



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 Pelican Bend B Interception Rearing Complex Project. This EA is a result of the Missouri River Recovery Management Plan's Environmental Impact Statement and the Missouri River Recovery Program.

Background

The goal of IRCs is to evaluate the hypothesis that free-floating sturgeon embryos are entrained in the Missouri River's thalweg and can't get into the slower channel margins where food and foraging opportunities may exist or could be created. If young of the year sturgeon gain access to the channel margins it could lead to increased pallid recruitment.

This project intends to modify the hydrological conditions to increase interception of sturgeon embryos and, it's hoped, they'll find suitable nursery habitat. Due to the major man-made alterations on the lower river, nursery habitat needed by young fish is severely lacking. Despite growing evidence of pallid spawning in the Missouri River, researchers capture few larval pallids. This project is expected to be built by 2025.

IRC's also contribute to the Corps' required compliance to the Fish and Wildlife Service's "no jeopardy" Biological Opinion and to the MRRP for the continued operation of the Missouri River Reservoir System, BSNP, and the Kansas Reservoir System. The Corps must also comply with the Endangered Species Act and all other federal laws and regulations.

The Pelican Bend B IRC project site was identified through a process conducted within the Missouri River Recovery Implementation Committee and its Fish and Human Considerations Work Groups. The process utilized the best available science to determine areas for IRCs based on possible impacts to human considerations, known pallid spawning sites, and the needed embryo drift distance. All IRCs must be constructed adjacent to public land.

League Comments

The MRRMP and accompanying Science and Adaptive Management Plan called for twelve IRC projects to be built, two a year over six consecutive years. The experiment was designed to determine if IRCs support early sturgeon life stage requirements.

Only two IRCs, one each at Moberly Bend and Searcy's Bend, have been constructed and are being monitored. The SAMP and the EIS state it takes 7-8 years for an IRC to fully mature. Monitoring is conducted at each site to see if there is an increase in the catch of age-0 sturgeon.

The League is extremely disappointed that 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 with 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 12 sites were designed, built, and evaluated for 8 years as previously outlined.

The two existing IRCs were constructed in 2017. Eight years of monitoring at these sites will not occur until 2025. Monitoring is a crucial component of the SAMP, BiOp, and EIS. The League believes the need, and requirement, to adhere to the 8-year monitoring timeline must be widely communicated to the public.

We also believe it's critically important for the public to exercise caution and not draw premature conclusions before the full 8 years of monitoring is complete. The monitoring of the physical conditions at the two sites shows that site development is on track.

In the final EA, the Leagues asks the Corps to explain how the design and construction of this site will add 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. Many riverine species require slow, shallow water habitat during their life history. Projects that increase hydraulic diversity will improve habitat and foraging opportunities for a variety of aquatic species which will add to the overall health of the river. Increasing slow, shallow habitat could help the 51 native fish species currently listed as rare or declining in the lower Missouri River.

Recommended Plan

The League agrees that the Recommended Plan best replicates the structural and hydrodynamic conditions at Sheepnose Bend. That bend is known by biologists for its high capture rate of larval sturgeon. The Recommended Plan is expected to result in long-term benefits to species by diversifying the hydrodynamic conditions of the river.

Correction Requested - Section 1.5.1

The League respectfully requests a correction in the next version of this EA. The Draft EA, Section 1.5.1 (Page 13 of 119), currently 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 – not just navigation.

Section 4.2 Cumulative Impacts of the Alternatives Water Quality

The League urges the Corps to widely communicate information from the study by the National Research Council (NRC 2011) 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 is important to dispel local rumors that riparian recovery efforts harm water quality and/or the environment.

Climate Change

The League commends the Corps for acknowledging in this EA the potential impacts of Climate Change. Changes to the basin’s climate may influence the amount, and timing, of runoff and that may impact future water management and MRRP actions, including IRC construction.

BSNP Mitigation

The League supports acquiring and developing land, from willing sellers, to mitigate the loss of over 522,000 acres of aquatic and terrestrial habitat. Mitigation was authorized in 1986 and amended in subsequent Water Resource Development Acts.

We strongly urge the Corps to complete the long-delayed acquisition of the additional 100,000 acres of the river’s historic floodplain. That will fulfill this deferred legal obligation, benefit fish and wildlife populations, and increase public recreational opportunities in the lower basin.

Recreation

The lower Missouri River provide recreational opportunities that include, but aren’t limited to, fishing, hunting, boating, canoe/kayaking, hiking, and camping. There are public recreation sites near the proposed project site. The League was pleased to learn that no long-term impacts to recreation, or the area’s aesthetics, will result from the project.

Invasive Species

The League supports the provision 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 all equipment is required to be dried if coming from, or going to, another water body. This will help prevent the spread of invasive species.

Construction

The League supports not engaging in construction of this project from May to June 15 to avoid conflicts with pallid sturgeon spawning. We agree construction of the Recommended Plan will increase the availability of habitats and benefit other aquatic species.

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

Sincerely,

A handwritten signature in black ink that reads "Paul Lepisto". The signature is written in a cursive style with a large initial "P".

Paul Lepisto

Regional Conservation Coordinator

Izaak Walton League of America

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