



June 30, 2023

**Submitted by Electronic Mail to:** [PearlRiverFRM@usace.army.mil](mailto:PearlRiverFRM@usace.army.mil) and [andrea.e.walker.civ@army.mil](mailto:andrea.e.walker.civ@army.mil)

Colonel Christopher Klein  
Vicksburg District Commander  
U.S. Army Corps of Engineers, CEMVK-PMP  
4155 Clay Street  
Vicksburg, MS 39183-3435

**Re: Comments on Notice of Intent to Prepare a Draft Environmental Impact Statement for the Pearl River Flood Risk Management Project, Pearl River Watershed, Rankin and Hinds Counties, MS**

Dear Colonel Klein,

The Mississippi Sierra Club writes today to express our Staunch Opposition to the so called "One Lake" project, of which your agency is considering as a top alternative in the Pearl River Flood Risk Management Project being developed for the Greater Jackson area.

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

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

The One Lake project will devastate one of the most intact rivers in the United States through massive dredging to widen nearly 10 miles of the Pearl River and building a dam at the southern end of this stretch to create a 1,900-acre lake near Jackson, Mississippi.

Again, the well-publicized purpose of this project is to create developable waterfront real estate, which in reality will put even more ill-fated development in the river floodway, continuing a decades-long pattern that has plagued the Metro Jackson area. Ultimately, this will put unsuspecting people in harm's way.

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

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

The damage that One Lake would cause to this exceptional resource, and the many deficiencies that we and many others identified in the Levee Board's incomplete 2018 Draft Environmental Impact Statement (DEIS), have generated widespread opposition to the project by political and community leaders, business and conservation interests, state and federal agencies, and the public. Fifteen downstream stakeholders have passed resolutions opposing One Lake – from the Louisiana legislature to the Mississippi Commission on Marine Resources to counties and municipalities. Also, Mississippi Congressman Bennie G. Thompson (D-02, Ranking Member, House Homeland Security Committee) and Louisiana Congressman Steve Scalise (R-01, House Republican Whip) have publicly expressed serious concerns about the project. Overwhelming opposition to the project was expressed by more than 80 stakeholder groups and elected leaders, spanning the New Orleans Chamber of Commerce, and nature-tour businesses to faith, conservation, and recreational-commercial fishing, including 3,000 members of the public in commenting in opposition to the project.

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

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

Therefore, we find it incomprehensible and deeply disturbing that the Corps continues to defy its own position by considering One Lake as a top alternative (i.e., Alternative C). We urge the Corps to reject the nonsensical One Lake project. In its place, the Corps should develop a legitimate planning process that focuses on non-structural, natural and nature-based solutions to provide sustainable and environmentally sound flood mitigation for the Greater Jackson area while protecting the Pearl River Basin, downstream communities, and the regional economy.

The Corps should reject kowtowing to political pressure generated by self-serving local real estate developers.

The commonsense flood solutions that should be included are:

- Restoring wetlands and green spaces in the Pearl River's floodplain with special priority given to its 12 urban tributaries that flow through metro Jackson where most of the recurring flood events (i.e., rain-induced flash flooding) have been documented.

- Selectively elevating and/or flood-proofing existing homes and buildings with historical flooding problems. Importantly, we oppose the Corps' currently proposed Alternative A1 as it does not reflect the practical, targeted approach that we are supporting.
- Carrying out targeted voluntary relocations or buy-outs of properties with historical flooding problems. Importantly, we oppose the Corps' currently proposed Alternative A that suggests purchase of at least 3,000 structures. This is completely without merit and is totally impractical.
- Improving the existing levee system, with a critical goal of setting levees back farther from the river.
- Improving management of existing infrastructure (i.e., Ross Barnett Reservoir and Spillway).

To this end, Mississippi Sierra Club considers One Lake a fabricated, dangerous and environmentally unacceptable project that is based on a fundamentally flawed planning process as demonstrated by the following:

- **One Lake will encourage new development in the floodway and floodplain of the Pearl River, resulting in placing more people and property in harm's way.** Notably, a 1982 study by the U.S. Fish and Wildlife Service (the Service) attributed much of the City of Jackson's damage from the 1979 Flood of Record to development within the floodplain.
- **A major alternative in the Corps' scoping announcement, One Lake is based on the Levee Board's same flawed analysis.** Importantly, the Corps' Agency Technical Review (ATR) and Independent External Peer Review (IEPR) panels' assessments of the Levee Board's 2018 DEIS identified many of the same flagrant concerns that we have shared with the Corps, including that the project would expose communities to extensive toxic contaminations and that the few proposed alternatives did not adequately consider, nor thoroughly or practically evaluate, an array of structural and non-structural measures.
- **One Lake will worsen environmental injustices by exacerbating flooding in underserved Jackson neighborhoods.** Many of the flooding woes experienced in the Greater Jackson area in recent years have been significantly attributed to rain-induced flash flooding that impacts urban neighborhoods located along the 12 creeks that flow into the Pearl River. These neighborhoods are predominantly low-income communities of color. The Levee Board's 2018 DEIS acknowledges that One Lake will not protect against local creek flooding, and in fact states that the One Lake impoundment will permanently elevate water levels in all 12 Pearl River tributaries.
  - This will further exacerbate localized flash flooding, increase underserved neighborhoods' vulnerability to backwater flooding from high river events, and magnify flood risk from rain events in the upper reaches of the tributaries that ultimately flow into the now-elevated creek channels. Affected tributaries include those that regularly experience flash flooding, run through environmental justice communities, and pass by public schools, museums, and other important community facilities and resources.
  - The elevated water levels and increased flooding will also add to the city's many stormwater permit violations. Urban stormwater flooding already affects mainly Black neighborhoods located along Town Creek and Lynch Creek, which are Pearl River tributaries that flow through majority Black census tracts in downtown Jackson. These two creeks run through Jackson Wards 3 and 5; according to data from EPA EJ Screen

tool, these Wards are in the nation's 95-100th percentile for a combination of percent low-income and percent minority population.

- **One Lake project will worsen Jackson's drinking water problems.** The J.H. Fewell drinking water plant draws directly from the area in the Pearl River that would be extensively dredged and ponded to build One Lake. Project construction would increase turbidity in the Pearl River to the point where this 100-year old facility will not be able to operate, as acknowledged in the 2018 Draft EIS. As a result, the City of Jackson would be required to somehow find a "temporary" water supply alternative for 30% of the City's drinking water during project construction, which would take at least "three or four years" according to the local Levee Board.<sup>1</sup>
  - It is equally clear that the One Lake project would not have prevented Jackson's most recent crisis, which was caused by the collapse of the city's primary water treatment plant, the O.B. Curtis plant, which supplies up to 70% of Jackson's drinking water supply. That collapse was caused by flood-induced high turbidity (and other polluted runoff) in the Ross Barnett Reservoir, which is the water source for the O.B. Curtis plant and is located seven miles upstream of the proposed One Lake project. The One Lake project has no ability to –and will not—alleviate flood-induced high turbidity in the Reservoir.
- **One Lake will further degrade the water quality in the Pearl River.** The Mississippi Department of Environmental Quality's review of the Levee Board's 2018 DEIS raised numerous questions about the project's water quality modeling, and called for more analysis "to consider how [One Lake] would affect water quality downstream of the project area. . . ."
  - As of 2020, a total, 20 miles of the Pearl River remained closed for water contact activities such as swimming, fishing, or wading; from its confluence with Hanging Moss Creek in Jackson to the Swinging Bridge at Byram, and twelve of its Jackson-area tributaries.
  - Pearl River water quality in the metro Jackson area suffers from egregious sewerage discharges. For example, the City of Jackson Sewer Consent Decree Quarterly Report for [April-June 2022](#) documented 77 Sanitary Sewer Overflow (SSO) events that released 67.5 million gallons of untreated sewage into Waters of the State. More sewage was released in those three months than the entire amount released in 2021. Fifty-four of the SSOs reported were listed as ongoing/unresolved. Eleven of the 77 SSOs released over one million gallons at a single location.
  - One Lake would only serve to amplify water quality degradation in the Pearl River by slowing and confining the flow of sewage and creating a eutrophic 1,900-acre impoundment that is unsuitable for aquatic life.
- **One Lake will amplify the area's environmental injustices by exposing vulnerable communities to extensive toxic contamination.** At least three highly contaminated Hazardous-Toxic-Radiological Waste sites, two Superfund sites, and three Hazardous Waste sites have been identified within or adjacent to One Lake's dredging footprint. To date, little sampling has been done and no plan has been developed to protect the health of nearby communities from exposure to these toxins both during and after project construction. Although the true costs to clean up these sites are likely to be many tens of millions of dollars, the 2018 DEIS allocated only \$8 million for clean-up in the project's \$345 million estimated cost.

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<sup>1</sup> Northside Sun, Moving Ahead: Final Public Comment Period For One Lake Coming Soon, 06/14/22 (available at <https://www.northsidesun.com/local-content-top-stories/moving-ahead-final-public-comment-period-one-lakecoming-soon#sthash.bggohcen.dpbs>) ("Keith Turner, attorney for the Rankin-Hinds Pearl River Flood & Drainage Control District said . . . After funding is secured, the project will require three or four years of construction, and then several more years for developers to produce plans for the economic development component.")

- **The U.S. Fish and Wildlife Service’s review of the Levee Board’s 2018 DEIS concluded that One Lake “is the most environmentally damaging plan”** and that they should be required to produce a second draft environmental impact statement that would provide “greater details regarding plan formulation, design, operation, mitigation, and adaptive management” before the project advances.
- **One Lake will directly destroy over 2,500 acres of wildlife habitat**, including at least 1,500 acres of vital bottomland hardwood wetlands, much of which provides natural flood protection for local communities. An additional 1,900 acres of diverse in-stream riverine habitat and ecologically vital small streams will be destroyed and turned into an impoundment. Though not acknowledged by the Levee Board’s 2018 DEIS even more habitat will be lost as the fundamental changes to the form and function of the Pearl River system play out over time, including reduction and elimination of natural floodplain inundation.
- **One Lake will adversely affect hundreds of species of fish and wildlife, including numerous species listed under the Federal Endangered Species Act or otherwise federally designated as at-risk**, due to the habitat losses and fundamental transformation of the Pearl River ecosystem. As the Service has advised, “[w]ildlife resources within the Pearl River Basin are dependent upon the diverse floral composition of associated forested wetlands” and “a higher percentage” of vertebrate wildlife species in the basin “use bottomland hardwoods as primary habitat (habitat a species depends upon for reproduction and/or feeding during all or a portion of the year) than any other habitat type.”<sup>2</sup> Notably, **the Service has initiated an Endangered Species listing determination for the Pearl River map turtle**. The agency has a deadline of October 29, 2021, to make a recommendation on whether this endemic turtle species should be listed for protection under the Endangered Species Act.
- **One Lake will reduce vital freshwater flows all the way to the Gulf of Mexico**, reducing water levels in the lower Pearl River and jeopardizing water quality, seafood and tourism sectors, and hundreds of millions of dollars in coastal restoration projects underway—or planned—for Mississippi and Louisiana, such as a \$56 million marsh-oyster project in Hancock County (MS) and several projects identified in Louisiana’s \$50 billion Coastal Master Plan. Hydrologic modeling presented in the project’s DEIS is not rigorous enough to shed light on these issues and only focused only on the project’s immediate footprint. Rather a comprehensive, detailed study that includes the Ross Barnett Reservoir south to Mississippi Sound, the Pearl River Delta, and the Gulf of Mexico is crucial to fully assess One Lake or any lake project’s immediate (footprint) and downstream impacts.
- **One Lake will increase water treatment costs to nearly 100 downstream users and municipalities**. Reductions in downstream river flows are anticipated to increase costs to nearly 100 downstream Pearl River industrial users and municipalities that rely on stable freshwater flow and adequate dilution of their discharges, such as International Paper, Georgia-Pacific, and the towns of Bogalusa and Pearl River.
- **The Mississippi Department of Transportation determined that the project’s proposed dredging would result in “catastrophic failure” of critical infrastructure**, thereby requiring the replacement of nine bridges that would add nearly \$110 million to the project’s estimated \$345 million construction cost.

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<sup>2</sup> U.S. Department of the Interior, Fish and Wildlife Service letter to Michael E. Goff at page 1 (August 16, 2018) (providing official comments on the 2018 DEIS).

- **The Levee Board’s 2018 DEIS acknowledges that One Lake’s estimated cost is based on multiple assumptions and unknowns** (*DSEIS, Appendix C at 220*). One Lake’s true costs may well exceed \$345 million for construction and \$13.9 million annually for maintenance (*Northside Sun, 7/12/18*).
- **One Lake Ignores a Key Flood Management Tool.** Since the last major flood of the Greater Jackson area in 1983 (a 100-year flood), management of the Ross Barnett Reservoir and Spillway has become an increasingly important flood risk reduction tool. During 2018, Mississippi’s second wettest year on record, which included several flood stage events on the Pearl, the reservoir was effectively managed to minimize flood threats and help protect structures. These benefits also were evident during the winter of 2020, which included the wettest January on record. Importantly, the Government Accounting Office report on Jackson’s 1979 Flood of Record (a 200-year event) found that while the reservoir was not built for flood control, it could be responsibly managed to help mitigate flooding for Greater Jackson area.

The Mississippi Sierra Club implores the Corps to soundly reject this real estate development scam—the One Lake proposal--and instead work to implement actual cost effective, targeted flood risk reduction measures rather than continue throwing good taxpayer money after bad to subsidize private development.

Rather, the Corps should incorporate a suite of natural, nature-based, and non-structural approaches. This new alternative would provide meaningful flood protections for the Greater Jackson area while delivering sustainable ecological benefits to the Pearl River Basin and downstream communities and resources.

Respectfully,



Louie Miller  
State Director  
**Mississippi Chapter of the Sierra Club**  
[Louie.Miller@sierraclub.org](mailto:Louie.Miller@sierraclub.org)