



September 1, 2023

U.S. Army Corps of Engineers – Kansas City District  
Attn: Blake McPherren  
601 East 12th Street  
Kansas City, MO 64106

Dear Mr. McPherren,

The Izaak Walton League of America appreciates this opportunity to comment on the U.S. Army Corps of Engineers' Environmental Assessment of the Plowboy Bend A Interception Rearing Complex. This project is upstream of the Missouri Department of Conservation's Plowboy Bend Conservation Area.

#### *Background*

This EA results from the Missouri River Recovery Management Plan and the Missouri River Recovery Program. The Corps is legally obligated to adhere to the MRRP to continue operating and maintaining the Missouri River Main Stem Reservoir System, Bank Stabilization and Navigation Project, and the Kansas Reservoir System. The Corps must also comply with the Endangered Species Act and all other federal laws and regulations.

The Recommended Plan described in this EA would modify three existing dikes and construct two new dikes. This action would attempt to mimic the hydrological characteristics of Sheepnose Bend, an upstream Area of Enhanced Capture of age-0 sturgeon. It's expected the project will be built by 2025.

IRCs are designed to get embryos into channel margins where, it's hoped, they will find suitable nursery habitat. Quality nursery habitat is lacking along the lower Missouri River due to the man-made alterations including the BSNP.

The goal of IRCs is to evaluate if free-floating pallid sturgeon embryos are entrained in the Missouri River's thalweg and can't get into the channel margins where food and foraging opportunities may exist. This project would modify the hydraulic conditions to increase interception of sturgeon embryos.

The Plowboy Bend A site was identified in conjunction with the Missouri River Recovery Implementation Committee (MRRIC) and its Fish and Human Considerations Work Groups. That process utilized the best available science to determine IRC locations. The decision was based on possible impacts to human consideration, known pallid spawning sites, and the drift distance needed by the embryos. All IRCs are to be constructed adjacent to public land.

The MRRMP and the accompanying Science and Adaptive Management Plan called for the construction of twelve IRC projects between Kansas City and St Louis. The original schedule specified two IRCs to be built per year for six consecutive years. This experiment was designed to determine if IRCs support early sturgeon life stage requirements.

IRC's are also intended to contribute to the Corps' required compliance with the Fish and Wildlife Service's "no jeopardy" Biological Opinion to continue operating the Missouri River Reservoir System, the BSNP, and the Kansas Reservoir System.

### *League Comments*

The League supports the Recommended Plan (Alternative 2) to help determine if sturgeon embryos are trapped in the river's thalweg. We believe if newly hatched pallids get to the shallow, slower, channel margins, where food and foraging opportunities exist or could be created, it could help meet the objective of natural pallid sturgeon reproduction and recruitment in the lower river.

Only two IRCs have been built, one each at Moberly and Searcy's bends. The EIS and SAMP state it takes 7-8 years for an IRC site to fully mature. We believe it's important for the public to exercise caution and not draw premature conclusions before the full 8 years of monitoring is completed and thoroughly evaluated.

The monitoring of the two existing IRCs shows that development of these locations is on track. Eight years of monitoring at these two sites will not be completed until 2025. Monitoring is a crucial component the SAMP, BiOp, and EIS. The League believes the need for, and the requirement of, the 8-year IRC monitoring timeline be widely communicated by the Corps.

The League is extremely disappointed the established IRC construction timeline has not, and will not, be met. At the MRRIC meeting in Kansas City in late August, the Corps announced it will again enter formal consultation with the U.S. Fish and Wildlife Service. Then, within six months, develop a Biological Assessment outlining a new approach to lower Missouri River pallid recovery. The FWS will issue a new Biological Opinion and the Independent Science Advisory Panel and MRRIC will also review the BA.

We commend the Corps for utilizing Adaptive Management in this process, as outlined in the EIS and the SAMP. But, we feel the plug may have been prematurely pulled on the IRC experiment long before the 12 sites were designed, built, and evaluated for 8 years as previously outlined.

The League requests the final EA explain how the design and construction of this IRC site will add to food and foraging opportunities for young sturgeon in the lower Missouri River. This was not addressed in the Draft EA.

The League believes IRCs could benefit other native fish and aquatic species that also require slow, shallow water habitat during their life history. Any project that increases hydraulic diversity will improve habitat and foraging opportunities for aquatic species and that will add to the health of the river.

Increasing slow, shallow habitat could help the 51 native species currently listed as rare or declining. We request that the new approach, which will be developed for pallid recovery, also include features that benefit other native fish and aquatic species.

#### *Correction Requested - Section 1.5.1*

The League respectfully requests a correction be made in the final version of this EA. The Draft EA, Section 1.5.1 (Page 13 of 116), states:

*“The project must not adversely impact the authorized purposes of the Missouri River Main Stem Reservoir System and the BSNP. For the BSNP the authorized purpose is navigation. For the Main Stem Reservoir System, the authorized purposes include flood risk reduction, hydropower, navigation, water supply, water quality, irrigation, recreation, and fish and wildlife.”*

We ask the final version correctly state that all eight authorized purposes listed for the reservoir system also apply to the BSNP.

#### *Section 4.2 Cumulative Impacts of the Alternatives Water Quality*

The League urges the Corps widely communicate the National Research Council (NRC 2011) study that concluded:

*“relatively small volumes of sediment loadings” from MRRP projects on the Missouri River, “is not appropriate to relate changes in the areal extent of the hypoxic zone to sediment and nutrient loadings” to these projects.*

We believe this information is important to dispel local rumors that riparian habitat recovery projects are harming water quality and/or the environment.

#### *Climate Change*

The League commends the Corps for acknowledging potential impacts of Climate Change in the Draft EA. Changes to the basin’s climate could be a major factor in the amount, and timing, of runoff. Those conditions could impact future water management and MRRP actions.

#### *BSNP Mitigation*

The League vigorously supports the acquisition and development of land, from willing sellers, to mitigate the loss of over 522,000 acres of aquatic and terrestrial habitat in the lower basin. Mitigation of 166,750 acres was authorized in 1986 and subsequent Water Resource Development Acts.

The League strongly urges the Corps to secure the needed funding and complete the long-delayed acquisition of the additional 100,000 acres of the river’s historic floodplain to fulfill this deferred legal obligation. We believe the mitigation project will help improve water quality, reduce flood risk, benefit fish and wildlife populations, and increase recreational opportunities.

#### *Recreation*

The lower Missouri River provides recreational opportunities including fishing, hunting, boating, canoe/kayaking, hiking, and camping. Recreation sites near this location are the Big Muddy Wildlife Refuge, Overton Bottoms South, Eagle Bluffs Conservation Area, and Plowboy Bend

Conservation Area. The Katy Trail runs along the bluffs east of the site. The League was pleased to learn that no long-term impacts to recreation are expected from this project.

*Invasive Species*

The League supports the provision in the EA that during construction of this project all equipment used be free of invasive species in accordance with Executive Order 13122. We also support that the construction contract require inspecting and washing all equipment used in the project, and that equipment is required to be dried if coming from, or going to, another water body. This will help prevent the spread of invasive species.

The Izaak Walton League of America thanks you for this opportunity to comment on the Environmental Assessment for the Plowboy Bend A Interception Rearing Complex Project. We respectfully request your consideration of our comments and thank you for your time.

Sincerely,

A handwritten signature in cursive script that reads "Paul Lepisto".

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