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Delivered by Electronic Mail to: PearlRiverFRM@usace.army.mil

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RE: **Comments on Pearl River Flood Risk Management Project, Pearl River Watershed, Hinds and Rankin Counties, MS**

Please accept the following comments on behalf of Pearl Riverkeeper in response to the Revised Draft Environmental Impact Statement (RDEIS) for the Pearl River Federal Flood Risk Management Project in Hinds & Rankin Counties, Mississippi. Pearl Riverkeeper is a grassroots non-profit dedicated to improving the Pearl River through restoration, advocacy, and education. Our organization is a licensed member of Water Alliance, a global non-profit with the mission of protecting the right to clean water.

Pearl Riverkeeper strongly opposes Alternative D1 along with any plan that involves construction of a weir/dam and a resulting impoundment on the Pearl River. Pearl Riverkeeper asks the Corps to reject the prohibitively expensive and environmentally destructive Alternative D1. Alt D1's price tag, an astronomical $900 million, is accompanied by numerous detrimental costs to our communities and our environment.

Alt D1 is so complicated, so expensive, and so destructive that its selection as the Corps' Pearl River Flood Risk Management (FRM) plan could lead to another failed attempt at procuring a solution for Jackson. The constraints that plague Alt D1 could preclude its implementation, leaving the City of Jackson again without desperately needed FRM.

The following sections detail the adverse impacts of Alt D1 and opportunities for a better Alternative. Pearl Riverkeeper urges the Corps to reject the flawed Alt D1 and instead focus on an incremental approach to flood risk management.

BARRIERS TO ALTERNATIVE D1 IMPLEMENTATION

- **Cost:** Alts D1 and E1 may not be implementable due to their high cost. According to the RDEIS Main Report and Appendix R, the Projected First Cost for Alt D1 is $873-$917 million and the Total Project Cost, accounting for inflation and interest, is over $1 billion. The current federal funding for the project, appropriated in Oct 2022 through Bipartisan Infrastructure Law funding, is only $221 million[1].

  The Maximum Project Cost Limit, established by Section 902 of the Water Resources Development Act (WRDA) of 1986, is currently set at $475 million. The "902 limit" is supposed to acts as a cost cap for water resources development and conservation projects undertaken by the Corps, to ensure that the projects remain in reasonable bounds. Alt D1 as proposed currently has a Total Project Cost that is more than double the "902 limit".

  The RDEIS states that, "Implementation of a combination of the flood risk reduction features are presented for consideration, Alternative D1 or E1, and may be implemented under Section 3104, subject to not exceeding the maximum total project cost as established by Section 902 of WRDA 1986, as amended. If alternative D1 or E1 were to be selected for implementation based on the estimated total project cost additional authority would be required. A decision document to request revised authority will be prepared. This authority may include an increase in the total authorized project cost under Section 3104 If one of these alternatives is selected for implementation, then during PED a detailed cost estimate will be developed to determine a total project cost. This cost estimate will be based on additional analysis and design, feasibility level decision documents, and project specific mitigation plan. If the cost exceeds the 902 limit a decision document to request revised authority will be prepared."[2]

  Alt D1 implementation will require a modification of existing congressional authorization for the project and hundreds of millions of dollars in additional federal, state, and local funding appropriations. This lengthy and difficult process will only delay Jackson's ability to obtain crucial FRM.

- **35% Local Cost Share:** It is unclear at this stage in the planning process whether the Rankin-Hinds Pearl River Flood and Drainage Control District, the project's Non-Federal Interest (NFI), will have the funding to begin even the Pre-Construction, Engineering and Design (PED) Phase of project implementation. Before making a Record of Decision (ROD) and choosing a suitable alternative, the Corps should conduct the required due diligence to determine whether the NFI is capable of providing their required cost share.

  Due diligence should include cost estimates for line items that will require 100% cost share by the NFI. These line items include:

[1] Senator Wicker, Press Release, Oct 3, 2022
[2] RDEIS, page 6-1

- Real Estate Plan
- HTRW studies and required cleanup
- Dam design and construction (RDEIS Total Project Cost estimate for dam is $58 million[3])
- Features that would not produce National Economic Development (NED) benefits greater than costs in accordance with Section 903 (c) of WRDA 1986. Section 903 (c) describes a "Benefit-Cost Ratio Waiver", noting that "(1) In his recommendations for authorization of any project, or separable element, for flood control, the Secretary may include features that would not produce national economic development benefits greater than cost, if the non-Federal interests enter into a binding agreement requiring the non-Federal interests to pay during construction of the project or separable element an amount sufficient to make the remaining costs of that project or separable element equal to the estimated value of the national economic development benefits of that project or separable element. (2) Non-Federal payments pursuant to paragraph (1) shall be in addition to payments required under section 103 of this Act which are applicable to the remaining costs of the project."

Due diligence should also include line items that will require 35% cost share by the NFI.

According to the 2025 Mississippi Performance Evaluation and Expenditure Review (PEER) report, "The Rankin-Hinds Pearl River Flood and Drainage Control District (District) received $9,907,790.01 in revenue and expended $9,894,428.92 from FY 2015 to FY 2024, a difference of approximately $13,000. More than 93% of its revenue comes from millage assessed on property within the District. District financial data from FY 2015 to FY 2024 shows that funds were used for the purposes of administration of a flood control district, upkeep of current levees and property, and pursuit of a flood control plan."[4] The PEER report clearly indicates that the NFI's current millage revenue and annual expenditures leave very little funding remaining to cover their cost share of a $1 billion project like Alt D1 and that current revenues are not a sufficient funding source.

When asked in 2024 how the NFI would fund their cost share, Keith Turner, attorney for the local sponsor, shared that "the local funding will come from bonds for people that the project would help and taxes. New areas and properties that would benefit from One Lake would be assessed for money based on millage rate, he added, and that money from property taxes would go towards the 35% the Control District, also known as the Levee Board, has to raise. The local sponsor also plans to issue bonds. 'The bonds would be partially paid for by those assessments,' Turner said. 'Some of it would go to maintenance, and some would go to debt payment off the bonds.' Though bonding would cover some of the 35%, it would not cover all. Neither would taxpayer money from the Jackson metro area alone. Turner said the Levee Board

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[3] RDEIS, Appendix R, page 19
[4] 2025 PEER Report, page 1

plans to use state taxpayer funds as well and thinks the state should kick money to the project because it provides protection from flooding and 'a valuable project for the city of Jackson and the metropolitan area, both in recreational and economic opportunities.'"[5]

The Corps' due diligence should determine whether these funding sources would be sufficient for a project of this magnitude and whether the NFI could obtain the necessary funding in a timely manner. The NFI's locally-preferred plan may be the most expensive alternative but the NFI may not be able to afford it.

Opportunity cost of budgeting funds for non-flood control-related amenities: A large percentage of the budget for Alt D1 will be spent on creating a new impoundment for recreational and economic development purposes. Expensive mitigation will then be needed to compensate for the impoundment created by the new recreational-use dam. *Funding for all of these mitigation measures comes at the expense of funding that would actually provide flood risk management benefits*. Impounding the river for recreation and vegetation control requires:

- Relocating 4-5 utility transmission lines
- Environmental mitigation for habitat loss and endangered species protections
- Mitigating potential HTRW (Hazardous, Toxic, Radiological Waste Sites) and other hazardous waste sites within the floodplain. The DEIS states that: "Consideration may be given to designating an HTRW avoidance alternative as the National Economic Development plan when costs and risks of response actions are uncertain."[6]
- New pumping plant to compensate for the higher pool of the new impoundment
- New floodwalls along the current levees to compensate for the higher pool of the new impoundment
- Dam design and construction
- Other costs may include a low-flow gate, construction of a fish passage, and other mitigating projects to counter the impacts on endangered and threatened species that will be impacted by the impoundment and dam.

Feature	**Low $**	**High $**
Dam	$58 million	$58 million
Pumping Plant	$54 million	$54 million
Floodwalls	$52 million	$52 million
Total cost of new impoundment for recreation	**$164 million**	**$164 million**

Table 1: RDEIS estimated Total Project Cost of proposed impoundment. Source: Appendix R, pages 18-20

Table 1 illustrates that the total cost of creating a new impoundment for recreation/economic development is $164 million, a cost that comes at the expense of dollars that could be spent on

[5] Tong, Chaya, "How will developers find $170 million to fund their portion of One Lake project?", Clarion Ledger, August 12, 2024
[6] DEIS, PDF pages 94-95

an expanded non-structural plan, or additional FRM measures along the river and its tributaries-– the primary objective of this project and the WRDA authorization. Instead of subsidizing a real estate development project, the Corps should provide a more comprehensive solution to Jackson flooding.

- **Inadequate design completion:** The RDEIS notes that "Class 4 construction cost estimates were developed for Alternatives D1 and E1" and that "More detailed, higher level cost estimates will be developed for the selected plan as project scope and design details are refined during the design process."[7] A Class 4 construction cost estimate typically indicates that a project's design maturity is at less than 15%. **After over 14 years of NFI and Corps DEIS and RDEIS development, design maturity on the latest dam/impoundment design, Alt D1, is still less than 15%, demonstrating the futility of continuing to pursue this plan.**

  During congressional hearings this year, Lt. General Butch Graham (USACE Chief of Engineers) committed to 35% design maturity on a project before asking for authorization to build it. In his opening statement at the U.S. House Appropriations (Energy and Water) Oversight Hearing State of the Civil Works Program on February 25, 2025, LTG Graham stated: "Getting the engineering, right, our cost estimates must be based on sufficiently mature engineering designs, at least 35%. As you'll hear today, we've allowed projects to be authorized with engineering well, well below that 35% threshold. In these instances, it wasn't so much the cost of increased rather, it was that our initial estimates were way, way too optimistic. **My pledge to this Committee is that I will only sign chief's reports where I'm convinced that the that we've got the engineering right with sufficient maturity**, our second control will focus areas get the project management, right, we must improve our ability to stay in control of our projects by setting realistic schedules."[8]

  Further elaborating on his design maturity commitments, at a U.S. Senate Appropriations Hearing (Energy and Water) on Army Corps of Engineers and Bureau of Reclamation FY26 Budgets on June 11, 2025, LTG Graham stated: "First and foremost, we've got to get the engineering, right. And we got to get the engineering right before we ask for authorization. It's like coming up to the authorizing committees and saying I need a house and I put a price tag on it. But I didn't tell him I need a four bedroom house with a two car garage. I we've asked for authority to build things where we'd haven't had the scope nailed down fully. **And in engineering terms, the design needs to be matured, at least to the 35% design before we asked for the authority to build it.** And that's my commitment to you I'll say no chiefs report unless the engineering is advanced to the 35% design. Second thing we need to do is we've got to get the project management right."[9]

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[7] RDEIS, page 3-16
[8] U.S. House Oversight Hearing, February, 25, 2025
[9] U.S. Senate Appropriations Committee Meeting, June 11, 2025

The Energy and Water Development and Related Agencies Appropriations Bill, 2026, includes this language: "The Committee supports the Corps' policy outlined in Engineering Regulation (ER) 1110–2–1302 and further clarified in a June 2023 memorandum that **requires feasibility studies to include class 3 estimates prior to the signing of a Chief of Engineer's report**."[10]

According to pledges by LTG Graham and the FY26 U.S. House Appropriations Committee Report, Alt D1's design maturity must progress from its current status at less than 15% to more than 35% before a Chief's Report is issued and before authority to build is requested. The three previous DEIS documents in 2018, 2024, and 2025 have not been able to complete that task. It is time to dispense with further study of Alt D1.

- **Costs of delaying flood risk management:** Only 5 years ago, some Jackson community members had 4 feet of water in their homes. With rapidly rising flood insurance costs and the threat of further flooding, residents literally cannot afford to wait.

  Mississippi Today's article about the City of Jackson USACE public meeting on July 31, 2025 stated, "At least one resident decided that, whichever proposal the agency moves forward with, if any, they've had enough. 'I'm interested in a buyout, I want out,' said Thia Walker, a resident of the Canton Club neighborhood in northeast Jackson, adding her street had flooded that very afternoon. 'It's taken a long time for all these plans and alternatives and it seems like there's never going to be plan that's suitable for the masses. 'This will go on and on forever and I'm ready to get out.'"[11]

  Alt D1's high cost and substantial study requirements guarantee another protracted delay in Jackson FRM. The ballooning costs associated with Alternative D1 exceed the currently authorized 902 limit, requiring the Corps to obtain additional authorization through the lengthy Water Resources Development Act process.

  The RDEIS states that, in addition to additional required authorizations due to budget overruns, "supplemental NEPA documentation will be required during the PED phase."[12] Alt D1 supplemental NEPA (National Environmental Policy Act) studies and analysis will be particularly extensive and time-consuming since the Corps is delaying so many of the studies until the Pre-Construction, Engineering, and Design (PED) Phase. Just a few of the required studies being delayed until PED are listed below:

[10] FY26 House E&W Appropriations Committee Report, pages 10-11

[11] Rozier, Alex, "'On and on': Jackson again gives it two cents on the Pearl River Flood Study", Mississippi Today, August 1, 2025

[12] RDEIS, page 6-1

- Mitigation plan: “A project specific mitigation plan would be developed during PED and included in a subsequent NEPA document(s).”[13]
- Real Estate plan: “A proper real estate analysis will be a part of the Real Estate Plan, provided in PED.”[14]
- Cost estimates: “If one of these alternatives is selected for implementation, then during PED a detailed cost estimate will be developed to determine a total project cost.”[15]
- 404(b)(1) Clean Water Act certification: “A civil works 404 (b) (1) long form will be provided for public review and comment during PED.”[16]
- Countermeasures for bridges: “…major evaluation will be a Pre-construction Engineering and Design (PED) effort and not part of the EIS assessment.”[17]
- Sedimentation study: "During design, additional study and verification would be needed to confirm 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. A sedimentation study has been proposed to be completed during the PED phase of this study."[18]
- Velocity analysis: “Velocity analysis on area of impoundment and on fish ladder to assess impacts to GS has not been conducted. If the weir is included in the alternative for implementation, then velocity analysis would be conducted during PED.”[19]
- Utility relocation plan: " Coordination with the operating entity to determine specific requirements of each utility will be conducted during PED. ”[20]
- Railway bridge modeling: "There are a total of 2 active railroad bridges within the project area. All efforts would be made to avoid, monitor, and protect these structures. Additional modeling is required to validate these assumptions during PED. If avoidance is not possible, then coordination with the operating entity to determine specific requirements of each railway bridge will be conducted during PED."[21]
- Bridge countermeasures: “The array of countermeasure features analyzed that will mitigate potential impacts to MDOT bridges that will be identified during the PED phase.”[22]
- Fish passage design: "The fish ladder design would be coordinated with US Fish and Wildlife, state agencies, and Tribes during the PED phase."[23]
- Borrow area analysis: "Borrow opportunities would be further investigated during PED and a supplemental NEPA document would be prepared at that time."[24]

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[13] RDEIS, page ES-xi
[14] RDEIS, page 3-16
[15] RDEIS, page 6-1
[16] RDEIS, page ES-xiii
[17] RDEIS, page 3-10
[18] RDEIS, page 4-28
[19] RDEIS, page 6-17
[20] RDEIS, page 3-22
[21] RDEIS, page 3-25
[22] RDEIS, page 3-25
[23] RDEIS, page 3-26

- Fill usage: “The final fill locations and volume of fill will be refined in PED.”[25]
- Hazardous Toxic Waste Site mitigation: “Environmental Site Assessment. There is a high probability of encountering HTRW during construction with implementation of Alternative C or if implemented as part of the CTO Alternative. Prior to construction, an ASTM E 1527-13 Phase I & II ESA would be completed due the findings that were discovered during the NFI’s reconnaissance of the study area.”[26]
- Historical and cultural site assessments: "The Jackson MSA has significant historical and cultural site presence, final site locations would be adjusted during PED following completion of cultural resource surveys."[27]
- Habitat mitigation: "…habitat mitigation requirements have not been adequately quantified at this time. Instead, impacts were determined using the 2014 HEP and the 2006 ERDC aquatic analysis results. During subsequent phase(s) appropriate certified models would be conducted to determine the mitigation requirements for each habitat type impacted. "[28]
- Levee heights: "Exact elevation will be set as the with-project 100-year flood event with 90 percent assurance levels in PED."[29]
- Existing levee impacts: “Although unlikely, there is the potential that isolated areas along the existing levee may require seepage mitigation south of the pump station, but that is unknown at this time and would need to be evaluated during PED.”[30] “Local Levees included within the project have not had analysis due to lack of design and will be further analyzed in PED, if selected.”[31]
- Impacts on tributary flooding: “It is recommended that a survey of tributaries and structures along the tributaries be incorporated into the model to better estimate flooding and impacts along tributaries.”[32]
- Water quality impacts: “The impacts to water quality due to the proposed project are inconclusive due to the lack of data, modeling inaccuracies, and the usage of outdated modeling methodologies of the project area. In order to determine if this project is viable additional analysis is required.”[33]
- Induced flooding: “It is likely that it would take a larger added depth of flooding than 0.25 feet to cause appreciable damage to a property (i.e. woods, parking lot, yard), but further analysis would need to be completed in PED to verify this assumption.”[34]

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[24] RDEIS, page 3-35
[25] RDEIS, page 3-24
[26] RDEIS, page ES-xiii
[27] RDEIS, page 3-31
[28] RDEIS, page 5-4
[29] RDEIS, page 3-31
[30] RDEIS, page 6-10
[31] RDEIS, page 6-11
[32] RDEIS, page 6-16
[33] RDEIS, page 4-27
[34] RDEIS, page 6-3

- Storm Water Pollution Protection Plan (SWPPP): “A storm water pollution prevention plan (SWPPP) is required and will include measures to be implemented during construction to address turbidity, siltation, and sluffing of soils.”[35]
- Water supply impacts, "Depending on the method and means of selected features additional study could be needed to determine the best methods of design and construction to limit the impact to potable water throughout the system in respect to contaminant retention due to pooling and sediment loading prior to treatment."[36]
- Endangered Species Act (ESA) consultation: Reinitiation of consultation with USFWS and preparation of a Biological Opinion
- Weir design
- Not stated but missing are any discussion of the cumulative impacts of the alternatives, as required by NEPA.

- **Habitat loss:** UFWS considers the Pearl River “one of the most biologically diverse rivers in the country”. The river supports 140 species of fish, 14 species of turtles, and 40 species of mussels. The Corps’ planning document states that Alt D1 will cause “major long-term negative impacts to fisheries and aquatic resources” and destroy over 700 acres of rare wetland habitat.
  The habitat damage caused by the excavation of Alts D1 and E1 includes a footprint up to 954 acres. Up to 9 million cubic yards of riverbank along 9 miles of river will be dredged and moved to fill the current floodplain. Alts D1 and E1 would destroy riparian habitat required by aquatic species like the Pearl River map turtle and ringed map turtle, two turtles endemic to the Pearl River that exist nowhere else in the world. They would also destroy federally-designated critical habitat for Gulf sturgeon. Eight miles of the river will be changed from riverine habitat to lentic habitat which will affect the sturgeon and a suite of other river-dependent fish species. The 700 acres of wetlands that would be removed along the riparian areas in Jackson contain mature hardwood bottomland forest, important wildlife habitat, particularly for birds. LeFleur’s Bluff State Park has been designated as an Important Bird Area[37] by the National Audubon Society and its birdwatching checklist has 211 species with 75 that breed in the park. Beyond the 392-acre state park, the floodplain forests on both sides of the Pearl River on private and public land make a corridor through which birds and wildlife can move, feed, migrate and use for nesting.

- **Mitigation for habitat loss**: A USACE 2023 internal presentation states: “Mitigation (identification of lands ongoing for terrestrial mitigation, extremely challenging (if not impossible) to mitigate riverine impacts of this proportion. Experts agree that restoring large systems such as this or even compensating for such great function and habitat loss to a truly desirable condition (as existed pre-disturbance) is impossible to achieve. Impoundment removal seems to be the national trend, due to significant adverse impacts of impoundments on river

[35] RDEIS, page 7-11
[36] RDEIS, page 4-28
[37] Mississippi Important Bird Areas

systems for natural resources and humans."[38] Detailed plans for proposed Alts D1 and E1 mitigation area location, design, and cost must be provided to inform the cost/benefit analysis for each flood control management alternative. Costs for mitigation could be substantial and have a significant impact on benefit cost analysis. It is not clear that full mitigation of habitat and function will be practical or possible.

- **Endangered Species Act (ESA) Consultation:** United States Fish and Wildlife Service (USFWS) Biological Opinion (BO) reports review the effects of proposed Corps alternative actions and state whether the agency has ensured that its action is not likely to jeopardize the continued existence of a listed species or result in the destruction or adverse modification of critical habitat. A Biological Opinion may include reasonable and prudent measures necessary or appropriate to minimize the impact of the incidental take on the species. The Corps must abide by the reasonable and prudent measures delineated in a USFWS BO. Since the most recent USFWS BO was included in the RDEIS Appendix D, the Corps provided a significantly vital opportunity for the public to more acutely understand effects of these alternatives in accordance with the ESA. The Corps and USFWS both recognize that Section 7 ESA consultation will be reinitiated as needed.

  The current record clearly reveals that Alt A1 has the least adverse effect to federally listed, proposed, and candidate species. Alt D1 is the most adverse, with Alt E1 the least of the two structural alternatives. Given these alternatives, Pearl Riverkeeper continues to recommend A1 and nonstructural measures. Given that the Corps has rejected Alt A1 for the purposes of this RDEIS, then Alt E1 would be preferred for these trust biological resources. We urge the Corps to use their extensive authorities via ESA section 7(a)(2) and 7(a)(1) to find, promote, and implement additional measures in coordination with the Service and for continued public review and input via NEPA to further avoid, reduce, and mitigate adverse impacts to these significant public trust resources.

  The USFWS BO of November 2024, as provided by the Corps in Appendix D, was based on proposed actions of the 2024 DEIS and not those of the RDEIS. The period following the USFWS November 2024 BO and prior to the Corps July 2025 public release of the RDEIS was sufficient to have established a clear administrative record and statement in the RDEIS that USFWS did or did not find the revised A1, D1, and E1 alternatives different from those in the DEIS to warrant a reinitiation and completion of ESA Section 7 consultation.

  The Corps concluded that section 7 "[c]onsultation with the Service is complete under the ESA for potential project impacts to multiple threatened and endangered species and their critical habitat."[39]: We consider this to be an erroneous statement because informal and/or formal

[38] Internal Presentation, PDF page 23
[39] RDEIS, pages 7-2 and 7-3

Section 7 consultation has not been completed and is still required for certain elements. For example, USFWS has stated with regard to the Gulf sturgeon: "The DEIS states that a stormwater pollution prevention plan would be developed during the PED phase to minimize any potential effects to water quality during construction. Provided a plan is successfully developed and implemented, then adverse impacts to Gulf sturgeon associated with channel improvements activities are not likely to rise to the level where take of Gulf sturgeon would be expected. Further coordination with the Service will be required during the PED once a stormwater pollution prevention plan is developed."[40] The "further coordination" here actually consists of informal and/or formal Section 7 consultations.

A plan to control sediments from clearing, grubbing and excavation to lower the elevation of overbank areas should have been developed now, instead of later, for effective public review of impacts to federally listed and other species.

We consider that soil erosion and sedimentation into the river during Alts D1 and E1 clearing, grubbing, and afterwards will have a greater adverse effect to the ringed map turtle, Pearl River map turtle, alligator snapping turtle, Gulf sturgeon, and Louisiana pigtoe than currently assessed by the Corps and USFWS. Under Alt E1, without additional information, we believe sedimentation is likely to continue after this construction from the cleared floodplain and adjacent areas. Alts D1 and E1 each involve clearing, grubbing, and excavation of 954 acres of vegetation in overbank floodplain areas without any available plan to control scour and sediment runoff into the river from rainfall or high water during construction or afterwards. These clearing activities could be conducted for a period of three years.[41] The Corps states for Alts D1 and E1 that: "This plan could potentially result in direct, indirect, and cumulative impacts to water quality. Potential direct impacts from the construction and existence of channel improvements, overbank modifications, maintenance berms, and improved levee segments would include temporary increases in turbidity and suspended solids in adjacent water bodies – the Pearl River and tributaries. Erosion control feature could decrease the amount of sedimentation, but the sheer volume of material to be moved makes turbidity in the system likely. The impacts to water quality due to the proposed project are inconclusive due to the lack of data, modeling inaccuracies, and the usage of outdated modeling methodologies of the Project Area. In order to determine if this project is viable additional analysis is required."[42]

The RDEIS also states that:

- "Coordination with MDEQ is currently on-going. A stormwater pollution prevention plan would be developed to minimize any potential effects to water quality during construction."[43]

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[40] USFWS Biological Opinion, Nov 21, 2024, page 23
[41] RDEIS, page 3-23
[42] RDEIS, page 4-27
[43] RDEIS, page 4-27

- "The full extent of impacts to listed riverine species has not been properly captured as velocity, sedimentation, and water quality analysis needs to be conducted. The USACE has committed to conducting these analyses in subsequent phase(s)."[44]
- "A storm water pollution prevention plan (SWPPP) is required and will include measures to be implemented during construction to address turbidity, siltation, and sluffing of soils."[45]
- "A SWPPP is required and will include measures to be implemented during construction to address erosion. Re-vegetation of cleared areas not intended for FRM or future access/staging will be considered in PED."[46]

Corps plans delineated in the RDEIS are conceptual in nature. "All excavation areas lacking adequate vegetation not specifically designated to receive new turf shall receive seeding, fertilizing, and mulch. Due to the likelihood of reoccurring flooding, seeding, fertilizing, and mulching will be conducted once per month in newly excavated areas during the construction season. Maintenance of established turf, and reseeding of bare areas will be completed throughout the construction period."[47] RDEIS, Appendix E Table 2-2 includes plans to "Revegetate river banks/water surface edges" by 42 acres for Alt D1 and 77 acres for Alt E1.[48] The Corps also mentions that cleared and excavated overbank wetlands for Alt E1 would be converted to "floodplain meadow".[49]

No scientific, technical, or other authoritative literature is provided on the extent or how any future plan will effectively control siltation and sedimentation into the river and to control riverbank scour during or after construction, particularly for Alt E1. Furthermore, we are unable to find any substantive information in these documents on how the cleared and excavated overbank areas will be revegetated and maintained to effectively control post-construction scouring, erosion of the channel and riverbank, and sedimentation in the river channel. These are significant deficiencies and limitations to understanding project design, impacts, and costs for this public review period.

Gulf Sturgeon: Regarding adverse impacts of sedimentation, the USFWS in their BO concluded that: "Alternatives C, D, and E will result in similar channel excavation activities, which could result in increased sedimentation and turbidity. However, these activities will be temporary in nature, lasting up to two years. Provided that adequate water quality and sediment control plans are developed and successfully implemented, then we do not anticipate adverse impacts

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[44] RDEIS, page 6-12
[45] RDEIS, page 7-11
[46] RDEIS, page 7-11
[47] RDEIS, Appendix E, page 45
[48] RDEIS, Appendix H, page 43
[49] RDEIS, page 4-7

to rise to the level of take under the ESA. Additional coordination with the Service will be required during the PED phase as these plans are developed."[50]

The USFWS analysis of effects for Alts D and E in the prior DEIS may or may not represent the exact effects of the RDEIS Alts D1 and E1. A sediment control plan as well as any reinitiation of Section 7 consultation should have been completed or at least advanced further for Alts D1 and E1 prior to the release of the current RDEIS.

The Incidental Take Statement in the USFWS BO continues what we consider to be, in the absence of a plan, a questionable assumption of a suitable future Corps plan: "The Service anticipates that with successful stormwater and sediment control measures in place, Alternative E will not result in take of Gulf sturgeon. Since such measures have not been presented at this time, additional consultation will be required during the PED phase should this alternative be selected."[51] Thus, USFWS did not include any take of Gulf sturgeon as an incidental consequence of sedimentation. Yet, the USFWS continues in the Reasonable and Prudent Measures (RPMs) of the BO to require for all species, including the Gulf Sturgeon: "RPM 1: The USACE will coordinate with the Service during the PED phase on the development of a stormwater pollution prevention plan (all alternatives)."[52] The ESA statutory and regulatory purpose of RPMs as imposed by USFWS is to reduce the amount and extent of take as an incidental consequence of stormwater pollution. A future plan to control stormwater runoff, siltation, and sedimentation during and after construction is highly significant and essential.

The DEIS Alts C and D for the ESA Section 7 consultation with FWS, and presumably the RDEIS Alt D1, include a fish passage around the weir for the Gulf sturgeon. However, the available RDEIS fish passage design is only conceptual, as recognized by the Corps and the USFWS. According to USFWS, no demonstrable Gulf sturgeon fish passage has ever been constructed and any passage may not function as desired.[53] USFWS imposes Reasonable and Prudent Measure No. 3, with its Terms and Conditions to reduce the amount or extent of incidental take:

- "RPM 3: The USACE will coordinate with the Service on final design of the fish passage channel and the monitoring and adaptive management plan for the fish passage channel (Alternatives C and D only)."[54]
- "T&C #1 (RPM #3). The USACE will create a Gulf sturgeon technical team consisting of the USACE, Service, RHDD, and MDWFP, as appropriate, to develop the design standards for the fish passage structure. The lower Yellowstone pallid sturgeon fish passage structure should be evaluated as a potential model."[55]

[50] USFWS Biological Opinion, Nov 21, 2024, page 28
[51] USFWS Biological Opinion, Nov 21, 2024, page 92
[52] USFWS Biological Opinion, Nov 21, 2024, page 94
[53] USFWS Biological Opinion, Nov 21, 2024, page 28
[54] USFWS Biological Opinion, Nov 21, 2024, page 95
[55] USFWS Biological Opinion, Nov 21, 2024, page 96

We agree that these elements are essential, required, and highly appropriate.

***Ringed Map Turtle and Pearl River Map Turtle*:** We agree unquestionably that Alt D1 will cause the greatest loss of habitat, mortality, and other harm to these species. Although the USFWS concluded the adverse impacts of Alt D from the previous DEIS, and presumably Alt D1, will not jeopardize the continued existence of these species, these impacts are still highly significant. Section 7 consultation should be reinitiated relative to Alts D1 and E1 to reassess the amount and extent of incidental take among other issues.

According to USFWS, 90% of the ringed map turtle population and 100% of the Pearl River map turtle population will be eliminated in the impoundment area, presumably now by Alt D1. USFWS provided a Reasonable and Prudent Measure (RPM5) and Term and Condition (T&C3) in the BO for these species that represented a head starting program and subsequent release in the Pearl River at unspecified locations. We agree that a head-starting program is an appropriate and significant measure.

Otherwise, we believe other Reasonable and Prudent Measures and Terms and Conditions, as well as Corps proposals to USFWS, should be developed to consider how to reduce adverse impacts to these species by Alt D1. The USFWS described, for example, how capture and relocation of aquatic turtles is not always successful.[56] Given the virtual complete loss of habitat by the Alt D1 impoundment and cleared areas, including but not limited to large wood debris for basking and the exceptionally large number of individuals subject to mortality by the project, an adaptive management plan as a Reasonable and Prudent Measure and Term and Condition to capture and relocate turtles to suitable habitat elsewhere seems essential for this desperate project condition.

The RDEIS at various tabulations, such as Table 1.2 Appendix I, lists the capture, tag, and relocation of 827 turtles. These activities are not further described in RDEIS documents and are not described in the USFWS BO. The purpose and procedures to capture 827 turtles should be an important element for reinitiation of Section 7 consultation. Any relocation plan should include performance standards by various mark/recapture methods to determine relocation success, with a standard measure of success (e.g. residency and growth for a defined period of time within the release area), and other factors including potential impacts to the resident population at relocation sites. Furthermore, a suitable relocation site must be selected because the impact of introducing relocated turtles may adversely affect the resident population at the relocation site(s) if the population is at or near capacity and by other factors. If an adaptive

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[56] USFWS Biological Opinion, Nov 21, 2024, page 53

management framework for relocation success and impacts fails plan standards, then the plan is either terminated or modified. We recognize there is an exceptionally short period of construction years for Alt D1 relative to a longer desired turtle life history period during a relocation success measurement plan. Other manageable factors in such a plan could be considered, including using multiple relocation sites.

Impacts portrayed by the amount and extent of incidental take under Alt E are smaller than Alt D, though still significant. We think the amount/extent of incidental take caused by Alt E1 is underestimated by the Corps and USFWS, although there are management and other opportunities to reduce it. For the ringed map turtle for example: "The Service anticipates that Alternative E is reasonably certain to cause incidental take of ringed map turtles consistent with the definition of harm resulting from channel improvement activities. The Service anticipates a maximum of 92 eggs could be destroyed by channel improvement activities if they occur during the May to October nesting season. No death of adult ringed map turtles is expected; however, we can expect some level of harm (nonlethal) to up to 1,596 turtles due to noise and other disturbances that may temporarily alter normal turtle feeding, basking and nesting activities during the period when overbank excavation is occurring. Some turtles may migrate upstream or downstream to avoid areas with heavy noise and other human disturbance due to construction activities."[57]

For the Pearl River map turtle by Alt E: "…this 9-mile section of river receiving channel improvements will see up to a 45 percent reduction to the current Pearl River map turtle population within the Action area and will be similar to population estimates for a four-mile impaired stretch of the river within the Action area. However, these adverse effects could be minimized by efforts to reforest the excavated channel overbank areas and the placement and maintenance of basking and foraging material within the channel of the Pearl River. Such efforts could possibly raise the post-channel improvement population estimates to near pre-project levels."[58]

The Alt E1 clearing can vary from 500 – 2,600 feet in width to lower the elevation of channel overbanks, eliminating virtually all forests and woody cover currently at various places along the river. The RDEIS indicates, without substantial information, the cleared area would be managed as some form of turf. We found no information indicating the Corps at this stage, or at the time during the November 2024 USFWS Section 7 consultation, effectively plans to reforest any of the cleared and grubbed areas. The loss of the forest and riverbank connectivity upon conversion to open non-forest areas with a reduction of woody debris for basking should cause greater adverse effects than considered, including mortality for these species. Areas within the

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[57] USFWS Biological Opinion, Nov 21, 2024, page 92
[58] USFWS Biological Opinion, Nov 21, 2024, pages 68-69

project area with any nearby forests to the riverbank and its proximity, even in the formerly channelized sections of the river for this project, appear to be cleared and permanently removed by Alt E1. Also, in the absence of a demonstrable plan to control siltation and sedimentation during and after construction, these impacts could reduce dietary sources for these species.

The USFWS imposed a Reasonable and Prudent Measure and Term and Condition that included riverbank vegetation among other features:

- RPM 6: The USACE will coordinate with the Service on a plan to protect, restore, or enhance habitat within the channel improvement area post-project (Alternative E only).
- T&C 4 (RPM 6). The USACE will develop and implement a plan to protect, restore, or enhance instream habitat for Alternative E, including: the revegetation of riverbanks, the placement of instream woody habitat, the creation of sandbars, and other features beneficial to turtle species.

Even so, the amount and extent of incidental take in a FWS BO must be estimated according to Section 7 regulations and policy prior to any reductions by Reasonable and Prudent Measures and Terms and Conditions. The BO Incidental Take Statement for these species does not appear to include take as an incidental consequence of the loss of habitat within the channel improvement project area. If we are correct, this is a procedural issue that can be easily rectified by a reinitiation of Section 7 consultation. No information is available in the RDEIS if the Corps accepted this RPM and T&C. Even if not, this is an important management and restoration factor for the Corps to implement. In the Fish and Wildlife Draft Coordination Act Report (Appendix J) of November 2024 with Corps Responses, USFWS recommended the Corps fully evaluate the river and floodplain restoration potential of Alt E. The Corps responded by concurring in principle and stating they “will include a qualitative assessment of river and floodplain restoration potentials of Alt E in the current report. Detailed assessments will be conducted in subsequent phase(s).” (no page numbers available). We have not been able to find elsewhere in the RDEIS any additional or substantive information about such a plan. The Corps lists the task “T&E Revegetate riverbanks/water surface edges”[59] without further information to our knowledge. This would be another critical subject for reinitiation of Section 7 consultation, which should have been completed prior to the RDEIS for effective public review of RDEIS proposed actions and effects.

Riverbank reforestation as well as potential reforestation elsewhere in the cleared and grubbed areas could improve habitat for these turtle species, although the delayed period of time between adverse impacts by clearing and the later establishment of woody and other vegetation on the riverbank and elsewhere would not probably avoid the direct more acute short-term adverse impacts of construction and clearing. The depth of excavation into subsoils

[59] RDEIS Table 3.2, page 320

and potential parent materials, apart perhaps from the riverbank, will likely create unique challenges for any attempted planning for even partial reforestation.

The issue of revegetation management should also include consideration of reforestation, or at least partly so, in the cleared areas. The Alt E1 flood control alternative appears predicated on maintaining a cleared area for rapid flood water conveyance and discharge. However, hydrologic and hydrodynamic modeling can be conducted to assess how flood conveyance with certain forest and other vegetation conditions would or would not reduce flooding. We don't find any information currently available that such investigations have occurred. These models and simulations could have been conducted and included in the RDEIS, and/or the Corps could have included information about why such efforts would or would not be valuable, at least for a strip of forest or other vegetation on the riverbank to impede scour, erosion, sedimentation; to stabilize channel configurations; and to provide a future in situ source of woody basking structure.

According to the RDEIS, "The Service recommended some restoration features under ESA Section 7(a)(1) for Alternative E. Those features include protection, enhancement, or creation of instream habitat such as shoals, gravel bars, woody debris, and sandbars as well as reforestation of the riparian buffer along the Pearl River within the Project Area. If these features are implemented, various wildlife species would likely benefit from this alternative as the features would provide suitable habitat for various species and uses. These features will be considered in subsequent phase(s)."[60]

Similar elements in the BO are in fact located under Reasonable and Prudent Measure 6 and its Term and Condition 4 for the ringed map, Pearl River map, and alligator snapping turtle[61]:

- "RPM 6: The USACE will coordinate with the Service on a plan to protect, restore, or enhance habitat within the channel improvement area post-project (Alternative E only)."
- T&C 4: "The USACE will develop and implement a plan to protect, restore, or enhance instream habitat for Alternative E, including: the revegetation of riverbanks, the placement of instream woody habitat, the creation of sandbars, and other features beneficial to turtle species."

This RPM and T&C is not a "recommendation" by the USFWS to Corps. It is a condition imposed by USFWS that the Corps is required to implement under the authority of ESA Section 7 and implementing regulations at 50 CFR § 402.14.

[60] RDEIS, page 4-11
[61] USFWS Biological Opinion, Nov 21, 2024, pages 95 and 96

These features, if successfully designed, could benefit these and other T&E species and reduce adverse project impacts. This is a conceptually sound objective but requires significant additional planning and assessments to determine feasibility, the likelihood of success, monitoring if implemented, adaptive management, and other factors. This is another example of an incomplete project element for the current RDEIS that could have been completed and available for effective public review and comment and for consideration in selection of Alternatives. It is not clear whether such a "subsequent phase" of analysis will be available for public review and if the Corps will select a final project Alternative prior this phase. The Corps and USFWS can complete subsequent coordination and consultation for this and other actions while fulfilling ESA Section 7 requirements without public review, but these should have been completed and included in the RDEIS for public review. Since these are not currently available to review under the RDEIS, the public should be given a future opportunity for public review under a continuing NEPA process.

***Alligator snapping turtle*:** Our previous comment regarding revegetation, restoration of riverbanks, sediment control, and related issues are applicable here.

***Louisiana pigtoe*:** We agree with the USFWS conference BO on this proposed species that the impoundment by Alt D (D1) would destroy all habitat for this species, resulting in acute lethal impacts to a large number of individuals. According to the Corps, "Alternative D1 would likely eliminate riverine habitat that the LA pigtoe depends on."[62] We consider this Corps finding to be an inaccurate conclusion because there is no life history or other ecological evidence that the construction and subsequent impoundment in place of riverine habitat would only "likely eliminate riverine habitat."

For Alt E1, the Corps stated they "determined that implementation of Alternative E1 may affect but is not likely to adversely affect the Louisiana pigtoe."[63] This apparently is based on no direct disturbance by construction to the Pearl River stream bed. However, the plan to control sediments and siltation from entering the river during extensive clearing and excavation of the large overbank project area has yet to be developed during construction as well as afterwards. Siltation and sedimentation into the bed and water column, if excessive, would be expected to adversely affect this species. Until an effective plan is developed, it is premature to conclude there will be no adverse effect by Alt E1 to the Louisiana pigtoe even though the net adverse impacts of Alt D1 should be greater. This is a continuing subject for reinitiation of formal Section 7 consultation and the USFWS conference BO, as well as to provide complete information to the public for effective public review.

[62] RDEIS, page 4-17
[63] RDEIS, page 4-18

- **Flood plain development:** The DEIS does not adequately address the incentive for increased floodplain development along the banks of the new Alt D1 impoundment, and the associated adverse impacts of such development. The RDEIS lists a single Project Constraint, “avoid promoting development within the floodplain (in accordance with E.O. 11988) to the maximum extent practicable, which contributes to increased life safety risk.”[64] “Executive Order 11988 directs Federal agencies to reduce flood loss risk; minimize flood impacts on human safety, health, and welfare; and restore and preserve the natural and beneficial values served by floodplains. Agencies must consider alternatives to avoid adverse and incompatible development in the flood plain. If the only practical alternative requires action in the floodplain, agencies must design or modify their action to minimize adverse impacts.”[65]

  Corps Engineering Regulation 1105-2-103 Chapter 4, Sec. 4.7(h) includes the following language on land development: “Projects or separable increments producing primarily land development opportunities do not reduce existing flood damages and therefore will not be recommended for federal participation.” **The impoundment and dam created by Alt D1 meet the criteria of “separable increments producing primarily land development opportunities that do not reduce existing flood damages.”** The Alt D1 impoundment and dam prioritize private gain over reducing existing flood hazards. According to the Corps own regulations, the impoundment and dam should not be recommended for federal participation.

  Based on the public comments made by the NFI attorney, Keith Turner, the NFI clearly plans on facilitating the building of additional development along the river. The Corps must take the planned development into account when evaluating all potential impacts from the alternatives, including the hydrology of Alt D1’s impoundment. New development will contribute additional stormwater runoff to the new channel and impoundment and alter many of the underlying assumptions made throughout the RDEIS.

  Architectural renderings presented to the public by the Great City Mississippi Foundation, Figure 1, depict a new marina, beach, and boardwalk, along with a mixed-use district of residential, entertainment, hotel, food and beverage development in the Belhaven area of the project area. At no point in the RDEIS does the Corps consider the potential intense development that the construction of the impoundment would induce. The Corps must adequately account for the consequences of this new development.

[64] RDEIS, Main Report, page ES-viii
[65] RDEIS, page 7-1

Figure 1 Great City Mississippi Foundation architectural rendering

The NFI plans to build more impervious surfaces along the flood plain in the project area will increase urban stormwater runoff and complicate efforts to reduce the flood peak profile in the project area. In addition to the water quantity issues posed by more impervious surfaces, increased urban runoff from new development will also have a negative impact on water quality.

Pearl River Valley Water Supply District, manager of the Ross Barnett Reservoir, writes that new development along the riverfront south of the Reservoir dam will increase risk, noting: "We are concerned that hazards associated with Barnett Reservoir dam breaches or high-water events may not have been considered. The loss of life from a breach of the Barnett Dam is very low, but that's because the floodway downstream is typically unoccupied. We're concerned that recreational usage of the proposed lake could increase this risk. We strongly recommend that a Semi Quantitative Risk Assessment be completed to assess any potential harm to recreational users below the Barnett Dam."[66]

- **Water quality degradation**: The RDEIS states, "Potential direct impacts to water supply and flood conveyance due to the deterioration of water quality or quantity from the existence of the proposed weir that could impact sediment load within the newly formed reservoir (Alt D1) due to reduced velocities and entrainment potential. A sedimentation study would be necessary to assess the viability of project features. The impacts to water quality and conveyance to the proposed project are inconclusive due to the lack of data, and modeling efforts within the Project Area. No sediment samples have been provided or analyzed from the Ross Barnett

[66] PRVWSD Comment Letter, August 11, 2025

Reservoir or downstream Project Area either on the main Pearl River channel or tributaries for use in this study. To determine if impacts are acceptable, additional analysis is needed. Verification 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. Determination of Sediment Oxygen Demand (SOD) for Pearl River sediments that would lie under Preferred Project Lake is needed for Alternative D1."[67] It is unacceptable for the Corps to wait until after a Record of Decision is made before impacts to water quality are known.

The RDEIS includes a plainly inaccurate statement about the Corps' lack of knowledge as to potential Alt D1 water quality impacts. The DEIS states: "[T]he impact of stormwater loads upon the receiving waters of the proposed lake is poorly understood and characterized. Compounding this issue are the condition of the Jackson sewer system and the reported number of overflows and leaks. A common assumption is that sanitary sewer leaks potentially reach receiving waters via the stormwater drainage system. The degree to which the watershed of the proposed lake is susceptible to receiving sanitary sewage overflows via the stormwater collection system and ongoing and future efforts to address these issues is unknown at this time."[68]

The "degree to which the watershed of the proposed lake is susceptible to receiving sanitary sewage overflows via the stormwater collection system" is absolutely **not** "unknown at this time." In fact, thanks to the EPA City of Jackson consent decree of 2012, the City has been required for the last ten years to submit quarterly reports outlining the exact number and volume of Sanitary Sewer Overflows (SSO) to Waters of the State. Once JXN Water took over management of the City sewer system, their organization has been required to submit the same quarterly reports.

Analysis of JXN Water Quarterly Sewer Reports for Q1-2025[69] and Q2-2025[70] compiled in Table 2 shows that over 144 million gallons of raw sewage were discharged to Waters of the State within the Pearl River FRM project area during the first half of 2025.

City of Jackson	Q1-2025	Q2-2025
Number of SSOs to Waters of the State	98	55
Amount of SSO to Waters of the State	4.7 million gallons	139.7 million gallons

Table 2 City of Jackson 2025 SSO per JXN Water Quarterly Reports

[67] RDEIS, pages 6-3 to 6-4
[68] RDEIS, PDF page 6-5
[69] JXN Water Quarterly Sewer Report, April 30, 2025
[70] JXN Water Quarterly Sewer Report, July 31, 2025

JXN Water's chart included in Figure 2 indicates that hundreds of thousands of gallons of raw sewage enters the Pearl River FRM project area each month.

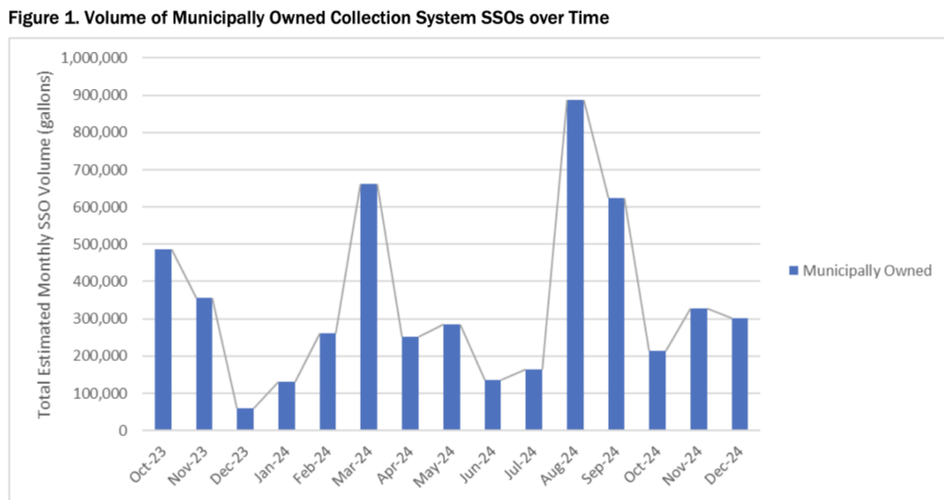

Figure 2 JXN Water Quarterly Report April 30, 2025 City of Jackson Total SSOs over time (copied from Figure 1 of said report)

The City of Jackson's persistent and ongoing sewer spills to the project area caused MS Department of Environmental Quality (MDEQ) to issue a blanket Water Contact Advisory[71] in 2019 covering the entire "Jackson segment" of the Pearl River and 12 of its tributaries. The advisory on the Pearl River extends from its confluence with Purple Creek in NE Jackson to the Swinging Bridge in Byram. The map in Figure 3 shows that all of the waters covered in this Water Contact Advisory are within the project area. The Water Contact Advisory states that: "MDEQ recommends that people avoid water contact activities such as swimming, wading, and fishing. People should also avoid eating fish or anything else taken from these waters until further notice." At the writing of this comment letter, the Water Contact Advisory remains in effect.

During 8 days in May/June 2025, a collapsed pipe on the West Bank Interceptor sewer line, released 138.8 million gallons of raw sewage to the waters in the Pearl River FRM project area.[72] JXN Water considered this an "extraordinary SSO" and, on June 5, 2025, MDEQ issued an updated Water Contact Advisory that stated: "The Mississippi Department of Environmental Quality is expanding a water contact advisory for a portion of the Pearl River following a significant sewer line break reported by JXN Water near Hanging Moss Creek in Jackson. Initial sampling results show elevated bacteria levels in the river downstream of the break, with elevated levels detected as far south as the Rockport community. The expanded advisory extends from the Swinging Bridge near Byram to the Na Sandifer Memorial Highway Bridge north of Monticello (see accompanying map). As a precaution, MDEQ recommends the public

[71] https://www.mdeq.ms.gov/mdeq-extends-general-water-contact-advisory-around-jackson/
[72] JXN Water Quarterly Report, Q2 2025

avoid water contact in the affected area — including swimming, wading and fishing — until further notice. 'This expansion of the advisory is based on test results showing the potential for human health risk well beyond the original advisory zone,' said MDEQ Executive Director Chris Wells. 'We continue monitoring the situation and conducting additional testing to determine the full extent of the impact.' MDEQ has been informed by JXN Water that the discharge from the sewer line break has ceased. MDEQ will conduct ongoing downstream sampling to assess conditions until advisories to the newly listed downstream river segments can be lifted."[73]

The City of Jackson consent decree's sewer reporting data and MDEQ's Water Contact Advisory were not included in the RDEIS evaluation of water quality in the project area but are publicly available records that should be analyzed and evaluated. The information is accessible and highly relevant and should be included in future project planning documents.

[73] MDEQ Water Contact Advisory

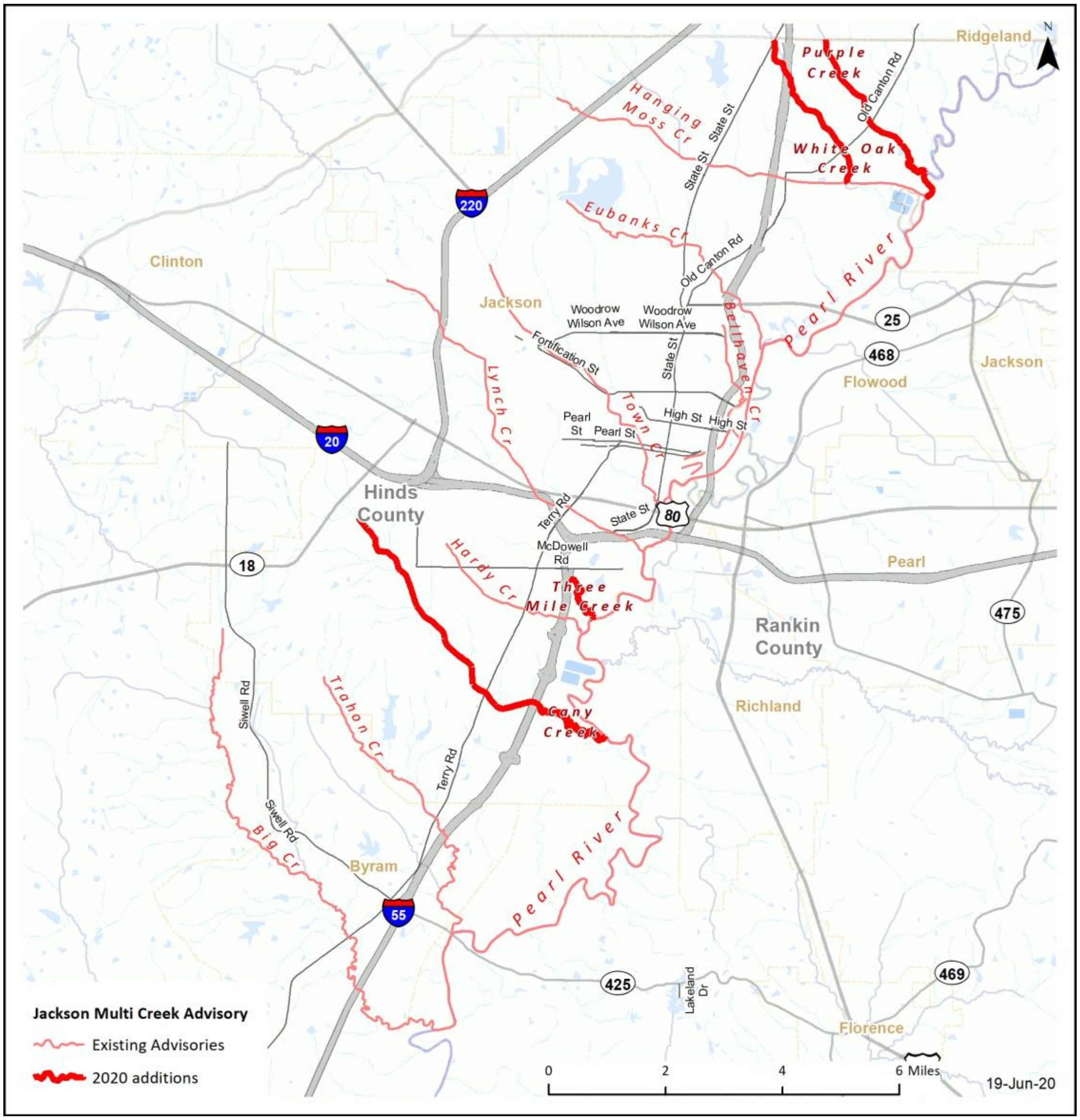

Figure 3 MDEQ Water Contact Advisory map

Trapped pollution in a wider, slower lake will cause greater water quality degradation than if the discharges are diluted and flushed through the system by a faster-flowing river. The RDEIS does not address or consider the water quality impairments that will occur in a slow-moving impoundment with a larger surface area impacted by increased contaminants from urban runoff, particularly in drought conditions. An impoundment subject to low water quality, frequent algae blooms, and fish kills caused by low dissolved oxygen, will not be suitable for recreational or commercial development. The RDEIS states that: “Potential direct impacts to water supply due to the deterioration of water quality from the existence of the proposed weir could impact sediment load within the newly formed reservoir due to reduced velocities and entrainment potential.”[74]

“Impoundment would increase the depth over the sediments potentially decreasing DO in water column immediately adjacent to sediments. Deeper waters when combined with SOD could possibly result in bottom water hypoxia and anoxia. Verification also would be needed to verify that sedimentation passed from the Ross Barnett Reservoir within a proposed ponded feature would not impact storage or conveyance of flood waters. Assessment of the tributaries for sediment load as well as the requirement of Hard Points in tributary channels to prevent incision and additional sediment into newly constructed lake would be needed.”[75]

- **Loss to public and private lands**: The USACE fails to account for the socioeconomic losses that would be incurred by the destruction of a portion of LeFleur’s Bluff State Park, Belhaven Beach and other recreational resources located in the project area. Any analysis of recreational opportunities and benefits associated with any of the structural alternatives should consider the loss of existing opportunities and benefits due to the excavation or inundation of LeFleur’s Bluff State Park acreage, the excavation and inundation of Belhaven Beach Sandbar immediately south of the existing weir, and the potential inundation of other sandbars between river miles 291 and 302. **Alt D1’s rip-rapped banks and questionable water quality will not be an adequate substitute for currently existing wetlands and sandbars.**

  Alt D1 would cause 50 acres, 16% of LeFleur’s Bluff State Park, Jackson’s only public access to the Pearl River and a popular recreation area, to be excavated and permanently under water, according to the map published in the RDEIS. LeFleur’s Bluff wetlands currently provide vital ecosystem services such as natural flood protections for our community, groundwater replenishment, water purification and pollutant removal, and natural erosion control. In addition, LeFleur’s Bluff State Park has been the recipient of $1,422,999 in Land Water Conservation Act grant funding (not adjusted for inflation)[76], and a condition of the grant is that: "No property acquired or developed with assistance under this section shall, without the approval of the Secretary, be converted to other than public outdoor recreation uses."[77]

  Other public lands destroyed by Alt D1 include Belhaven Beach, a popular recreation location located on City of Jackson property in the Belhaven neighborhood. Shaun McDonough, a Jackson resident, said this at the Corps project meeting in Jackson, “Belhaven beach is an extremely special and meaningful place to me. Some of my first memories of Jackson were made here. It’s somewhere our friends meet up on a warm day. It’s one of the first places I took my dog when we adopted him, and it’s a peaceful oasis I can always rely on after a stressful day.

[74] RDEIS, PDF page 4-28
[75] RDEIS, page 6-4
[76] USACE Virtual Public Meeting Presentation, June 27, 2024, slide 28
[77] LWCF Act Compliance Responsibilities

I'm not the only one that feels this way. There is documented evidence that people in Belhaven have been using Belhaven beach for outdoor recreation for nearly 100 years (although it was referred to as Devil's Elbow Beach). Having access to a free and public sandbar on the Pearl is a huge asset to our neighborhood and our city. I urge you (the Corps and the Levee Board) to consider preserving this (public and historic) recreational area."

740 acres of unutilized City of Jackson-owned property is currently available for use along the Pearl River.[78] The local project sponsor, the Flood Control District, owns 66 acres on the river in Jackson. There is no need to create recreation opportunities by spending over a hundred million dollars on a new impoundment on the river.

Alt D1 also requires excavating invaluable private acreage belonging to the Spring Lake Fishing and Outing Club property, a registered C Corporation organized originally on November 3, 1909, reportedly the oldest organized fishing or hunting club in Mississippi. According to Spring Lake member, Doug Parkins, "This property consists of +/- 20 acres of lake area and +/- 61 acres of land comprised of District-cleared flood plain, swamplands of old cypress stands, woodlands of large old oaks and other hardwoods, and a small green area used by the club members for lake access on the Jackson side. Other than the impacts upon the lake and land by the highway intrusion and the District, as well as a small section crossed by an Entergy powerline, this property has been virtually unchanged since its purchase in the early 1900's. I would describe it as appearing as virgin river swamp. This area is also home to, or along the migration route of, many species of wildlife." According to Mr. Parkins, he and several other Spring Lake members were told by Keith W. Turner of Watkins Eager, representing the Rankin-Hinds Pearl River Flood and Drainage Control District, that "part or all of the Club's property would be purchased or taken by eminent domain by the Levee Board, as they deemed it unfair to allow anyone to own waterfront created under the taxpayer funded project. The plans and drawings were reviewed and discussed, including that the Club's property would be bulldozed and the Spring Lake basin would be used to hold dirt and debris from the widening of the Pearl River riverbed."

Neither the Corps nor the NFI have ever explained to the community how eminent domain will be used to acquire property needed for construction of the Pearl River FRM alternatives. **Future Corps planning documents and public meetings should include maps of the properties that will need to be acquired by eminent domain based on the footprint of each alternative. Eminent domain compensation values should also be included.**

- **Deficient Ross Barnett Reservoir coordination:** How the Ross Barnett Reservoir releases will coordinate with a new lake impoundment has not been determined. Constructing another lake with no currently defined low-flow requirement would complicate this existing problem. The

[78] Hinds County Parcel Viewer

RDEIS does not stipulate what governing body and regulations will be used to ensure flow coordination between the Ross Barnett Reservoir and the new impoundment created by Alt D1. The USACE must engage with Pearl River Valley Water Supply District regarding how Alt D1 could complicate their operations during both high and low-flow scenarios. Pearl River Valley Water Supply District manager writes in their 2025 comment letter: **"USACE has not met with us about these proposed changes or any other matter related to this project."**[79]

Operations at Ross Barnett Reservoir have been vastly improved over the years, due to upgrades via modern technology in river gauging (volume and flow) and forecasting (USWS, USGS, USACE), allowing the Reservoir to provide flood peak reduction for Jackson. It is estimated that if it weren't for deft operation at the Ross Barnett Reservoir, the flood stage at Jackson could have been at least 1-1.5 ft higher during the 2020 flood event.[80]

The DEIS notes that "The reservoir does not have a requirement to implement flood reduction in any specific way but 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."[81] "State and local entities may consider operational changes at the Ross Barnett Reservoir and revising the Ross Barnett Water Control Manual to formalize continued flood reduction capacity inform future discharge operations."[82]

Despite the RDEIS noting that a "Planning Consideration" in the plan formulation process includes, "Closely coordinate with operators of Ross Barnett Reservoir on operations and maintenance of minimum flows."[83], according to Pearl River Valley Water Supply District, no outreach to Ross Barnett Reservoir staff has taken place during the DEIS or RDEIS planning process.[84] **The Corps must meet with the staff operating the 33,000 acre Reservoir and Spillway dam located mere miles from the Pearl River FRM project area.** The fact that this meeting and coordination has not occurred during the DEIS or RDEIS planning process is negligent.

- **Induced tributary flooding:** The RDEIS completely omits an analysis of whether a higher impoundment water level will induce flooding along our tributaries. The proposed elevation of the water that would be pooled at the Alt D1's dam is 256', 6 feet higher than the water level of the current weir at Jackson Waterworks (250'). The 2024 DEIS describes induced flooding in this way: "..the USACE analysis demonstrates inducement just upstream of the weir, along some tributaries, and downstream of the weir."[85]

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[79] Pearl River Valley Water Supply District comment letter, August 11, 2025
[80] NWS, Jackson, Pearl River Flood of 2020 Story Map
[81] DEIS, PDF page 112
[82] DEIS, PDF page 112
[83] RDEIS, page 3-6
[84] Pearl River Valley Water Supply District public comment letter, August 11, 2025
[85] DEIS, Appendix E, PDF page 136

The RDEIS states that: “It is recommended that a survey of tributaries and structures along the tributaries be incorporated into the model to better estimate flooding and impacts along tributaries.”[86] **It is inadequate, if not misleading, to release a FRM project document that does not include modeling of tributary flooding.**

Pearl River Valley Water Supply District, Ross Barnett Reservoir manager, notes in its 2025 Pearl River FRM comment letter, “We are concerned that any of the proposed changes would affect Brashear Creek. Will the change in water surface elevation affect the creek? Has a hydraulic analysis of the creek been performed? Would flash flooding around the creek be exacerbated?”[87]

The Corps must study whether tributary headwater conditions and/or backwater conditions will increase flood profiles along Jackson tributaries, and whether current tributary flow rates will be impeded as the storm drain runoff is slowed down by the backed-up tributaries. Any analysis of alternatives for the Pearl River FRM project must include an evaluation of impacts on the communities living along the numerous tributaries that run through the City of Jackson.

- **Insufficient evaluation of downstream impacts:** The RDEIS recommends that “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 America. A watershed study would inform disposition of legacy federal infrastructure, opportunities for sustaining and managing flowrates through the basin, and enhancement of habitat for the basin’s wildlife, flora, and fauna.”[88] This downstream study, one that the Louisiana Congressional Delegation requested in WRDA 2018 Sec 1176, must be conducted before any further modifications to the system. The RDEIS states that, “Alternative D1 could change the hydrology downstream and hence have indirect impacts on forested wetlands, forested uplands, wildlife and listed species dependent on riverine habitat. These indirect impacts would be quantified and mitigated in subsequent phases.”[89] Communities and industry that rely on the river downstream of the project area must be assured that Alt D1 or other river impoundment plans will not impact their livelihoods. Without concrete data on current flow rates and downstream water quantity and quality requirements, any large-scale impoundment project would be an experiment.

- **Hazardous Toxic Radiological Waste (HTRW) sites:** The RDEIS makes it very clear that HTRW site mitigation is the sole responsibility of the Non-Federal Interest (NFI), Rankin-Hinds Pearl River Flood and Drainage Control District. “In accordance with USACE ER 1165-2-132 a NFI is responsible for providing a clean site for construction of the project, and USACE is prohibited

[86] RDEIS, page 6-16
[87] Pearl River Valley Water Supply District Comment Letter, August 11, 2025
[88] RDEIS, page 3-5
[89] RDEIS, page 6-2

from undertaking HTRW work on behalf of the NFI. The performance and costs of HTRW cleanup and response would not be included as part of the Federal project."[90]

Multiple HTRW sites are located in the project area. The RDEIS states that: "There is a high probability of encountering HTRW during construction with implementation of Alternative D1 and Alternative E1. Prior to construction, an ASTM E 1527-13 Phase I & II Environmental Site Assessment (ESA) would be completed due the findings that were discovered during the NFI's reconnaissance of the Study Area."[91] The RDEIS economic analysis does not include a line item for HTRW remediation. Prior to making a Record of Decision, the Corps must conduct further HTRW study to estimate remediation costs. HTRW site remediation could push the Alt D1 budget even further above the maximum project cost limit imposed by Section 902 of WRDA 1986. **Studies and remediation of the HTRW in the project area could exceed the funding capability of the NFI.**

An Incremental Approach: The USACE should discard Alt D1 and instead develop a plan that prioritizes and maximizes flood risk management benefits over recreational/commercial opportunities.

Pearl Riverkeeper is asking the Corps to consider an incremental approach to Jackson Flood Risk Management. USACE Planning Guidance recommends an "Incremental Analysis" process that examines increments of plans or project features to determine their incremental costs and benefits.[92] A USACE reviewer noted in the 2020 Agency Technical Review that this type of analysis "specifies that the proposed project features must be shown to incrementally reduce the problem (i.e.the flood risk). It is unclear how construction of the weir and impoundment of water reduces the flood risk to the adjacent communities. The existence of the 1,500 acre lake does not create any additional flood storage capacity or conveyance capacity."[93] The reviewer recommends starting with the feature with the greatest risk reduction, and then adding additional features while documenting the incremental benefits.

An incremental analysis could include many of the options already studied by the USACE and listed in the DEIS, Appendix M: Plan Formulation.

The RDEIS notes that "the Secretary may construct the project identified as the national economic development plan, or the locally preferred plan, or some combination thereof."[94] This is consistent with the Corps' guidance on Incremental Analysis. The Secretary may choose the FRM solutions that provide the highest benefit-cost ratio and combine them to create a feasible alternative that can be implemented more quickly and cheaply and with less environmental destruction than either Alts D1 or E1.

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[90] RDEIS, page 2-46
[91] RDEIS, page ES-xiii
[92] USACE Planning Guidance Notebook, 22 April 2000, PDF page 17
[93] USACE 2020 Agency Technical Review, PDF page 93
[94] RDEIS, Main Report, page 1-2

OPPORTUNITIES

- **Tributary flooding: Tributary flooding accounts for over 35% of the estimated annual flood damage in the Jackson area.** Pervasive Jackson tributary flooding occurs more frequently than main stem river flooding and disproportionately affects federally designated "disadvantaged communities". Considering river flooding alone does not adequately address the Pearl River Basin as a whole and would disenfranchise a large population of Jackson residents currently experiencing annual flooding to their homes, schools, and businesses from overwhelmed tributary channels. Due to vast stretches of impervious surfaces and virtual no tributary maintenance, the City of Jackson tributaries are not capable of sufficiently managing flash flooding. For example, flash flooding along Jackson's Lynch Creek causes the creek to frequently overtop its banks, flooding streets, businesses, schools, and homes. Several majority black, majority low-income schools with a combined total 1,700 students are located along the section of Lynch Creek that floods frequently. A flash flood event in 2019 caused floodwaters to rise so quickly that over 1,000 students from Jim Hill High School and Isable Elementary School were trapped inside. Similar events happened in 2020[95] and 2022[96] (Figure 4).

Figure 4 Jim Hill HS Floodwaters, WAPT News, August 24, 2022

The RDEIS explains that, "The clean out of tributaries was removed from further consideration in Alternatives D1 and E1 upon identifying that this work is being undertaken by the NRCS, State and other local entities through the Mississippi Watershed projects."[97] Promising that tributary flooding will be handled locally by City of Jackson and other state entities is at best naïve and purposefully disregards decades of historical precedent. Local entities have a fraction of the

[95] WAPT News, Jan 15, 2020
[96] WAPT News, Aug 24, 2022
[97] RDEIS, page 3-17

engineering support and funding that the Corps has at its disposal. Promising residents who live along the tributaries that they should continue to rely on local support instead of a comprehensive, project-wide flood mitigation project is an abdication of the Corps' purported purpose of providing flood relief.

2024 Corps Planning Regulations 33 CFR section 234.6(c)(6) direct a "*Watershed approach.* When developing alternatives, the water resources problem being addressed should be analyzed on a watershed based level to facilitate inclusion of a complete range of solutions, after considering the breadth of impacts across the watershed." The Regulation states that, "The watershed scale used to develop alternatives should encompass a geographical area large enough to ensure plans address cause and effect relationships among affected resources and activities, both upstream and downstream, and cumulative in nature, that are important to gaining public benefits or avoiding harm from the project. The watershed approach ensures that the interconnectedness of systems is evaluated to fully understand the root causes and symptoms of the water resources problem and the full range of potential public benefits."

The RDEIS Table 1-2: "Ongoing Projects by Others" references a NRCS Watershed and Flood Prevention Program led by the MS Soil & Water Conservation Commission. USDS/NRCS has partnered with Waggoner Engineering to "address flood damage reduction in the Hanging Moss Creek, Upper Bogue Chitto Creek, Lynch Creek-Pearl River, and Lake Ridgelea-Big Creek watersheds of Hinds County. The Watershed Plan - EAs will evaluate the impacts of different flood reduction strategies and recommend those that provide the most benefits to the natural and human environments."[98]

At public meetings in September 2024, Waggoner Engineering reported that USDS/NRCS has $25 million in funding available for the Hinds County Watershed Project Plan project design and construction. They reported that the $25 million would be split evenly among the four watersheds included in the Watershed Plan. Waggoner's public meeting PowerPoint presentations described structural and non-structural FRM alternatives for each of the watersheds.

During each of the four watershed public meetings in September 2024, Waggoner gave PowerPoint presentations that included charts listing the Flood Reduction Benefits and Potential Costs for several different "Alternatives for Flood Damage Reduction". Waggoner reported that some of the Alternatives would need to be combined to be effective. The Hanging Moss Creek PowerPoint presentation listed a "Comprehensive Structural Solution" alternative with a budget of $20-$23 million.[99] After questioning from the crowd, Waggoner confirmed that they would

[98] Hinds County Watershed Plan website
[99] Watershed Plan & Environmental Assessment, Hanging Moss Watershed, page 16

not have enough money to complete a comprehensive solution like that one for each watershed.

There is an opportunity for the Corps to leverage the tributary modeling, planning, and design conducted by Waggoner Engineering for the Hinds County Watershed Plan. The Corps could utilize Waggoner's modeling to augment their own tributary modeling. The RDEIS states that: "It is recommended that a survey of tributaries and structures along the tributaries be incorporated into the model to better estimate flooding and impacts along tributaries."[100] The Corps could also incorporate Waggoner's comprehensive solutions for Hanging Moss and Lynch Creek into their own Pearl River FRM plan.

The Corps could also leverage the Eubanks Creek Master Plan, created by the City Collective design firm for the Fondren neighborhood in Jackson.[101]

During public meetings in 2024, the Corps and the NFI referenced $30-$40 million in City of Jackson funding for tributary improvements. Despite the Jackson City Council approving the issuance of $30 million in bonds for infrastructure approvements in 2023, none of those bonds had been sold as of March 2025.[102] The City of Jackson continues to struggle to fund and implement any of the tributary FRM projects promised by the Corps and the NFI. The RDEIS states, "In addition, the City of Jackson has committed to fund channel cleanout activities with ongoing coordination to determine the scope of those efforts. Drainage improvements, to include clearing and grubbing of approximately 100,000 linear feet of various creeks, tributaries, and ditches will be conducted by the city. This will include the removal of all vegetation and debris obstructing the creeks to enhance flow capacity and reduce flooding risks. During the clearing operation, proper construction methods will address the immediate need of any erosion items. Bridge clearing would include removal of debris obstructing the flow of water around the bridge pilings. The removal process would be conducted carefully to avoid further disturbance to the creek bed and banks. Overgrown vegetation around the bridge structures would be cleared to restore visibility and reduce the risk of erosion. Finally, the clearing of inlets obstructed by debris, sediment, and vegetation to restore functionality and improve storm runoff is planned for 5 locations."[103]

Pearl Riverkeeper would like to know if this commitment by the City of Jackson to the Corps was made in writing and if it was approved by the Jackson City Council.

The RDEIS Table 1-2: Ongoing Projects by Others includes a section titled City of Jackson, MS-Tributary Improvements. The City of Jackson projects section is completely blank under the

[100] RDEIS, page 6-16
[101] City Collective Eubanks Creek project
[102] Warren, Anthony, "What happened to Jackson's $40M infrastructure bond?", WLBT, Mar 29, 2025
[103] RDEIS, page 1-12

headings “Stage of Project”, “Funding Source”, and “Status of Completion”.[104] This chart seems to indicate that the City of Jackson tributary projects are merely aspirational at this time. The residents of Jackson who live along flash flood-prone tributaries do not have time to wait for aspiration. They need solutions and funding now.

Including a tributary restoration plan in the Flood Risk Management project could leverage work already being undertaken by NRCS, State and other local entities. The DEIS, Appendix E suggests that "Future projects could consider additional storage in tributary, either by upstream detention, or by side channel storage."[105] This option could also afford recreational access to the waterway.

Implications of tributary work being completed by other entities throughout the watershed must be incorporated and evaluated throughout Pearl River FRM project design. In Oct 2023, the Ridgeland Mayor and Board of Aldermen announced $5.3 million in improvements to include drainage work along Purple Creek.[106] Improved drainage upstream on Purple Creek will change that tributary’s hydrology and impact Corps plans and designs for the Canton Club Levee. The Corps must be aware of, coordinate with, and support the work being done by other entities throughout the watershed.

- **2023 Alternative A1:** The Alt A1 plan proposed in a Corps August 2023 internal presentation[107] and referenced in the 2024 DEIS[108] included NS measures for 600 structures at a cost of $198.5 million and Benefit/Cost Ratio of 2.7. By addressing Pearl River FRM project area tributary flooding, the 2023 Corps Alt A1 plan presented a Flood Risk Management solution that addressed City of Jackson flooding problems holistically.

  The Alt A1 map included in the Corps 2023 internal presentation, Figure 5, depicted a NS plan that would provide non-structural flood risk management opportunities to hundreds of homeowners along flood-prone tributaries such as Hanging Moss Creek, Town Creek, and Lynch Creek. Corps engineering and monetary support for non-structural measures along these tributaries could augment the under-funded efforts proposed in the Hinds County Watershed Plans.[109]

[104] RDEIS, page 1-16
[105] DEIS, Appendix E, PDF page 51
[106] $5.3 million in improvements on tap for Purple Creek basin, Freedom Ridge Park
[107] Internal Presentation
[108] DEIS, PDF pages 156-157
[109] Hinds County Watershed Plan

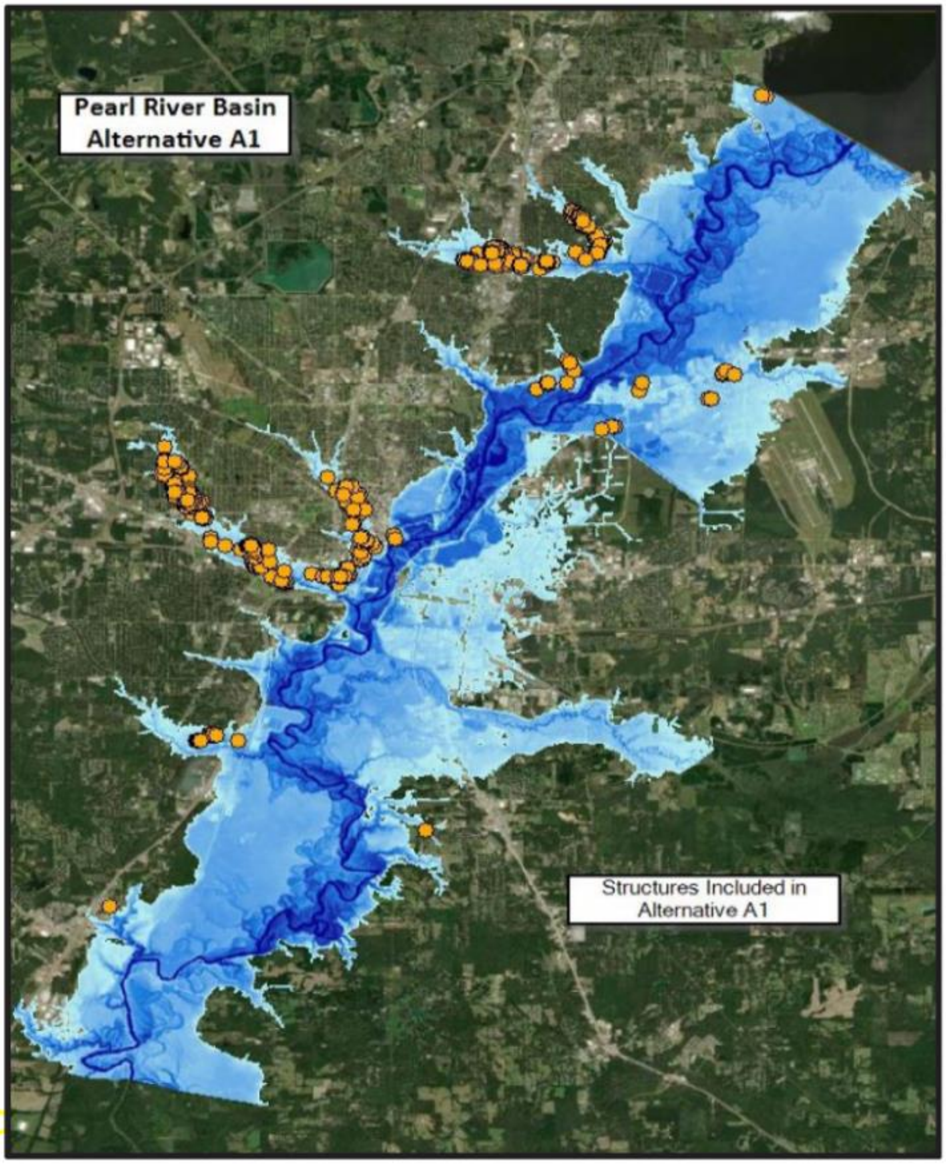

Figure 5 USACE 2023 Internal Presentation, slide 11

The 2024 DEIS and the 2025 RDEIS noted that "The clean out of tributaries was removed from further consideration in Alternatives D1 and E1 upon identifying that this work is being undertaken by the NRCS, State and other local entities through the Mississippi Watershed projects."[110] One can assume that tributary FRM was removed by the Corps from their scope of work upon urging from the NFI. The choice is clear. The Corps can utilize $164 million to subsidize the local NFI's economic development project, or the Corps could instead invest $198.5 million to provide a desperately needed flood risk management solutions to hundreds of Jackson residents living along neglected tributaries.

[110] RDEIS, page 3-17

- **Bridge Conveyance Improvements:** River forecasters theorize that, in 2020, increased Reservoir discharges, combined with the river already running so high, caused the water to back up at the main channel bridges. When the high volume of water reached the constriction at the Lakeland Dr bridge in Flowood, the water backed up into the neighborhoods of northeast Jackson and businesses in Flowood.[111]

  The Corps should take advantage of their own DEIS, Appendix M: Plan Formulation which included a "Bridge Improvements" plan that combined opening improvements, bridge lengthening, conveyance improvements (clearing), along with raising the low chord of the lowest railroad bridge. The Corps should evaluate bridge modifications to reduce the cumulative backwater effect caused by the Kansas City Southern Railroad and Old Brandon Rd. In addition, Appendix M references the inclusion of a "Subsequent Channel Improvement" for high flow conveyance.[112] These "Channels" could be significantly less costly and less disruptive than the current excavation plan and could reduce the need for protective armoring on the main channel bridges.

  These bridge improvements could be part of the "incremental approach" to providing increased conveyance and flood peak reduction.

- **Levees:** Based on Total Project Cost estimates in Appendix R, cost of the four proposed levees at Canton Club, McLeod, Richland, and Cany Creek is $82 million. Structures protected by the four levees is estimated at 745+. Cost benefit of the Canton Club levee 4.2, well above the cost benefit of any other proposed FRM solution.

- **Combination of 2023 Alt A1, plus 2025 RDEIS Levees, and Bridge Conveyance Improvements:** According to the 2024 DEIS, the Project First Cost for the 2023 Alt A1 plan, which provided NS measures for 600 structures, was $198 million, with Benefits from Estimated Annual Damages (EAD) Reduced of $18 million, and a Benefit Cost Ratio (BCR) of 2.7. According to the RDEIS, the Canton Club, McLeod, Cany Creek, and Richland levees would provide FRM for over 745 structures at a Project First Cost of $82 million and a combined BCR of 0.9. The Corps has not published an analysis of the Project First Cost, structures protected, and BCR of bridge modifications at this time.

  "The objective of National Economic Development (NED) is to maximize increases in the net value of goods and services. Within USACE, this is achieved by comparing the difference in the value (benefits) produced by the project to the value of the resources (costs) required to

[111] NWS, Jackson, Pearl River Flood of 2020 Story Map
[112] RDEIS, Appendix M, page 25

produce those goods and services or construct the project, or Net Benefits. In order to produce Net Benefits a particular plan must manifest a benefit to cost ratio (BCR) greater than 1.0."[113]

Table 3 below provides an economic analysis summary of a Combined 2023 Alt A1 plus RDEIS Levees plan. Cost and benefit numbers for the 2023 Alt A1 plan are taken from the 2024 DEIS[114], while cost and benefit prices for the RDEIS Levee plan (Canton Club, McLeod, Cany Creek and Richland levees) were derived from the RDEIS. [115]

Project First Costs	Project First Cost: 2023 Alt A1	$198 million
	Project First Cost: RDEIS Levees	$82 million
	Total Cost	**$280 million**
Average Annual Cost (AAC)	AAC: 2023 Alt A1	$7 million
	AAC: RDEIS Levees	$3.2 million
	Total AAC	**$10.2 million**
Annual Benefits: Estimated Annual Damages (EAD) reduced plus Recreation Benefits	EAD reduced: 2023 Alt A1	$18.7 million
	EAD reduced: RDEIS Levees	$2.5 million
	Total EAD reduced	**$21.2 million**
	Recreation Benefits	$5.4 million
	Total Annual Benefits	**$26.6 million**
B/C Ratio	B/C Ratio: 2023 Alt A1 plus RDEIS Levees	**2.61**

Table 3 Summary of Economic Assessment for Combined Alt A1 plus RDEIS Levees plan

Table 4 below provides a comparison of the 2023 Alt A1 plus RDEIS Levees plan and Alt D1 (Low Cost) and Alt E1 (Low Cost). Alt D1 and Alt E1 cost and benefit numbers were taken from the RDEIS.[116]

	2023 Alt A1+RDEIS Levees	**Alt D1 (Low Cost)**	**Alt E1 (Low Cost)**
Project First Costs	$280 million	$873.1 million	$708.3 million
Average Annual Cost	$10.2 million	$35.5 million	$28.8 million
EAD Reduced	$21.2 million	$19.7 million	$19.8 million
Recreation Benefits	$5.4 million	$5.4 million	$5.4 million
Total Benefits	$26.6 million	$25.2 million	$25.5 million
Net Benefits	$16.4 million	($10.3 million)	($3.3 million)
B/C Ratio	**2.6**	**0.7**	**0.9**

Table 4 Comparison of 2023 Alt A1 plus RDEIS Levees plan to Alt D1 (Low Cost) and Alt E1 (Low Cost)

[113] 2024 DEIS, page 135
[114] 2024 DEIS, pages 134-135, Table 3-7
[115] RDEIS, Appendix R, pages 24-25, Table 18
[116] RDEIS, page ES-xi

Tables 3 and 4 are provided as an example of a comparatively low-cost alternative that would provide greater Net Benefits and a BCR triple that of Alt D1's BCR. This 2023 Alt A1 plus RDEIS Levees plan, while conceptual in nature, demonstrates the type of incremental plan that could provide a high level of FRM, without requiring additional congressional authorization or a lengthy NEPA process, at a reasonable budget that may be affordable to taxpayers and the NFI.

- **Climate change:** Section 9 "Climate Change" was removed from the 2025 RDEIS, Appendix E. In future planning documents, the Corps could rename the "Climate Change" Section to a more acceptable nomenclature, while still including the 2024 DEIS analysis of Mississippi's changing weather patterns. Climate change is altering the frequency and intensity of extreme weather events, including floods. Tracking past changes to flood intensity and frequency, and making predictions about the future are important aspects of flood risk management planning. A flood risk management plan must consider climate change to accurately assess and mitigate future flood risks. Failing to account for these changes can lead to increased vulnerability, and ultimately, greater loss of life and property

Section 9
Climate Change

Section has been removed.

Figure 6 RDEIS, Appendix E, page 152

- **J.H. Fewell weir removal:** Instead of adding another dam to the river, the USACE should consider the impacts and opportunity for removal of the current weir at J.H. Fewell. JXN Water has stated in public interviews and in their Quarterly Reports that "Based on metered flow, total demand on the JXN Water system is approximately 18 MGD. Once daily demand drops below 30 MGD, total water supply needs could be met with only the OB Curtis plant in operation. Evaluation of the feasibility of eliminating JHF continues."[117] Closure of the plant would save $7 million annually and would open up space for potential recreation opportunities near LeFleurs Bluff State Park. Removal of the weir would also reduce the need for 98,000 tons of armoring that would be required to protect the weir and Mayes Lake.

In a June 2010 letter, Corps of Engineers Col. Jeffrey Eckstein told Rankin Hinds Pearl River Flood and Drainage Control District Board members that the Corps would not resume any further study of flood control along the Pearl River "for the purpose of considering any impoundment alternatives or private development features."[118] The Corps should heed that admonition from 2010 and abandon plans like Alt D1 that impound the river for no purpose other than private development.

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[117] JXN Water Quarterly Report, April 30, 2025, page 5
[118] Lynch, Adam, "Levee Board Hopeful on Lake 255", Jackson Free Press, August 11, 2010

Pearl Riverkeeper urges the Corps to reject Alt D1, in favor of a less costly and environmentally destructive alternative that doesn't threaten the integrity of the Pearl River and the local and downstream communities that rely on it. The Corps should develop a hybrid flood risk management alternative that combines expanded non-structural measures, targeted levee segments that prioritize the most at-risk neighborhoods and critical infrastructure, conveyance improvements at the main channel bridges, and river and floodplain restoration, to provide the most cost-effective and beneficial flood risk management project. **Economic growth in Jackson can be achieved by reducing flood risk, which will improve property values, and foster a more vibrant community.**

During project development, the Corps should view the Pearl River Basin holistically and strive to provide flood risk management that is targeted to the most threatened communities while also protecting the people and wildlife along the entire length of the river.

Sincerely,

Abby Braman

Abby Braman
Executive Director, Pearl Riverkeeper