control studies, and what are their sources?**
27. **Who pays for the design and construction, and upon completion, daily management and annual maintenance of the lake (i.e. impoundment), levees, and dam?**
28. **What is the proposed cost to taxpayers for constructing this project?**
29. HB 1585 allows all maintenance costs to be covered by property owners of Rankin and Hinds Counties who will be directly or indirectly benefited. The estimated annual maintenance costs are projected at \$13.9 million. **What is the actual cost to taxpayers for the annual maintenance of this proposed project?**

30. The Pearl is a “working river” in both Mississippi and Louisiana, with over 100 NPDES discharge permits in Mississippi, and 8 in Louisiana. Most of the larger permits are municipal sewage treatment plants that need adequate dilution for them to function without violating their effluent limits. Jackson Savannah Street, GP Monticello and IP Bogalusa are three of the largest. For example, the St. Tammany Parish Council passed a resolution in 2013 against the dam project in Jackson, citing water stress from lake evaporation and worsening low flow as threats to the lower river’s ecology, fisheries, eco-tourism businesses, and to industrial permit holders like IP Bogalusa. **Precisely how many NPDES permits will be impacted by this project due to lower freshwater flows? In other words, what impacts will this project have on industrial users and municipalities that rely on stable freshwater flow for adequate dilution of their discharges, such as International Paper, Georgia-Pacific, and the towns of Bogalusa and Pearl River?**
31. Two paper mills on the Pearl River, each supplying 400-500 jobs are concerned about flow being diminished and their discharge permits being impacted by becoming more expensive and uncertain if a new lake is built on the Pearl in Jackson. GP Monticello, and IP Bogalusa. **How will this project impact these businesses?**
32. Evaporative losses from the project’s lake surface have been estimated by St. Tammany Parish engineers to be an impact in combination with the frequent low flows on the Pearl that take the river below the critical low flow floor of 227 cubic feet per second (cfs) needed for Jackson’s Savannah Street Sewer plant to operate within its permit limits. **What affect will this project have on Jackson’s Savannah Street Sewer plant to operate within its limits?**
33. Excursions below this amount negatively impact water levels in the lower Pearl, and when they happen during drought conditions can affect coastal salinities, wildlife habitat and cause increasing saltwater intrusion upriver in Hancock and St. Tammany. **How will this project affect flow rates and subsequent impacts to wildlife habitat and saltwater intrusion?**
34. Mississippi’s annual \$891 million seafood industry supports 9,491 jobs (Source: *MSU Extension, 2/13/2018*). The Mississippi Governor’s Oyster Council 2015 final report recognized the threat to oyster recovery from upstream freshwater-depleting projects. A new Pearl dam is such a project. Furthermore, the Mississippi Commission on Marine Resources passed a resolution against damming the Pearl in 2015. The main concern is the threat to oyster restoration and oyster harvest. **How will this project impact Mississippi’s seafood industry?**

35. The Louisiana Oyster Task Force, an industry group sponsored by the Louisiana Department of Wildlife and Fisheries, asked Louisiana's Department of Natural Resources to review and reject this project to dam the Pearl River due to damage to the coastal zone. **How will this project impact Louisiana's seafood industry?**
36. **What are the low flow impacts to NASA's Stennis Space Center regarding barge traffic as well as to the US Navy SEALs' training site on the lower Pearl River?**
37. As part of the 2010 Deepwater Horizon oil disaster recovery process, hundreds of millions of dollars in restoration projects underway or planned for coastal Mississippi and Louisiana. For example, the \$50 million dollar Heron Bay marsh-oyster project in Hancock County is located just east of the mouth of the Pearl River and depends on adequate fresh water flows from the river for its oyster and marsh restoration components to thrive and be healthy. **How will this project impact the anticipated restoration benefits of these recovery projects?**
38. The Mississippi Marine Resources Commission (passed in January 2015) and the Louisiana House and Senate during the 2018 session (SCR5), have resolutions against the project. In Louisiana both the Louisiana Department of Wildlife & Fisheries and the state's Coastal Protection and Restoration Authority were critical of this project in their 2013 scoping comments. Also, every county and parish government south of Columbia, Mississippi, is on record with resolutions against this project: Lawrence, Marion, Pearl River and Hancock Counties in Mississippi, plus Washington and St. Tammany Parishes and the towns of Monticello, MS, and Bogalusa, Pearl River and Slidell in Louisiana. **How will the economic, environmental, and community-based concerns expressed by this significant opposition be weighted against the dubious flood control benefits of this project?**

I would very much appreciate a detailed written response by September 14, 2018. Please send your response to my Bolton district office at P.O. Box 610, Bolton, MS 39041. If you have any questions relative to this request, you may contact Fannie Ware, my district director in writing at my Bolton district office address; by phone at 601-866-9003 or via email at [fware@mail.house.gov](mailto:fware@mail.house.gov).

Sincerely,



Bennie G. Thompson  
Member of Congress