1 SIOUX CITY, IOWA
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In Re: MISSOURI RIVER BASIN
3 WATER MANAGEMENT DIVISION
4 U.S. ARMY CORPS OF ENGINEERS
NORTHWESTERN DIVISION
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6 The following is a court reporter's transcript of a
Public Hearing held at the Hamilton Inn, 1401 Zenith
7 Drive, Sioux City, Iowa, on Thursday evening, October
11, 2001, commencing at 7:00 p.m., before LTC Kurt F.
8 Ubbelohde, Hearing Officer.
9 Reported By: Colin J. Campbell, CSR, State of Iowa
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12 Missouri River, Master Manual Primary Team present:
13 Larry Cieslik Rosemary Hargrave
Roy McAllister Paul Johnston
14 John LaRandeau Richard Moore
Judy Farhat Patti Lee
15 Betty Newhouse
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THE HEARING OFFICER: Good evening. This is a public hearing on the revised draft of the environmental impact statement for the Missouri River Master Manual. My name is Kurt Ubbelohde, Lieutenant Colonel, Commander of the Omaha Engineer District for the Corps of Engineers. With me tonight are members of the team that prepared the revised draft environmental impact statement, Larry Cieslik, Roy McAllister, Rick Moore, John LaRandeau, Patti Lee, Rose Hargrave, Paul Johnson, Jody Farhat and Betty Newhouse.

This is the third of 14 sessions from Helena to New Orleans. This afternoon we conducted an open house workshop. I hope that many of you had the opportunity to stop by and study the displays, pick up handouts and talk with the staff. If you weren't able to attend, please take a few moments this evening to visit the displays, they're set up in the room next door.

Our agenda tonight will start with a short video. There is a welcome from Colonel David Fastiven, the Northwestern Division Commander, followed by a description of the project, features of the RDEIS and the major impacts.

We want everyone to have a common

understanding of the RDEIS. Copies of the summary and handouts as well as the entire documents are available at libraries and project offices throughout the basin. Also you can get a copy by writing to us or off of our website, and the addresses are available in the back of the room.

Following the video I will give a little fuller description of the comment process tonight and then we'll take your comments. We'll stay as long as necessary for everyone to be heard. With that let's begin.

(Video presentation.)

THE HEARING OFFICER: This hearing session will come to order. I am Lieutenant Colonel Kurt Ubbelohde, Commander of the Omaha District. I will be the hearing officer for tonight's session. Our purpose this evening is to conduct a public hearing on proposed changes to the guidelines for the Missouri River mainstem system operations. Assisting me this evening are members of the team who prepared the RDEIS. I introduced them a few moments ago. These folks will be available after the hearing if you have any questions.

Before I proceed I'd like to recognize the

following elected officials: The Mayor of Sioux City, Iowa, Mr. Martin Dougherty, and the Mayor of South Sioux City, Nebraska, Mr. Bill McLarty. Do we have any other elected officials or representatives who wish to be recognized tonight?

SENATOR REDWINE: Senator John Redwine, state of Iowa.

THE HEARING OFFICER: This hearing is being recorded by Mr. Colin Campbell, Cassel Court Reporting, Sioux City, Iowa, who will be taking verbatim testimony that will be the basis for the official transcript and record of this hearing. This transcript with all written statements and other data will be made part of the administrative record for action. Persons who are interested in obtaining a copy of this transcript for this session or any other session can do so. Persons interested in receiving a copy need to indicate this on one of the cards available at the table by the entrance.

Also if you are not on our mailing list and desire to be so, please indicate on one of the cards.

In order to conduct an orderly hearing it is essential that I have a card from anyone

desiring to speak that gives your name and who you represent. If you desire to make a statement and have not filled out a card please raise your hand and we'll hand one to you at this time.

The primary purpose of tonight's session is to help ensure that we have all the essential information that we will need to make our decision on establishing the guidelines for the future operations of the mainstem system and that this information is accurate. This is your opportunity to provide us with some of that information. We view this as a very important opportunity for you to have an influence on this decision. Therefore, I'm glad that you're all here to night.

I want you to remember that tonight's forum is to discuss the proposed changes in the operation of the Missouri River mainstem system that are analyzed in the recently released revised draft environmental impact statement. We should concentrate our efforts this evening on issues specific to that decision and should refrain from discussing Corps of Engineers in general.

It is my intention to give all interested parties an opportunity to express their views on the proposed changes freely, fully and publicly.

It is in the spirit of seeking a full disclosure and providing an opportunity for you to be heard regarding the future decision that we have called this hearing. Anyone wishing to speak or make a statement will be given the opportunity to do so.

The Missouri River mainstem system consists of Corps of Engineers' constructed and operated projects, so that officially makes us a project proponent. However, it is our intention that the final decision on the future operational guidelines for these projects reflect a plan that considers the views of all interests, focuses on the contemporary and future needs served by the mainstem system and meets the requirements established by Congress.

As Hearing Officer, my role and responsibility is to conduct this hearing in such a manner as to ensure full disclosure of all relevant facts bearing on the information that we currently have before us. If the information is inaccurate or incomplete, we need to know that, and you can help us make that determination.

Ultimately the final selection of a plan that provides the framework for the future operations of the mainstem system will be based on

the benefits that may be expected to accrue from the proposed plan, as well as the probable negative impacts, including cumulative impacts. This includes significant social, economic and environmental factors.

Should you desire to submit a written statement and do not have it prepared, you may send it to the United States Army Corps of Engineers in Omaha, Nebraska, and again the address is available in the back of the room. You may also fax your comments, and we can provide you that number, and we can provide an e-mail address if you wish to e-mail it. The official record for this hearing will be open until 28 February 2002. To be properly considered your written statement must be postmarked by that date.

Before I begin taking testimony I would like to say a few words about the order and procedure that will be followed. When we call your name please come forward to the lectern, state your name and address and specify whether or not you are representing a group, agency, organization or if you are speaking as an individual. You will be given five minutes to complete your testimony. If you are going to read a statement we would

appreciate it if you could provide a copy to the court reporter prior to speaking so that your remarks will not have to be taken down verbatim.

After all statements have been made, time will be allowed for any additional remarks. During the session I may ask questions to clarify a point for my own satisfaction. Since the purpose of this public hearing is to gather information which will be used in evaluating the proposed plan or alternative to it, and since open debate between members of the audience would be counterproductive to this purpose, I must insist that all comments be directed to me, the Hearing Officer.

With the exception of public officials or their representatives who will speak first, speakers will be given an equal opportunity to comment. Please remember, speakers, you will be limited to five minutes. We will be using a lighted timer. When the yellow light comes on it means you have two minutes of time remaining. When the red light comes on your five minutes are up. No portion of unused time allotted to each speaker maybe transferred to any other presenter. The purpose of the hearing is to permit members of the public an equal opportunity to concisely present

their views, information or evidence. If we allow one speaker to stockpile unused time of others the result may be that the hearing record will be unfairly tainted and others waiting to speak may be discouraged from doing so.

I will now call on the names of those who have submitted cards beginning with the elected officials.

MR. MOORE: Bill McLarty.

MR. MCLARTY: My name is Bill McLarty, M-C-L-A-R-T-Y. I live at 320 East 31st Street, South Sioux City. I am the Mayor of South Sioux City.

I also have the privilege of being chairman of SIMPCO. SIMPCO is the Siouxland Metropolitan Planning Council. It is made up of 60 plus members, made up of city and county government agencies. We do regional planning for the Siouxland area in the areas of transportation, economic development, community development and other areas of common interest.

With me tonight are a number of our members. First we have Marty Dougherty from Sioux City. We have Wes Whitehead from the city of Sioux City. We have Harold Higman from Akron, John

Lucken from Akron, Darrel Curry from Dickson County, Chuck Soderberg from LeMars, Leonard Marron from Newcastle, Paul Sitzmann from Plymouth County, Paul Licht from Sergeant Bluff, Ron Rapp from South Sioux city, and we also have Jim Hurm, our executive director.

First I want to thank you for this opportunity to give input. The main parts of the SIMPCO testimony have been presented to you in writing earlier today.

In a way of introduction we recognize that the Pick-Sloan plan and related Missouri River projects have greatly altered the Missouri River basins. Changes that have affected our communities in a positive way include, among others, flood control, navigation, reliable water supply, recreation, power generation, and bank stabilization. Some of the changes have had a negative effect. They can be addressed in a thoughtful, environmentally sound, cost effective manner.

Streambed degradation. The impacts of the riverbed degradation have been very negative on wetlands, marinas, boat ramps, oxbows, water supplies and indigenous species. Head cutting is

occurring in the tributaries causing streams to deepen, which then requires bridge replacements and road repairs. Spring flooding on a three-year average will increase the streambed degradation problems.

Spring rise. Allowing intermittent spring flooding raises the potential for increased local flooding, as well as interior drainage and groundwater problems within our communities. This raises the prospect for significant expenditures for mitigation and reparation.

Hydropower. On a basin-wide perspective, the spring floods will likely result in a two percent loss of hydropower generation, a significant reduction in renewable and environmentally friendly hydroelectricity.

Loss of Habitat. Restoration and management of reproductive habitat for the endangered and threatened species should be a high priority for the non-channeled river reaches and selected tributaries. The loss of habitat has also led a dramatic decrease in populations of other indigenous species. Habitat restoration projects in the channeled portions of the Sioux City reach should be directed toward these non-endangered or

non-threatened species. A greater number of species could be aided with this strategy, which is outlined specifically in my written testimony.

Low Summer Releases would lower water levels in wetlands during the critical summer months. The low flows would seriously impact navigation and the businesses that depend on it. It would also have serious negative impacts on marinas, boaters, recreation and water supply. The current flow regimen has worked well in the Sioux City reach.

Analysis Needed. Any modifications made to the current regimen should be analyzed both before and during the changes. The study process should utilize regional and local scientists as partners.

Creation of New Habitat. Additional habitat needs to be created both on channel and off channel. Our written testimony makes specific recommendations on the types of habitat that are needed. Projects to divert water through a system of winged dams and notched dikes would allow water to decrease in velocity and increase in surface area, thereby improving fish and other aquatic habitats. Such projects could be undertaken with

the current Corps' authority. Funding must include monitoring by area biologists and other scientists.

We encourage you to take the route of restoring wetlands and expanding habitat rather than other more drastic approaches which can have devastating effects on our communities and our region. As the regional council of governments, SIMPCO offers to work with you in these efforts. Thank you very much for your time.

MR. MOORE: Martin Dougherty.

MR. DOUGHERTY: Good evening. I want to also welcome you to Sioux City and thank you as well for being here to listen to testimony from the people in our area, in the Siouxland area, and also for considering our views on this very important subject to us here in the Siouxland region.

The city of Sioux City is a member of SIMPCO and we are generally in support of the comments that you just heard from Mayor McLarty and the written comments that have been submitted. We are in support of those as well. We may submit additional written comments at a later date and timely in your schedule.

I would just like to add a few other things though to his comments. We believe that the

operation of the system has been satisfactory and is not in need of major alterations. We do favor the current water control plan, and we believe that this plan generally offers better interior drainage, protects navigation and minimizes stream bed degradation and lateral bank erosion. I believe it is also superior for the timing of power generation.

I would like also to add to that something that I think I have heard many times in the debates over this. Oftentimes characterizing this issue, although obviously it's much more complicated than that, I think your information is very informative, oftentimes a debate is characterized as one of upstream recreation versus downstream navigation. And each time I hear that kind of debate I always quickly add that from the standpoint of those of us here in Sioux City, that we have recreation interests here as well that we think are as significant as recreation interests upstream. And I believe in your report you mentioned that some of the plans would have serious negative impacts on the recreation of the users of the Missouri River in the Sioux City area, and we are very concerned about that. Obviously we are also concerned about

navigation and potential negative impacts to the economy in this area, not only in Sioux City itself and businesses that operate here, but also the entire region and the agricultural region that we rely on here in Sioux City.

So our principal concerns have been stated already, and we would reiterate those, and as I said make reference to those that are being submitted by SIMPCO.

And I would just close with, because I know there are a lot of people here who would like to speak, to underscore that we encourage you to look at taking the route of restoring wetlands and expanding habitats rather than taking the more drastic approaches, particularly the alteration of flow below Gavins Point which we believe has the potential of a devastating impact on our communities in our region, in Sioux City, and we certainly offer to work with you on these efforts. Thank you.

MR. MOORE: John Redwine.

SENATOR REDWINE: Thank you. I too would like to welcome the Corps, and appreciate the opportunity to give a few comments. I have a number of constituents who are affected by this

issue. I believe that the current plan has been in place and has done an admirable job for over 50 years, long before many of us in this room were even born, when this plan was born.

I don't wish to return to the dramatic rise and decrease in the flow of the Missouri River any more than I would wish to return to the polio epidemics we experienced in the early 1950s. And while many people in this room's livelihood depends on the Missouri River, I believe that that must be considered in any change the Corps plans to make in the flow of the river. Thank you.

MR. MOORE: Michael Wells.

MR. WELLS: Good evening. My name is Michael Wells. I'm Chief of Water Resources for the state of Missouri. I represent Steve Mahfood, Director of the Missouri Department of Natural Resources, on interstate water issues. Mr. Mahfood serves as Missouri Governor Bob Holden's delegate to the Upper Mississippi River Basin Association and the Missouri River Basin Association.

First I want to thank you for the opportunity to speak here tonight in giving the state of Missouri and the public an opportunity to express our views on the management of the Missouri

River. The state of Missouri has several significant concerns about the plans currently under consideration.

Our greatest concern is that all new plans currently being considered contain consistently higher water levels in the reservoirs. We have not seen evidence that consistently higher reservoir levels would provide any benefit to the endangered species. In fact, increasing the water levels in the lakes could be detrimental to many of the native species living in the Missouri River system, including the interior least tern, the piping plover and the pallid sturgeon.

We are also concerned that holding reservoirs higher would significantly reduce the ability of the Corps to ensure that the river is managed to the benefit of all the residents of the basin. The Corps must have adequate flexibility to respond to a wide variety of situations, both anticipated and unforeseen. We believe the proposed reservoir levels would limit the Corps' capacity to perform this statutorily mandated role. Higher reservoir levels would restrict the use of water by downstream states and be extremely detrimental to the future welfare of Missourians.

The state of Missouri opposes the spring rise in the Gavins Point plans. None of the alternatives including a spring rise provide significant benefits to the species. This is due to the fact that the majority of the Missouri River below Gavins Point Dam already receives a natural spring rise from tributary inflow and that the degraded channel immediately below Gavins Point provides little opportunity for flood plain connectivity.

A spring rise of 17,500 cfs increases the river by approximately two feet at flood stage. We appreciate the fact that the Corps of Engineers would not intentionally release higher flows during a downstream flood event. However, due to the ten to 12 days travel time from Gavins Point to St. Louis, the probability of a storm event being added to an artificial increase in flow is great, especially during a time of the year when there is already a high probability of flooding on the Missouri.

In addition to the concerns about increased risk of flooding, average river levels will be as much as four feet higher in the Missouri part of the river. This would subject thousands of

acres of the nation's most valuable agricultural land in western Iowa and northwest Missouri to higher groundwater levels and inadequate drainage during the spring when crops are being planted.

We disagree with the Corps' statement in the summary RDEIS that the reductions in flood control benefits are insignificant. We feel that the Corps has grossly underestimated the impacts of an artificial spring rise on the drainage of agricultural land throughout the lower basin.

We are disappointed that the river enhancement flow plan proposed by the Missouri Department of Conservation and endorsed by both the Missouri Department of Natural Resources and the Missouri River Basin Association was not presented as one of the final alternatives in the RDEIS.

However, we are still hopeful that this plan will be adopted in the final EIS. The plan provides reduced flow of 41,000 cfs at Kansas City from August the 1st through September the 15th. This proposal would ensure that the Missouri River remains a river of many uses. We believe that this plan provides the optimum flow level to balance the interests of the endangered species, recreation and the continued support of other river uses.

In addition, this proposal more closely matches the time of the natural hydrograph. It also acknowledges the unassailable fact that June and July were historically the two months of highest flow due to the natural timing of the mountain snow pack.

Proposals to depart from this current Missouri River operation must also consider the effects of any changes on the Mississippi River. Earlier this year Governor Holden joined eight other governors in requesting that the President of the United States convene an inter-agency group, including the Secretaries of Transportation and Agriculture, to review the implications of these proposals prior to implementation.

In a recent letter to Governor Holden, Principal Deputy Assistant Secretary of the Army for Civil Works Dominic Izzo indicated he would be conferring with the Office of the President to address this request. Because changes on the Missouri River can impact the Mississippi River, it is extremely important that proper consideration be given to uses of both rivers.

The Missouri River is one of our nation's most valuable natural resources. As good stewards

of this resource, it is critical that we protect the river by making decisions regarding its future in a careful and deliberate manner.

The state of Missouri looks forward to continuing an open dialogue with the Corps as we strive to reach a plan that provides the greatest benefits for all. Thank you for the opportunity to speak tonight.

MR. MOORE: Richard Spellman.

MR. SPELLMAN: I'm Richard Spellman. My address is 705 North 57th Avenue in Omaha. I have a place of residence on the Missouri River at Lazy River Acres near Verdel, and I'm here as a citizen, although I know Knox County Board of Supervisors and the village council and they know I'm here. While I'm not authorized to speak on their behalf, the things I am going to say I believe represent their views.

I'd like to have that inserted into the record. It's a series of letters that I've written to those and others who I see here.

I'd just like to thank the Corps of Army Engineers very much for their candid responses to me.

My focus is very narrow. It is the reach

of the Missouri River below Fort Randall Dam to the area of the delta at the confluence of the Niobrara River and the Missouri. I just wish to point out that that reach of the river, about 35 miles, is a federally designated recreation river and scenic river. And the effects of the split flows that are being proposed in various different ways would affect this reach of the river in ways that are probably different than any other reach of the river, simply because the releases from Gavins Point are essentially the same releases as from Fort Randall Dam, and in all the material that's been presented the discussion focuses on Gavins Point releases. But those are all releases supported by Fort Randall Dam. And in the summer months when low releases are being proposed, actually their releases from Fort Randall would be lower because of the tributaries coming into the Missouri and the Niobrara.

If you're looking at low summer flows below Gavins Point, you're looking at much lower flows, three to 4,000 cfs, in the summer months which create a river which is unsafe and essentially not usable for recreation purposes.

I would also like to make the point that

as you regulate the river in the proposals that we're looking at, the late fall, spring releases necessary to evacuate the upriver reservoirs to levels that will accommodate spring and snowmelts into the bigger pools suggests that there will be years in which very high and damaging flood stage releases will be necessary as you regulate the river through the spring and summer and fall for the stated purposes. You're going to have to release high waters in some years to evacuate those reservoirs, and down below Fort Randall Dam those releases in the neighborhood of 50, 55,000 cfs are flood stage releases.

I just would like very much for the analysis to take into account this small kind of forgotten reach of the river which as those who have been on that reach know probably is as pristine a stretch of the Missouri River as there is anywhere, and it needs to be preserved and maintained for its federally designated purposes.

Involved in this problem for this area is the sediment build-up that we have experienced in the tailwaters of Gavins Point, in Lewis and Clark Lake and in the area where the Niobrara delta has already required the United States to spend

millions and millions of dollars to relocate a city and park to compensate farmers for the loss of their land.

In the low summer months, in the low flow summer months under the proposal, that sediment build-up will only be aggravated because there will be even less water to carry the sediment away. And so I believe that some form of sediment transportation, whether it's dredging that will create sandbars or any other solution will eventually be necessary in order to clear that channel for its intended uses in the future. Otherwise, the United States will eventually acquire by purchase all of that land because it will simply be inundated over time as a result of the sediment building up and continuing to build up and flooding that area.

So I think that the two forces we're seeing, the split flow proposal coupled with the sediment build-up, work together adversely in this area in a very unique way, and I would like very much for those who know this problem and understand it to focus their attention on this reach of the Missouri River. Thank you very much.

MR. MOORE: James Heisinger.

MR. HEISINGER: I speak as an individual citizen. And I am Jim Heisinger. I'm a retired biology professor from Vermillion, South Dakota. I live on the bank of the Vermillion River, and I kayak, canoe, photograph and get spiritual nourishment if you will from the upper Missouri River. I grew up on the lower Missouri. And recently I bicycled across the Missouri along the Lewis and Clark Trail, and have bicycled across the upper Missouri. So I have a lot of experience with the entire river.

I'm very pleased that the Corps of Engineers and the U.S. Fish and Wildlife Service agree with the overwhelming scientific evidence that indicates that it is time to change the master manual. This evidence indicates that by altering the flow we can vastly increase fishing and recreational opportunities and save endangered and threatened species.

The U.S. Fish and Wildlife Service indicates that optimal changes would include adapted management, scientific tools, unbalancing the upper reservoirs, and modify Gavins Point releases. The releases include a spring rise and decreased summer flow.

Perhaps for wildlife the most efficacious of these GP plans is 2021. But that's for wildlife. How best should the river flow? The Corps of Engineers is certainly one of the most accomplished water control agencies in the world. Working with their biological staff in the Fish and Wildlife Service, they can determine which GP alternative does the most good and the least damage.

I have great faith in you, the Corps of Engineers. Your studies of the physical outcomes of compliance with the GP alternatives indicate that none of the GP alternatives have significant impact on flood control. Groundwater and interior drainage impacts would be largely on land already impacted by current operations.

Efficiency of barge traffic on the Mississippi would increase, would actually increase enough to offset barge traffic on the Missouri if it were lost, in terms of dollars.

All of these parameters must be carefully monitored, and I'm sure you will monitor them carefully. Changes in the flow must be adjusted, and I'm sure you would adjust them. Adjust it so that it is necessary -- so that in the end, any

necessary adjustments would result in both farmers and environmentalists feeling that they have won.

I respectfully urge the Corps of Engineers to obey the law and save our endangered species. That action, obeying the law, will also boost the financially successful recreation on the upper Missouri. If you're successful all the citizens will be proud of both the Corps of Engineers and the U.S. Fish and Wildlife Service. Thank you very much.

MR. MOORE: Sidney Wagner.

MR. WAGNER: I am Sidney Wagner, a life-long resident of this area. I have lived out at McCook Lake since 1964, and during this time I have seen the negative effects of the streambed degradation of the Missouri River. Water in front of my house has dropped over five feet since I have moved out there.

In order to maintain the water level in the lake this past summer the residents of the lake constructed a pipeline 7,500 long, 24 inches diameter, powered by 50 and 60 horsepower electric motors to lift the water ten feet up to bring it into McCook Lake.

Over the winter when the pumps do not

operate the water level in the lake drops by five feet. These pumps are sufficient to bring the water level in the lake up to approximately 1,089 feet above sea level. Because of the water pressure difference we cannot raise the lake any higher than that right now with the pumping capacity that we have. We have been talking about increasing up to a 24-inch pump with about a 300 horsepower electric motor in order to maintain a viable water level in the lake.

We are concerned about the habitat loss in the river too. The Izaak Walton League is very concerned about endangered species, and that is a very important part of our function. We also note the loss of large catfish in the river. We feel that's due to the rapid current of the water and the loss of suitable habitat, places for the fish to rest. The swift current is self-cleaning. The river back in the early days before it was channelized was full of deadheads, logs caught in the currents, the river meandered. Therefore, the fish had many places to rest and seek shelter and feed. The current river does not provide any of that anymore.

As a sort of solution to the riverbed

degradation and provide habitat for fish, I would propose that in the deepest part of the river, especially along the outside of the bends where the river will be up to 25 feet deep, that culverts be placed in there, say about 20 feet long and maybe two to three feet diameter, and that the upstream portion needs to be covered with riprap to hold them in place. The open end of the culvert would provide habitat for the migrating catfish. It would tend to hold fish and provide increased recreational benefits for the people who use the river. Right now if you want to catch a large fish you have got to go up to the base of the dam or some other place. They just aren't here anymore because they can't survive in this swift current. Thank you.

MR. MOORE: Jim Redmond.

DR. REDMOND: I thank the Corps for holding it's hearing in Sioux City. This is one of the critical spots along the river.

I'm Dr. Jim Redmond, conservation chair of the Northwest Iowa group of the Sierra Club. I have been coming to these Army Corps meetings since the 1980s, and since that time little has been done to keep the promises made when the Missouri was

channelized more than a half century ago.

The scientists and engineers who worked on that project knew that fish and wildlife were in jeopardy, that you would not destroy hundreds of thousands of acres of habitat and not push some species to the brink.

Among its other mandates, the Army Corps was authorized by Congress to protect the fish and wildlife of the river system. Yet only a few million dollars have been spent on that portion of the law when almost half a billion dollars was requested for habitat loss mitigation in the 1950s. Now those scientific predictions have come true about jeopardizing wildlife. In addition to the three protected species mentioned most often in our discussions, there are many others in trouble, almost a fifth of all native species of the river system.

Nowhere in the summary of the revised environmental impact statement is there a description of how critical the situation is for these species. Only this June at a conference with Fish and Wildlife and Army Corps representatives did I get a picture of how serious the situation is. While the pallid sturgeon may be reproducing

in captivity, there are only a handful -- a handful -- of female fish capable of reproducing in the wild. The Fish and Wildlife Service can find no juvenile pallid sturgeon in the river. None. The future of this species depends on a change in how the river is managed.

The impact statement notes that the reach of the river below Gavins Point sees a better rate of success among the terns and plovers even though there is much more nesting habitat below Garrison. The Gavins Point release option 2021 is designed to have greatest effect in that reach. More rapid recovery of these species will occur if the Army Corps adopts a flexible flow regime.

None of the options calling for a spring rise is radical. A spring rise once every three years is far from threatening to those who have grown used to the current plan. Read the environmental impact statement or its summary. Flood control, hydropower, navigation, protection of floodplain farms continue even with the proposed Gavins Point releases.

Would the options in the revised environmental impact statement for spring rises and summer lows deal a fatal blow to the barge

industry? No. There's still plenty of season for moving tonnage. After a longstanding relationship, the Army Corps is likely to continue working closely with the barge industry. This transition to a new master manual would require some adaptation on the part of the barge industry. That industry is capable of adaptation. The species are not capable of adaptation. Running the river primarily for barges is an insult to the people and communities along the river who expect from the Army Corps more recreation, more relationship to the river, more habitat for the creatures we share this river with.

The United States is attempting to be a world leader. Can we lead Brazil, Indonesia or any country in efforts to protect their species and habitats if we go on about our business as if our species had no value? Let's be witnesses to our knowledge and respect for fellow creatures by adopting a new master manual that relies on adaptive management.

Maybe you can look at the death of an entire species calmly, but I am sick at heart that one of God's beautiful creatures disappears from the earth. We may demand scientific certainty and

guaranteed economic development, but God's wild wisdom puts ours in perspective.

Read the Book of Job: Is it by your wisdom that the hawk soars and spreads its wings toward the south? Is it at your command that the eagle mounts up and makes his nest on high?

Mankind may be able to wipe creatures from the face of the earth, but we don't have the skill to bring them back once they are gone. We cannot continue managing the river under the current water control plan. We ignore the natural creation at peril of our most basic values.

MR. MOORE: Casey Davidson.

MR. DAVIDSON: Thank you very much for the opportunity to speak. My name is Casey Davidson. I'm a long-time resident of Vermillion, South Dakota. I don't have to go into how important the river has been to myself and my life. It has sustained me and kept me going through many years of hardship. The wildness of it, the beauty of it is unlike anything else in the world.

We have 50 years of experience of managing the river under the current plan. We have lakes that have not developed their full potential, that aren't operating for the benefit of the people

around them. They're dry. They are not producing the wildlife that they are capable of doing.

We have ditches downstream to support an industry that has never developed. When I talk to people about what they think about navigation and barge traffic, their response is that well, it keeps the railroads honest. And I find that hard to believe when so much of our corn anyway and grain goes by truck anymore.

We currently reenacted the return of Lewis and Clark's White Grove. And out of a two-year expedition that they went, to think that there's only one 27-mile stretch of river that even comes close to approximating what they saw is sad.

Downstream from Sioux City, see, we're kind of spoiled in Vermillion because we have the sandbars, we have the opportunity to challenge ourselves on the river. I had the opportunity to guide these gentlemen through dangerous streams and meandering sandbars, and I had the opportunity to get stuck once too. But that's a challenge. That's something that you have to be able to measure yourself against. It's what wildness means.

Some of the gentlemen have talked about

the lakes being too shallow or the current being too fast downstream. Well, we need the shallow water and we do need the slower moving currents.

Our 50 years of experience has brought some species to the brink of extinction, it's maintained a status quo that has never been economically proved to be viable. And I strongly urge the Corps to consider changing the way in which it manages the river. The flexible flow, our new understanding and science should be incorporated into the day to day management. We have the tools now to understand and to have tremendous impact on the flow of the river. And I urge the Corps to read the information that we have, the science that has evolved over 50 years. Thank you.

MR. MOORE: John Davidson.

MR. DAVIDSON: Thank you. I'm John Davidson, a resident of rural Vermillion, South Dakota, and I'm here to speak, to offer general comments in support of proposals that will provide the maximum benefit to the wildlife resource on the river. I have spent 30 years enjoying the river, being on the river and observing the wildlife.

I want to thank the Corps for holding

these hearings. In the last week or so I've been visiting the revised EIS documents in my local library, and I've become keenly aware of the enormous human and technical resources that the Corps has brought to bear in pursuit of a solution to this issue of how to revive the flows of the river. And I think the Corps is entitled to a great deal of credit.

The question I would ask or the theme that I would present is whether in the times in which we live it is possible for the Missouri River development alone among human institutions to be immune to change. If there is one theme of the times in which we live it is that we prosper. In order to prosper and to be secure, we have to adapt to changing circumstances.

And I reflect upon the enormous changes that have occurred since the Flood Control Act of 1944 was adopted. Consider when we think of river transportation that since that time the St. Lawrence Seaway has been constructed and opened. The interstate highway system, not even contemplated at the time the Flood Control Act was enacted, has been constructed. Agriculture which the river was intended to serve has been

consolidated and industrialized. It is no longer the economic entity that it was in 1944. It is an industrialized industry fully capable of asserting its own interests. Railroads have invested heavily. As I drove down here tonight I passed a brand new grain elevator, and beside it was a unit train being filled to the hilt with corn. It's quite clear at least from where I sit in the upper basin that our commodity crops are moving to market on trains, not on barges.

A great wildlife industry and recreation industry has evolved in the upper basin. Other changes, Indian tribes virtually ignored in 1943 have become viable political institutions capable of representing their own interests.

Commercial barge traffic has simply not materialized as it was conceived in 1944.

The land east of the river in North and South Dakota were not irrigated. It is important for everyone to remember that the original Flood Control Act projected irrigation of virtually all the land on the east side of the river in the Dakotas.

For those who enjoy the river waters in the lower basin, consider how much water you would

have if all of that irrigation had been developed. This is a change. It was something that didn't happen. Other changes have occurred.

But we've learned from the river. We've learned, for example, that the river needs to move laterally. We've learned that the river needs to be able to move sediment. But most importantly we've learned that the river's natural flow cycle and the river's wildlife, its flora and its fauna, are the same thing. They cannot be separated. You cannot have one without paying attention to the other.

So in conclusion I would simply point out that we live in a time of great change. The river has been exposed to change. And the people seem to want change. People value the river. People value the river's wildlife. And people want the river to be part of their life. And so I support the Corps in its proposals for change and urge maximum benefits for wildlife and wildlife protection. Thank you.

MR. MOORE: Randy Asbury.

MR. ASBURY: Good evening. My name is Randy Asbury and I'm the executive director of the Coalition to Protect the Missouri River. This

coalition represents a diverse group of 26 agricultural, navigational, utility, industrial and business-related entities all of which are or represent Missouri River stakeholders.

We support responsible management of Missouri River resources and the maintenance of congressionally authorized purposes of the river, including flood control and navigation. We also support habitat restoration for endangered or threatened species to the extent that it does not jeopardize humans or their sources of livelihood.

Let me begin by saying that our coalition members are dismayed that these hearings are occurring at this time. I requested, as did several members of Congress, the postponement of these hearings until after January 1, 2002. This postponement request was made on the grounds that adequate time was not available to review, analyze and respond to the full and final copy of RDEIS material. The denial of this request has precluded citizens, public officials and stakeholders the opportunity to familiarize themselves with the effects of the alternatives, therefore, diminishing the value of these hearings.

It is equally inconsistent with NEPA that

the Corps of Engineers has provided a formal public hearing without providing the public with access to the technical hydrology related to impacts on the Mississippi River at least 15 days prior to the public hearing.

Today is October 11th and we are asked to present credible commentary on documentation that our state received today. This statement is to serve notice that our due process has been abridged. Rather than wait until all the documentation relevant to these alternatives be made to the public, the Corps of Engineers has rushed the process to meet an arbitrary determined deadline.

A federal agency employee recently told me that the social and economic impacts of river management changes are meaningless to their agency. He went on to state that scientific data would be the only criteria taken into account by his agency in river flow management recommendations. That sounds like a noble plan until a closer look is taken at the scientific process the Fish and Wildlife Service used to arrive at the theories proposed in the alternatives. Theoretical jargon will not mean much to the stakeholder when he has

to face the harsh realities of theory gone awry creating economic havoc for his family's livelihood.

It was for these scientific shortcomings that our coalition filed a 60-day notice to bring citizen suit against the United States Fish and Wildlife Service. We assert that the Fish and Wildlife Service failed to consider the best scientific and commercial data available before implicitly designating critical habitat in the biological opinion. The failure to consider economic or other relevant impacts on flood control or navigation violates the Endangered Species Act and will impose significant burdens on members of our coalition.

Given these and other shortcomings, our coalition is forced to support the current water control plan as the only feasible alternative proposed. It is impossible for our group to support any alternative that proposes a flow regime that asks Missouri to take a 3.3 to 4.4 foot spring rise and a negative 1.3 to 3 foot summer flow reduction along with higher reservoir levels.

The summary also indicates negative effects for inland drainage and navigation. In

fact, Gavins Point releases are shown to negatively impact navigation 32 to 86 percent more than the current water control plan. However, this statistical impact belies the real impact, which is the cessation of Missouri River navigation. Put in statistical terms, 100 percent reduction.

The effect of such negative navigation impacts on the Missouri can certainly roll over to the Mississippi bottleneck reach and cause major disruption in Mississippi River commerce.

We also question the effects of flow changes in the Corps' flood control and water supply analysis. I find it difficult to believe an extra 4.5 foot spring rise won't increase the risk of flooding any significant amount. I find it just as difficult to consider that utilities and municipal wastewater operations won't experience water quality standard problems created by discharges into a lower flowing river.

I'm also greatly concerned with the broadly written wording of the RDEIS summary that states that spring and summer Gavins Point releases "would be adjusted if monitoring and data analysis indicate this measure is necessary for the species." In other words, I must assume the

maximum spring rise and summer drawdown will occur due to adaptive management. The far-reaching authority of adaptive management on flow adjustments is unacceptable.

I also remind you that congressional actions are clear, there is little support for a spring rise, and all congressionally mandated purposes of the river must be maintained. Thank you for this time.

MR. MOORE: Chad Smith.

MR. SMITH: I thank Colonel Ubbelohde, I appreciate the opportunity. My name is Chad Smith, I represent a river conservation organization called American Rivers. I am based in Lincoln, Nebraska. I'm a native of Nebraska.

I thought I would instead start with a quote from a native of Iowa, in fact a former resident of Sioux City, Iowa, J.N. Ding Darling. For those of you who don't remember, Ding Darling is the father of the federal duck stamp program. Also the first director of the U.S. Fish and Wildlife Service. And in an October 1944, excuse me, December 1944 article in Outdoor Life, Ding Darling was interviewed about the Missouri River Pick-Sloan plan and said that this plan was moving

forward without the slightest attention to biological consequences.

So all the way back to 1944 a Sioux City resident pointed out that there could be some problems that people needed to consider. And unfortunately Ding Darling's worst fears have come home to roost.

Speaking of the Fish and Wildlife Service, since he was the first director, we've heard tonight some criticisms of the Fish and Wildlife Service and the science they have pulled together and the biological opinions. I would challenge anyone in this room and challenge the Corps itself to come up with a more scientifically credible document that outlines the needs of the biology of the Missouri River. As a matter of fact, the significance of that document has been confirmed by the state of Iowa itself, the state of Iowa's Department of Natural Resources, which is part of the Missouri River natural resources committee. That committee wrote a letter to the Secretary of the Interior Gail Norton last May and called the biological opinion scientifically sound and biologically justified.

We as a conservation organization working

with folks throughout the basin are now supporting the GP 2021 alternative in your document, what we are calling the flexible flow alternative. The reason we're supporting that is to stay consistent with our message. Since the biological opinions came out in support of the recommendations of the Fish and Wildlife Service, because it exists as the single-most scientifically credible document in the recommendations for improving the biological health of the Missouri River. Your own work, Colonel Ubbelohde, and the team you have assembled, on this revised EIS has come up with plenty of evidence to support making those kinds of flow changes, increased sandbar habitat, increased spawning cue for fish on the river, increased physical habitat for native fish, increased shallow water habitat. Those are just a few of the examples.

Your team has also provided evidence to show that we can make these flow changes without unduly impacting other uses of the river. We have already heard tonight that the Corps has said the impact of flood control of all the flexible alternatives included would be insignificant. It would retain 99 percent of our current shore benefits.

Farmers who are having problems now will continue to have problems, and we need to find a way to help those folks, but we're not talking about flooding thousands of acres. Just a couple of examples.

Finally let me mention the notion of increased recreation and tourism benefits. What we're talking about down here is really scraps of a river. We're talking about a ditch between Sioux City and St. Louis and a few pieces of healthy river above us. If you look at the upper Mississippi River they're generating something like 1.2 billion dollars per year in annual economic benefits. We could approach or surpass that on the Missouri River if we took the time and made the effort to make some changes.

After 12 years of analysis by your agency it's time to do something. We need to take a positive step forward. You have spent millions of our taxpayer dollars doing a tremendous job of analyzing impacts, analyzing benefits and laying them out for us, and we urge you to use your own information to make the obvious choice to sustain the long term health of the Missouri River. Thanks.

MR. MOORE: Doug Palmer.

MR. PALMER: I'll pass at this time. I'll submit written comments later.

MR. MOORE: Kevin Kuepper.

MR. KUEPPER: Good evening, Lieutenant Colonel. I'm Kevin Kuepper, general manager of Big Soo Terminal in Sioux City. We navigate on the Missouri River. We appreciate your being here tonight. We also appreciate the camaraderie that has developed between our company and our business and the Corps of Engineers, specifically the Omaha Division.

Siouxland depends on this river in terms of the its aesthetic value as a ditch, we hate to refer to it as a ditch, recreation, downstream recreation, our power plant cooling capabilities, and navigation. We will submit written comments once we have a chance and our team has had a chance to thoroughly digest the revised EIS. There is some scientific information that we want to take a closer look at.

Bottom line is we depend on this river to provide a transportation mode and an equal playing field for the agricultural livelihood of this area. As we become more competitive or have more

competition with South American countries and China who have increased their infrastructure and taken steps to become more competitive on a world market level, it is even more important that the United States does the same. We cannot support at this time any effort that would cause navigation to cease or disrupt the service at any time during the season, and we'll follow up with some comments later. Thank you.

MR. MOORE: Peter Carrels.

MR. CARRELS: Thank you for the opportunity to speak. My name is Peter Carrels. I live in Aberdeen, South Dakota. I make my living as a writer and an author writing principally about environmental history. About a year ago I was hired to work for American Rivers. My remarks do not represent American Rivers, my colleague Chad Smith can do that. I'm representing myself in this case.

On a dissatisfaction with the status quo is why we're here basically. It's why the Corps of Engineers has wrestled with the problem of managing the Missouri River, for the last 12 years they have wrestled with this problem. It takes courage and intelligence and planning to move from the status

quo progressively.

And I want to recount a story that relates to the Missouri River that addresses moving from the status quo and it deals with my home state of South Dakota. When the Pick-Sloan plan was proposed and endorsed by Congress in 1944, South Dakota was to be subjected to four large dams and reservoirs. And the citizens of my state were naturally reluctant, apprehensive about these large reservoirs that would flood hundreds of thousands of acres. The federal government proposed as a way to make South Dakotans more amenable to this a large irrigation project that Professor Davidson alluded to earlier, 750,000 acres of land in my state was proposed for irrigation under the Oahe irrigation projects. And it made the people in our state a little less reluctant to be flooded by these four major dams. And so the dams were built. And then it became time to develop the irrigation project. Lo and behold it was discovered that of the 750,000 acres that were proposed, thousands and hundreds of thousands of these acres were not irrigable.

So by the early 1970s we were talking about a 200,000-acre project. When the farmers

started investigating those 200,000 acres, they decided they didn't want the project. South Dakota's political leaders had held on stubbornly to that status quo, the Oahe irrigation project. Citizens of the state turned against it. And eventually the political leaders in our state made the right decision. They decided that because the citizens had decided that there were changes that needed to be done, that the status quo had to change as well. And in the early 1980s the Oahe irrigation project which helped make South Dakotans amenable to these four large dams and reservoirs was dropped. The status quo was changed.

And so we've got to be ready for change. Change is not always bad. The status quo is what we're dissatisfied with here. And I appreciate what the Corps of Engineers has done in the face of great adversity to try to make changes and to try to propose changes, and to deal with the many complex issues that you have to deal with.

MR. MOORE: Tony Provost.

MR. PROVOST: Good evening, everybody. My name is Tony Provost. I'm authorized by the Omaha Tribal Council of the Omaha Tribe of Nebraska and Iowa to speak on and comment

towards this EIS. Since about the mid 1600s the Omaha Tribe has been affiliated with the Missouri River to sustain life and so forth, things of that nature. But today I'm here to provide comments on congratulating the Army Corps of Engineers, the U.S. Fish and Wildlife Services, respective government to government relations, giving the tribes the opportunity to voice their opinions and comments on this EIS, and also listening to our concerns.

Through these things we foresee a lot of cooperative agreements with both tribal agencies on the government to government relations. Those will come in future meetings with the Omaha Tribal Council and the U.S. Army Corps of Engineers. So my comments tonight are just thanking them for respecting the government to government relations, respecting the Omaha Tribe of Nebraska and Iowa's comment now and in the future. Thank you.

MR. MOORE: Skip Meisner.

MR. MEISNER: Colonel and gentlemen, and audience, my name is Skip Meisner. I've been affiliated with Central for many years. We are a group that has studied the Missouri River and worked with the Corps of Engineers in a whole

variety of ways. And currently we have a committee that's made up of a variety of scientists and landowners and other interests that have provided detailed comments and recommendations on what the Corps should be doing with operations of the Missouri River, and once we are able to analyze the RDEIS we will submit additional comments to you.

We should note that Pick-Sloan plan as authorized by the Flood Control Act of 1944 ended in a project that we have today. Had we designed the project as a society we would not have designed it in the same way, but it is there. And what our job to do is to make the most of it.

Now from the Sioux City stretch in this area, the Corps has managed the river very well. Flood control, navigation, on and on, power generation. We do have some problems. The problems here mainly are caused by degradation, the lowering of the streambed as well as the surface level by over ten feet since 1954. We've had massive losses of woodlands and wetlands. Changes in your operation are not going to change very much. We need to actually create the habitat that we have lost. And we have given you and will continue to give you detailed recommendations on

how that could be accomplished.

We do note that the change is -- radical change for this area is not supported by many, many of us until it's proven that it will have the desired impact. We also have in great depth comments on some of the items in the draft RDEIS, and we will again give those to you. I think that any decision needs to be based on science and on the well-being of the users of the river, and I think we need to establish a good, solid monitoring program so that we can adequately address what any changes are in terms of the desired result. And we would suggest that we use the local scientists like at the University of South Dakota, Missouri River Institute and others in this endeavor, and we pledge our assistance to working out a solution, but we should never lose sight that the Pick-Sloan plan for its original purposes in the Sioux City area has worked very well.

MR. MOORE: Clem Hurley.

MR. HURLEY: When I turned in that card you didn't say I have to talk, you said I might be able to. I have learned something tonight. I've learned why we have such a tough river level in Sioux City this year, because that

darn Wagner from McCook Lake has been stealing it all.

I would support the Corps of Engineers, the way they have been handling the river for a long, long time, very complex, and after the year we've had again, for me to say that probably means something to you.

The guy in this room a couple years ago told me that if the Corps of Engineers would be judged, it would be by the fact that they made everybody a little mad. I don't think I've talked to a person on earth in the last several years who has been happy with the Corps of Engineers. They must be doing a dam good job. But we shouldn't be talking to you I don't think. We should be talking to I guess -- we should talk to God, but you guys are probably a little closer to the source than I am. If we don't get some snow up north, all these conversations, your good counsel and your wise decisions go for naught.

We should probably also talk to the fish and game people and American Rivers people. I'm frustrated with them from year to year because they have the same chorus our President has had the last few days, you're either with us or you're against

us. And in this case it's not true. I'm an environmentalist. I think everybody in this room is. Whether you agree with Fish and Game and American Rivers or not, we all are environmentalists. We have different issues, we have different interests.

We heard someone challenge the Corps to argue with the scientific studies about the biological studies that were done on the river. And if that were the only issue I guess it would be meaningful, but there are many, many issues on the management of this river. They're not just biological, although we all are interested in that. The people we really ought to be talking to I think are the politicians up north. And as you can probably tell already, I'm not much of a politician. But I think they jumped on the environmental band wagon and vice versa. The upstream recreational interests are trying to increase their revenue to their state at the lower river's expense. And I really truly believe that. And I think that's what's given this whole movement legs. Someone mentioned that nothing's gone on for ten years. It's because it hasn't had legs. Now it does because the politicians believe in it,

because of one main issue, and I'm going to go way off course with you here. I think eventually in the near future what they want to do is divert river water and sell it. And everybody's been very kind to everybody tonight. Maybe I'm not saying the right thing. You have given your opinion and I'm giving mine.

One thing I saw during the film that was presented early was that over the years the people's priorities have changed. I guess I'll leave you with a kind of rhetorical question. What proof other than a real vocal minority do you have that's true, that the public concerns as far as the change along the river? Thank you.

MR. MOORE: Donald Jorgenson.

MR. JORGENSON: Good night. I'm Don Jorgenson. I'm a stakeholder, I live on the Missouri River 14 miles upstream from here. I'd like to comment on a few things. There's been a lot of talk tonight about the barge industry. It's a lot more complicated than just the barge industry. And it's not about resistance to change. I think virtually every single one here is willing to change. I think everyone here is willing, is aware of the great change of habitat that the river

system has sustained to make the present Missouri River system. That's undeniable. Everyone recognizes that there is a loss of population of different wildlife. That's undeniable.

The question is what are we going to do about it. That's the question. It isn't whether we are going to change. It's whether we are willing to do something.

It is my opinion that all of the plans basically of changing the flow below Gavins Point will fail. And why do I say that? Well, one thing is the flooding of the habitat for the least turn and piping plover every third year during the mating season cannot be said other than it will be discouraging.

Obviously it is supposedly designed to scour the sandbars and make better habitat. And there are probably more creative and better ways to do this small acreage than by creating the spring rise.

I'd also like to point out that existing data does not support the supposition that was given several times tonight that a spring rise is going to provide a cue to the pallid sturgeon. As you probably know in the lower reaches of the

Missouri there is a spring rise every year. If this was the cue, the predominant cue, then there would be a large population of pallid and shovelnose sturgeon there. There isn't. So obviously the spring rise is not a cue per se.

Talking a little bit more about the pallid sturgeon. The spawning habitat for the sturgeon is nearly absent from the Missouri River. There was an extensive study by R.K. Berg of the Montana Department of Fish and Wildlife in 1981 that stated -- it was probably the best and most exhaustive study of pallid sturgeon. The bottom line of that is for five years they measured the population, they measured the temperature, they measured the flow, the spawning of the sturgeon is tied to temperature and it's basically independent of the rise in the river. Another thing that comes out that virtually all the experts on the pallid sturgeon say that you need rock, gravel and cobble as your stratum. Basically that substrate is not available in any significant degree below Gavins Point Dam. So it makes no difference if we make a flood there. That's not going to be the cue that makes the sturgeon spawn. Secondly, even if it was the cue there is the wrong substrate, they're still

not going to be. It is also observed by many biologists that the major reproduction of the pallid sturgeon and the shovelnose sturgeon is in the tributaries. The cue in the main stream has nothing to do with it.

There are many other things. One thing that kind of disturbed me tonight was, I live on the Missouri and I love it and I was told that I was living on a ditch. I guess I have no sensibilities.

There are so many negative environmental impacts that we talk about, and the largest one is degradation. Also there's impacts for summer flow. Summer flow is going to lower the river level and cut off many of the chutes that are connected. So we're going to have less connectivity. It's also going to lower the water levels in the aquifers adjacent to the Missouri at the same time, and this is going to result in higher pumping costs. It's also going to result in the wetlands being there.

So I see my time is up. I'd like to just sum up. It's not about change. There's some serious environmental impacts that have to be considered better, and let's hope that we can all agree on some sort of compromise to do better.

Thank you.

MR. MOORE: Mark Versch.

MR. VERSCH: My name is Mark Versch, and I'm representing the Winnebago Tribe of Nebraska, although I'd like to have it made known that this is not a formal statement from the council. I just wanted to mention that the tribe does not really have a preferred flow regime that they endorse, but it is important to note that the Tribe does have a number of aspirations for properties they have along the river. There are several projects that the Tribe is working on. And recently they have shared some of these ideas with the Corps. And we've enjoyed receiving input from a number of the staff and they have been very helpful, and we simply want to mention that we look forward to that in the future as these additional plans come to pass. Thank you very much.

MR. MOORE: Brian Lerohl.

MR. LEROHL: My name is Brian Lerohl, and I see this as a competition between CWCP and, oh, like GP 1528, for instance. Most of the speakers tonight haven't voiced a specific concern for a specific plan. A few did.

My interests in the Missouri are mostly

boating on the natural part of the river and hydroelectric power, because I'm a hydroelectric power consumer. Missouri and other downstream states receive massive benefits from Missouri River levees and the numerous dams to benefit navigation on the Mississippi River. Also channelization of the Missouri River through the entire state, with revetments and the wing dams and so forth on almost every linear mile.

There's already been absolutely massive amounts of money spent, federal money spent that benefits the state of Missouri already. I noted, I heard a comment earlier that the CWCP benefited hydropower, but it's actually the least beneficial to hydropower.

The plan that I support is GP 1528, which is the one that's most beneficial to hydropower. It seems to be a good compromise too because it's fairly beneficial to quite a few other things, including environmental things, with the exception of like the pallid sturgeon. In the case of fish, I guess the pallid sturgeon's loss is the walleye's gain. You can't have it both ways.

The very fact that the dams were built in the first place meant that there were going to be

changes. And the only way probably that we could ever maintain the populations of pallid sturgeons would have been if the dams had never been built in the first place. Now that they're here I guess we have to do the best we can with them.

Sedimentation was not covered too much. And I do not know which plan would affect sedimentation the most in either the natural river or the lakes. So I guess I can't comment on that either way.

They say that barge traffic is actually a duplicate resource, because if we didn't have barge traffic the railroads would pick up the slack. Supposedly barge traffic is slightly more efficient, but it's not a major problem if the railroads carried more of the traffic.

Regarding flood control, the downstream states have already received huge benefits from flood control, and the minor changes that would occur if we adapted a program like GP 1528 I'd say are a small loss compared to the benefits that they're already receiving, so I don't think they should feel too badly about that.

So to sum it up, I would say that the best compromise to provide the most advantages to the

most people in this region would probably be GP 1528 as I understand it. Thank you.

MR. MOORE: Sally Puttmann.

MS. PUTTMANN: Good evening. I would just like to say that my name is Sally Puttmann, and my tenant and I operate a diversified crop and livestock operation near Kingsley, Iowa, which is 25 miles east of Sioux City here in Woodbury County. And I also served as a district director for the board of directors for the Iowa Farm Bureau Federation. And I along with many producers along the Missouri River have participated in meetings and educational sessions over the last year to discuss options on management of the Missouri River.

The Missouri River is an important thing to Iowans and particularly to the farmers, and for many reasons. First, farmers are concerned about inland drainage and the impact it has along the river and behind the levees.

Farm Bureau has analyzed the potential impact of increased flows of the Missouri River on the economies of these counties and the numbers are astounding. Over 130,000 acres may see production losses if the flow levels are increased. This

could cost the farms in the region, and when I talk a region I'm talking about five counties from Fremont County in the very southwest corner to Monona County just south of Sioux City, and some acres in this county as well. This could cost the farmers in the region 13 million dollars. This translates into a particular economic hit to the gross regional product of five Iowa counties totaling 21 million dollars in the first year alone. And I say the first year, because if a region loses 21 million dollars in the first year from a high water loss on land, we cannot make that up, and so it snowballs, it has a snowballing effect as the years go by because there is not that much profit in agriculture that you can make up that loss which has occurred in one year's time and the next year.

Farmers are also concerned about the potential impact on navigation of the Mississippi River. Now we've heard a lot tonight about the navigation on the Missouri, but you want to remember that the Missouri River provides almost more than half of the flow of the Mississippi River. And the Mississippi River is an important route to access international markets for our

commodities. And it isn't just our commodities. It's things that come up the river that we need. You can drive down almost any road in Iowa and imagine the impact of what it would cost per acre if we limited our abilities there in the commodities markets.

Finally, Iowans are concerned about proposed changes to flows in the Missouri River because of the impact it may have on power generation. According to the Iowa DNR, 40 percent of Iowa's generating capacity comes from the Missouri River. And low flows during times of high electric usage will threaten power companies' ability to deliver a reliable supply of power and in the end the consumers pay the cost.

I have several concerns with the proposed management alternatives. And before I outline these I just want to say that Congress has clearly stated its interest in the management of the Missouri River over the past several years. It's on record in support of a balanced approach that does not make winners or losers in the Missouri River basin. The Farm Bureau is committed to a balanced management approach that addresses the multiple uses of the Missouri River and finds

workable solutions for endangered species as well as for producers and anyone else who enjoys the river.

All but one of the proposed options in the river plan includes some form of spring rise. A spring rise in May to the middle of June will not allow producers to plant corn. That ground will not dry out until July 1 or even later. And that means you just plant soybeans. And if you can't get your soybeans in in a timely fashion, only the lower counties in Iowa could harvest those without worrying that they would be caught by frost.

There is so much that needs to be said on this subject, and there has been a lot said already, but I think that we have to have a balanced approach and I think there can be winners for all of us in this approach, and we all have to work together. And I thank you for allowing us to come tonight.

MR. MOORE: David Leach.

MR. LEACH: My name is David Leach. I'm the treasurer of the Iowa Corn Growers Association, a commodity organization that represents 6,500 corn growers across Iowa.

I also farm and own ground along the

Missouri River in Mills County. Let me say at the onset that I'm not an industry, not a corporation, but rather just a farmer, someone that supports a family and a community.

Iowans should be concerned when the debate over the Missouri River is characterized as a simple problem, when the simple solution of one of these five plans is supposed to save the fish and the two birds.

Proposals to recreate the Missouri with the spring rise and split navigation season will do much more than just halt barge traffic. The spring rise and increased risk of spring flooding, even in the minutest amount affects my farm, my neighbors' and my friends'. Potentially thousands of low lying acres would be saturated, delaying or denying the farmers the opportunity to plant, especially taking fertile land out of production. This would devastate farmers if the farm economy were strong. Today when we are struggling to stay in business, a spring rise would force many of us off the land, and that's devastating news for western Iowa's small towns.

As to the size, the continued viability of Iowa's eight billion of agricultural economy is a

small price to pay to try to recreate the Missouri River of yesterday, of yesteryear.

If it means bolstering the recreational industry of neighboring states, the damage wouldn't be limited just to agriculture or just western Iowa. Otherwise the Missouri River levels would also mean increased stress on our roadway system. If you have to haul all the grain that currently travels on the Missouri in semis it would take 14,000 semis to carry the load. That doesn't even consider the amount of materials that would come the other direction, salt, fertilizer. I think it was like three dollars an acre just for my fertilizer cost.

And it also doesn't include the fact that if you do take transportation off the river, the railroad industry has no competition and therefore could raise its rates. We see that on the Mississippi River sometimes when the Mississippi River closes that rail rates go up quite a few cents, thereby impacting my farm prices.

Lower levels in the summer also mean hydroelectric power plants can't produce as much energy, thereby forcing countless Iowa communities to look elsewhere for their already overburdened

system.

Perhaps the most appropriate question is should the Corps support the state's tourism industry at the expense of long-term viability of Iowa's economy?

Simple solutions to recreate the Missouri will cause complex problems for everyone in Iowa. So as a farmer and a member of the Iowa Corn Growers Association, we do not support any plan that has increased spring flows or would also split the navigation season. Thank you.

MR. MOORE: James Farnik.

MR. FARNIK: Good evening, sir, thank you for this time. I am here to represent myself. My name is Jim Farnik. I'm from Creighton, Nebraska. My wife and I own and operate a small retail and repair business. We rent a lot and own a cabin located on the Nebraska side of the Missouri River one mile above the Bon Homme, South Dakota, county line. We also have a piece of property that borders the Niobrara River ten miles above the mouth in Knox County that is being inundated by purple loosestrife, cattails, sediment, high groundwater.

I submitted a seven-page opinion to the

Corps of Engineers of the 22-page summary preliminary revised draft environmental impact statement released in August of 1998 for public comment.

If there was ever a need for concern, the 70-mile reach between Fort Randall and Gavins Point Dam is the beneficiary of four million ton of sediment annually, with a total since closer of about 200 million ton over the past 46 years. It has destroyed over 20 miles of old Missouri River floodplain along Knox County, and about that much on the South Dakota side as well.

Statements printed in the final General Management Plan, page 77, for the Missouri National Recreational River, South Dakota, Nebraska 59-mile segment states that 76 percent of the Missouri River within the tern's range is channelized or impounded, leaving 24 percent of the habitat altered due to changes in water temperature and flow caused by dam operations.

As time goes by it is going to become more difficult to achieve project purposes and also deliver for this tern, plover and sturgeon. It is as if these species have no other alternative to nest or spawn other than within this 24 percent of

what has been designated by river watchers as one of America's most endangered rivers.

It seems unnecessary to pursue an agenda in an environment that seems to have so much inconsistency, so much instability and so much uncertainty. Disrupting business interests, barge traffic, agriculture, recreation and other interests with any of these alternatives should not even be an option.

Summer flows that get down to 25 and 21,000 cubic foot per second below Gavins Point Dam will be a disaster for many resources. Accesses, recreation and fishing, et cetera, below Fort Randall Dam will be dramatically affected because Fort Randall releases will be lower than that.

Massive sandbars exposed during the warm weather will begin to establish growth, and blowing sand in winter and summer are stopped in these growth areas. Clean nesting bars across from the Bon Homme County line that were roped off for nesting birds in 1998 have three-foot cottonwood trees growing on them today.

Sandbar growth is establishing itself for miles above that area. A river that becomes full of islands is not a healthy river.

It becomes more difficult to be positive, cooperative and participate when the agenda is in your face with the law, the acts, and the species that seem to intimidate rather than find common ground for all of us to stand on. Even though I will do no harm to these species I find it more difficult to appreciate them. On all the occasions whether it deals with designated river management plans, recreation, personal water craft or altering the flows, we must first swallow this bird or else have him rammed down our throats until we understand that he rules the roost.

Lately it is difficult to determine who the true administrators of this water control project are. Is it the Corps of Engineers, is it National Park Service, is it the U.S. Fish and Wildlife Service, powerful organizations, other interests, or is it this bird who leads the parade?

The National Environmental Policy Act and Endangered Species Act, along with other acts administered by Congress, have in my opinion tied the hands of the Corps of Engineers as well as other interests. This agency of engineers is supposed to have jurisdiction by law on the Missouri River.

The greatest elements of destruction affecting this water control project and all of its resources and its species is sediment, high groundwater and purple loosestrife.

Based on the figures taken from the 59-mile segment final general management plan for the piping plover, least tern and pallid sturgeon, these species are hardly on the brink of extinction.

The adaptive management strategy to alter the flow pattern from Gavins Point Dam every three years to monitor change and unravel this scientific uncertainty is going to require some long-term testing to establish any kind of consistency to facilitate a management approach.

In order shape an adaptive management strategy for the Missouri River basin, the Agency Coordination Team, the Missouri River Basin Association and the National Academy of Sciences, U.S. Fish and Wildlife Service and others will need to include the sediment and problems associated with it in the future. Failing to do so will result in management strategies without the ability to adapt.

Let us not burden other interests along

this river with long-term monitoring and evaluation for the sake of short-term results while ignoring the long-term consequences to this water control project.

I hope for the sake of all interests a sound decision can be established based on facts and reality. The alternatives listed in the latest 30-page summary or those in the 1998 22-page summary will have no better or greater positive impact upon the rivers and species between the 70-mile reach than the present current water control plan that's in place today. Thank you.

MR. MOORE: Kyle Harrison.

MR. HARRISON: My name is Kyle Harrison, and I'm representing Lafarge North America this evening, a worldwide leader in construction materials. I'm the manager of the Omaha cement terminal. Lafarge is strongly committed to providing high quality products and safeguarding our environment.

River transportation has been a vital link in our supply chain and the most efficient, environmentally friendly form of transportation that we can employ in our midwest and west central regions.

Lafarge North America operates a cement manufacturing facility at Sugar Creek, Missouri. From our plant we have barged cement upstream to Omaha for almost 36 years. The river has been a vital supply line for us. We are currently increasing the production capacity of our Sugar Creek plant from approximately 500,000 tons annually to over 900,000 tons in order to meet the strong consumer demand for Portland cement in the Kansas City and Omaha areas. We need to get our products to Omaha, and river transportation is the best way to do it. Our manufacturing processes also require a variety of bulk raw materials and fuel: Clay, slag, clinker, gypsum and coal to name a few. Lafarge currently transports approximately 350,000 tons of raw materials into our plant at Sugar Creek, and would like to increase this amount. These materials are transported by barge in an efficient and environmentally friendly manner. River transit also serves to keep rail and truck transportation rates more competitive, and that is good for everybody.

Lafarge North America has recently invested over $300,000 in the barges used to transport cement to Omaha. Lafarge North America

would like to invest more capital funds in the barges, unloading and loading facilities located along the Missouri River.

The Army Corps of Engineers' activities directly impacts these types of capital expenditures. It is extremely difficult to justify and to commit capital dollars to a supply chain that has a questionable future.

Utilizing the current master water control manual allows for suitable time in the navigation season to ship enough tons of cement to meet the consumer demand. Barging materials is the most cost effective way to move products. The number of miles one ton can be carried per gallon of fuel is 514 miles for barges, 59 miles for trucks and 202 miles by rail car. It takes approximately 160 trucks or 40 rail cars to move the tonnage that we get on just two barges. Trucking equal amounts of material consumes three to four times more fuel than if barged. Railing material consumes twice as much fuel. The cost savings from using the navigable waterways are passed on to the public through lower cost products used to build our cities' and towns' infrastructures, allowing for safer roads and bridges at a lower cost for

taxpayers. What's better for America? More trucks congesting roads, airborne emissions, and consuming more fuels?

MR. MOORE: Nancy Carlsen.

MS. CARLSEN: Thank you for the opportunity to comment on the draft environmental impact statement for the master water control manual. I appreciate your years of study and your attempt to manage the river with sensitivity to a wide variety of issues and concerns.

And I would like to thank the Fish and Wildlife Service for its biological opinion.

My name is Nancy Carlsen and I live in Vermillion, South Dakota. I am a fifth generation Clay and Union County resident with a BA from the University of South Dakota and a master's from Purdue in 1970. I am an abstracter and title examiner by profession.

I live along one of the two remaining stretches of the Missouri in South Dakota which would be recognized by the Arikira or by Lewis and Clark. It is a 59-mile stretch of semi-wild river bottom and riparian habitat. And I would like to speak to you today from the perspective of a lover of the remaining wildness of the Missouri River and

to focus on effects on the 59-mile stretch between Yankton and Ponca designated under the Wild and Scenic Rivers Act.

My family has a complex history with the river. A relative by marriage drowned around the turn of the last century and my grandparents feared the river. My sister was conceived during the time our dad drove truck while building the Fort Randall Dam, and he worked on land titles for the Corps of Engineers between the building of Oahe. My uncles lost many sections of ranch land to Lake Francis Case. I spent teenage summer days water skiing on Lewis and Clark and Lake Francis Case, and spent many college summer days on the white sands of the wild stretch near Elk Point. I have boated the entire Missouri in South Dakota up to Oahe. I was privileged to share a cabin for ten years near Ponderosa and, for the past three years, one near Goat Island. I canoe frequently. I have experienced the river and its wildlife in many seasons and places, and have come to understand that the river is a living entity.

But it was not until I worked on building a title plant in Union County several years ago that I really came to understand exactly what we

have done to the river in my lifetime. That understanding developed from trying to place property ownership information on maps.

In 1854 the southern boundary of the river was surveyed from the Nebraska side as the federal government continued the survey of public lands begun by Thomas Jefferson. Those surveys in Nebraska settled the lines of the sections, townships and ranges controlled by the 6th Principal Meridian. In the 1860s the federal government Land Office surveys were done from the South Dakota side, establishing the north meander line of the Missouri River along with the sections, townships and ranges controlled by the 5th Principal Meridian. The imaginary lines and monumented corners established by the Land Office surveys 150 years ago continue to this day to control the legal descriptions of land.

Of course the river didn't know that it was supposed to stay within man's legal descriptions. It continued to meander, consuming land at bends, braiding, creating sandbars and backwaters, and depositing land downriver as it went. For example, Mulberry Point is two and a half miles downriver from where it was 150 years

ago. Much land once in Nebraska is now in South Dakota and vice versa.

Huge quantities of land were moved by the Missouri as it went along its job of being a river, draining a vast part of North America's interior. Fertility of the lands was renewed by periodic overland flooding. And as the river settled back into its bed each time, things continued to change. Many sections of bottomland forest existed until recent times, as well as large areas of wetlands.

In addition to the original surveys, I have maps showing the location of various parts of the 59-mile stretch of the river from the 1880s, 1900s, 1940s, 1960s, '70s, '80s and '90s. When the maps are considered together, there emerges a clear picture of the river's natural rhythm and living movements during the 150 years since the beginning of non-Indian settlement.

Satellite photos and other aerials show the straightjacket that is channelization below Ponca and the impoundments above Gavins Point, further magnifying the magnificence of the remaining braiding and the natural movements of the 59-mile stretch.

Even in the last 50 years, controlled by

dams, bank stabilization and riprap, this reach of the river has continued to meander, gradually changing its bed, eroding some lands, accreting other lands and creating it's own still rich, though diminished, ecosystem.

I am continually amazed at the strength of the river's integrity and its ability to continue doing its job under its current restraints. But then it has thousands of years of experience of ecosystem creation.

We have less experience with the dams and channelization than the years I have been alive. What we have done can be modified as we learn the results of our actions.

I wish to speak for the alternative which will allow the closest resemblance to the river's natural flow. That must include the spring rise releases from Gavins Point, mimicking the natural drainage from snowmelt, and the lower summer flows conducive to sandbar exposure. The endangered species are harbingers of much larger ecosystem decline if we do not now change our management from one which takes into account only human benefits.

Further down the line, as siltation continues from the Niobrara, it would be good to

consider the breaching of Gavins Point Dam. More importantly, we must change our understanding to one in which this entity of the river has legal ownership rights in its own bed and floodplain. The idea of a national park begins to approach the philosophical considerations we must embrace in the 21st century. But for now, I would simply like to support alternative GP 2021 as the closest approximation of the river's natural flow, the waters to be used for ecosystem restoration as the river itself wills. Thank you.

MR. MOORE: U.S. Fish and Wildlife Service.

MR. COLLINS: Good evening. My name is Roger Collins, and I'm here this evening on behalf of the U.S. Fish and Wildlife Service out of Bismarck, North Dakota. Tonight I'd like to issue a brief statement on the revised draft environmental impact statement for the Missouri River master water control manual. I'm also here to listen to the comments in person from citizens on this important issue.

The Service has primary authority for oversight of our nation's rarest animals under the Endangered Species Act.

The Missouri River is home to the endangered pallid sturgeon and least tern and the threatened piping plover. The decline of these species tells us that the river is not healthy for its native fish and wildlife, and that there needs to be a change in its management to restore the Missouri to a more naturally functioning river system.

Through our national wildlife refuges, national fish hatcheries, ecological services offices, fisheries management assistance offices, and law enforcement offices along the Missouri River, the Service evaluates proposed projects, raises and releases millions of fish and researches the biological well-being of the river to help conserve it as a valuable natural resource. A healthy river provides wildlife habitat, supports fishing, and makes boating an attractive recreational activity.

Congress committed the federal government to preventing extinctions by requiring federal agencies to use their authorities to conserve endangered and threatened species. The Fish and Wildlife Service helps other federal agencies ensure that actions that they take do not

jeopardize the continued existence of species such as the pallid sturgeon, least tern and piping plover.

During the last 12 years our agency has been working with the U.S. Army Corps of Engineers to modernize the management of the Missouri River to help stabilize and hopefully begin to increase and recover populations of these very rare animals. This new approach was described recently in a document called the Missouri River Biological Opinion, published in November 2000.

The biological opinion looks at the river as a system and outlines the status of these rare species, the effects of the current operation on them, and a reasonable and prudent alternative to the current operation that will not jeopardize their continued existence.

With the biological opinion as a base, we will continue to work with the Corps to evaluate the six alternatives for a new master manual presented in the revised draft environmental impact statement.

Our biological opinion is based on the best available science and includes nearly 500 scientific references. In addition, we've sought

1 out six respected scientists, big river
2 specialists, who confirmed the need to address flow
3 management as well as habitat restoration.
4 Further, the Missouri River Natural Resources
5 Committee, a group comprised of the state experts
6 on Missouri River management, endorses the science
7 in the opinion.
8 If you have read the RDEIS or summary
9 document, you understand that the GP alternatives
10 encompass the range of flows identified by the
11 Service as necessary below Gavins Point Dam to keep
12 the listed species from being jeopardized. Our
13 agency and the Corps also recognized the importance
14 of some flexibility in management that would enable
15 Missouri River managers to capitalize on existing
16 water conditions to meet endangered species
17 objectives without having to go through another
18 12-year process. We believe that the Corps has
19 done a good job of outlining the impacts, or lack
20 thereof, associated with implementing these changes
21 and that they will continue to evaluate impacts
22 associated with these changes.
23 Other management changes identified in the
24 biological opinion include a spring rise out of
25 Fort Peck Dam, an improved hatchery operation to

assist declining pallid sturgeon populations, restoration of approximately 20 percent of the lost aquatic habitat in the lowest one-third of the river, intrasystem unbalancing of the three largest reservoirs, and acceptance of an adaptive management framework that would include improved overall monitoring of the river.

In closing, the Service supports the identified goal of the revised master manual, to manage the river to serve the contemporary needs of the Missouri River basin and nation.

These needs include taking steps to ensure that threatened and endangered species are protected while maintaining many other socioeconomic benefits being provided by the operation of the Missouri River dams. The Service stands behind the science used in the biological opinion and is confident that the operational changes identified in the opinion, in addition to subsequent discussions with the Corps, will ensure that these rare species continue to be a part of the Missouri River's living wildlife legacy.

The Missouri River is a tremendous river, with a significant and revered heritage. Our influence has altered the river greatly. Changes

are needed to modernize and restore health to the river, for the benefit of rare species and for people too. Thank you.

MR. MOORE: Cindy Kirkeby.

MS. KIRKEBY: I want to thank you for meeting with us today to hear our views. My name is Cindy Kirkeby. I am an attorney from Vermillion, South Dakota, the fifth generation of my family to call Clay County home. I have property on the Missouri and have floated and boated this great river since I was a child.

I am the daughter and granddaughter of dam builders. I am aware of the good intent of my father and my grandfather, and of all of the people who built these dams on the Missouri River. And I am aware of the good intent of all of you members of the Corps who are trying to manage the aftermath of their innocent exuberance.

But with all due respect, I cannot support any of the Corps' proposed alternatives. I can only support an alternative that seeks to set the river free.

Nature wrote the book on this great river, and any master plan that we can devise cannot improve on nature's comprehensive plan.

We have tried to write our own book on the river. But in our master plan, in our limited understanding, we have narrowly focused on only six categories of concern, all centered exclusively upon ourselves: Flood control, human water supply, power generation, irrigation, navigation and recreation. We have drowned and ditched the river in our efforts to protect ourselves and to promote our own interests through these six categories.

For awhile this technique appeared to work, and it appeared that we gained benefits from our master plan. But as the years have gone by, it has become increasingly obvious that the biological integrity of this great system is eroding. Most native species are in decline and some are on the verge of extinction, primarily because we have altered the life flow of the river.

We are beginning to learn that the natural flow is the life-sustaining and life-enhancing flow, and that the artificial flow is the life-depleting and, ultimately, life-threatening flow. If we begin to create a system where the artificial flow emulates to the greatest extent possible the natural flow, then we begin to reverse this destructive process. By recognizing and honoring

the elegance and inherent integrity of the natural river, we can learn to use our creative energies in a more constructive manner.

It's as though we took a beautiful human body that functioned perfectly and we decided that we could improve upon that body by altering the blood flow in favor of the six organs that we had identified as being important: The head, heart, lungs, stomach, liver and intestines. Since we didn't know enough about how the body worked to consider the needs of any other parts of the body, we simply disregarded the other parts. We surgically implanted valves where valves had never been to alter the blood's flow and to redirect it to our favored organs. And we bypassed the major arteries and implanted our own tubes to provide a direct flow of blood to our favored organs. You know, if we did something like this today people would think we were crazy. People would intuitively recognize that the health of the whole system is dependent upon the health of each of its parts, that the very existence of the head and the heart are dependent upon the well-being of the billions of cells and multiple glands and numerous organs of the whole body. For the life of the

human being, these people would demand that we return the flow to its natural flow.

I say this is what we have done to the river, one of the great arteries of this continent. We have identified six ways that we wanted the river to serve our species, and we have imposed our will relentlessly. We were given a variety and diversity, a beautiful braided river with bows and eddies, islands and sandbars, and we have created monocultures of huge dams and deep ditches. We were given abundance and we have created lack. We were given a gracious, elegant and self-perpetuating vitality, large enough for all of the life that was suited for it, and we have created troubled waters.

We built these dams and ditches with the best of intentions in the desire to make life better for ourselves and for our families.

But we forgot that we were a part of nature. We forgot the great cooperative venture of the earth, the marvelous interdependence of all living things.

And so we have dominated and controlled the river for 50 years for the benefit of only one species, human beings, and for only six purposes:

Flood control, human water supply, power generation, irrigation, navigation and recreation.

Now, thanks to the Endangered Species Act, we are required by law to manage the river for the benefit of four additional species, pallid sturgeons, piping plovers, least terns and bald eagles. But we have not yet recognized that we must manage the river for only one purpose, that is, for the well-being of all of its creatures.

As we grow in understanding, we grow in our ability to include more and more others in our calculations of who and what is important, and to see the relevance to ourselves of the well-being of others.

Nature knows her own, and knows the needs of each and provides for each. We ought to know and provide as well, if we presume to replace nature's comprehensive knowing with our own. I believe that when we start recognizing the needs of the hundreds or perhaps thousands of species in the river's complex community of interrelated life, we will finally realize that the only way that we can provide for us all is to set the river free.

I urge us to begin today to broaden our understanding and our commitment to all of life and

to model our behavior, as well as we are able to, to the splendid spontaneity and ancient order of the natural world.

MR. MOORE: William Beacom.

MR. BEACOM: Colonel, I'm glad we did a little better job of bringing the crowds out than we did up in Montana. It's William Beacom, I live right here in Sioux City about 24 blocks up north of here.

The one thing that seems to be apparent when we look through the RDEIS and the manuals and all this stuff, we have a great use of acronyms and figures and percentages. But I think the thing that we all forget is that these are very anonymous but these figures represent people. And when you put a .07, that means that maybe seven people don't get to farm their land that year, and it affects them personally. You know, the people that are on the side of the environmentalists if we want to choose up sides seem quick to write off the navigation, we'll just write it off, we'll draw a line through that one, there's no people involved, they're just the 1.76-3.

The navigation people are in a situation where if you do any of the four plans besides the

current water control plan or the MCP, it's a question of whether we disappear or starve slowly. And that's not a real good place to put ourselves.

The farmers, even though we've got nice percentage points that says overall we don't affect that many farmers, the ones you do affect you might affect them critically, so that person may not be able to make a living that year. So we don't want to deal in numbers too much.

The fisheries, really when you look at the overall picture they don't benefit that much. The tribes get hit terribly hard. They get hit on their land values. If you implement any of the plans that have the up and downs in river, there are cultural things that are affected by erosion get banged. And then they're some of the poorest people in the whole basin, and the increase in the cost of electricity are going to hit them very, very disproportionately to their ability to pay. And we're in this situation now just like we always are. We've got economic interests against environmental interests, and nobody wants to give, and solutions are out there.

The Fish and Wildlife Service was put into a real box in this one. They had to come up with a

biological opinion that essentially has to answer the question how many beans are in a jar when they don't know the size of the jar and they don't know the size of the beans. And they come up with a whole lot of nonsense. It reminds me of a fairy tale that I read my grandkids called The Emperor's New Clothes. Unless you're humble and pure of heart you can't see the threads that they're made out of. Unless you're a scientist you really can't see what the scientists are putting out there for biological opinions. And the reason you can't see it is because it makes absolutely no common sense from any standpoint.

I'll outline a couple of them. The birds, the piping plover, every third year they get flooded out. We're going to raise the water coming through the dams to create sandbars and remove vegetation. But you have to have sand to create sandbars and the water coming through the dams is hungry water, it doesn't have any sand. And every third year we put water over these same sandbars and flood out the piping plovers and the least terns that arrive in April and May and have already built their nests, so they have to renest.

We've got 80 percent more territory up

below Garrison which the birds can easily fly to if we discourage them from landing at Gavins Point, but, no, we can't do that, because then the fact that we can leverage the flow out of Gavins Point to gain control of the river by denying the lower basin states their fair share of the water wouldn't be feasible.

Now you do the same thing with the pallid sturgeon. The pallid sturgeon, yes, we've got ideal flows below Bloomville. We're going to duplicate everything below Bloomville up here. But the problem is they're not reproducing below Bloomville either.

So what have we got to deal with? We've got a lot of things to deal with that could be a problem with the pallid sturgeon. We've got temperature, as another gentleman outlined, we've got the gravel substrata, and we have the flow regime, and all of this could be a part of this cuing process. We've inadvertently stumbled on to something down at the Elizabeth Bottoms and we've been able to reproduce some sturgeon down there.

And we were talking about it last night with some of the Corps people and what we need to do is we need to pave the bottom of the mitigation

slough so they've got a place to spawn. And then they can stick their eggs to something, because there's not any gravel between the Platte River and here. And if we do that maybe we can put some clothes on the emperor that everybody can see.

MR. MOORE: Jim Wallace.

MR. WALLACE: I am James W. Wallace. I reside at 505 Ash, Lakeview Iowa, 51450. I represent the combined chapters of Iowa Audubon.

Iowa Audubon supports the best possible use of the Missouri and in Iowa tributaries to support the best reproduction of all endangered species and all other wildlife in the basin.

Fifty years of Corps management has completely destroyed the river and all of its lower tributaries on the western slope of Iowa. It is time to modify and change the river back to some of its historic streambeds in Iowa and the rest of the basin. It is time to restore not the spring flood but the historic June rise to the Missouri River basin. The plan 2021 is likely the best plan for the Missouri River basin as it now stands. Thank you.

MR. MOORE: Norma Wilson.

MS. WILSON: I just have a brief

personal statement.

I'm Norma Wilson. I am a resident of rural Vermillion and professor of English and American Indian studies at the University of South Dakota. My husband and I have lived in southeastern South Dakota for more than 20 years. Both of our children were born in South Dakota. Our family has spent many wonderful afternoons canoeing the Missouri and hiking along its banks. We especially enjoy the birds and other animals who live along the river.

My husband and I plan to remain in this area, and we are concerned about the river habitat that threatens the survival of certain species. If we are going to assume the right to control our natural environment, we are ethically bound to do so responsibly. The operation of the dams, which control the river's flow, must be changed so that the river more closely follows its natural course. Species like the pallid sturgeon and the piping plover are endangered by the current dam operations that are designed for barge traffic, which brings few economic benefits, certainly too few benefits, to balance the economic damage caused by unnatural flows.

For the benefit of our children and grandchildren and the future of our river, I urge the Corps of Engineers to implement the important change of increasing flows from Gavins Point Dam and Fort Peck Dam in the spring and reducing Gavins Point Dam's flows each summer. To do otherwise is to ignore the environmental damage that has already been caused and that will increase if we do nothing. We must act now to protect the Missouri River for human beings and other animal species.

I want to thank the Corps for accepting my testimony and for your work to conserve the life along the Missouri.

MR. MOORE: Dean Spader.

MR. SPADER: I am Dean Spader. I was reared on a farm with 16 brothers and sisters in Oldham, South Dakota. And we now have 80 grandchildren, and at last count 123 great grandchildren. So if you're counting numbers I assure that all of my family agree with what I am going to say, so all total are somewhere around 223.

I say this partly because I recall in the 1950s as a young boy flying with my father who was a flying farmer over the Missouri River down here

and seeing the flooded land. In fact we still have some of the eight millimeter film bouncing out of the plane window of our family farm plane over the entire flooded area of the Missouri River.

Now in those days we thought that was a tragedy. As I view that film now I see it as a beautiful living river. And the opposite of that, I'm speaking more from my heart than any facts, because I support, I came here with a whole set of different intents as to what to say, but I found that most of the speakers, many of the speakers prior to me have said what I intended to say factually, and I support testimony of Jim Heisinger, Jim Redmond, Chad Smith and so on.

To me watching the film of the river flooding is a living river, and I like the analogy of a living river. And then to go downstream and see the river channelized is an ugly scene for me. And I understand that some people, the gentleman earlier disliked the idea of being told he was living on a ditch. I think it's even worse than that. I think if we were to ask the Missouri River, what is your experience, if it were a living river, I think the Missouri River would say you have put me in a straightjacket. And a river in a

straightjacket is no more beautiful than a human being in a straightjacket. And controlling the river excessively is like putting a human being in a straightjacket.

We have channelized the river. I think to some extent it is an ugly dead river right now. And so the options, the minimal options that the Corps has proposed to preserve the life of the river I think is a must. Otherwise the river dies. And 50 years from now, a hundred years from now, what will our children see from our airplanes, what will the river be, and what will the species in the river be? Thank you.

MR. MOORE: Dave Branerd.

THE HEARING OFFICER: Is there anyone else who wishes to testify?

MR. KUCERA: Yes, Colonel. My name is Ron Kucera, I serve as deputy director for policy for the Missouri Department of Natural Resources. I hadn't planned to testify this evening, but a couple things did come up.

One thing during your workshop that I'm very pleased that you're providing an opportunity for citizens to experience and then a couple of things during testimony this evening, I thought I

wanted to go on the record with.

At the workshop my staff and I were trying to find out whether or not tern and plover acreage was accounted for around the reservoirs, and two of your staff responded that there was not an effort to attempt to account for terns and plovers. We believe that's a serious oversight and that the estimate of 164 acres of habitat created could end up being a number that's in error. It could be some number that's significantly lower than that in the total plan, and we think you need to take a look at that.

The other issue has to do with faulty logic applied to adaptive management, having to do with releases from the Gavins Point Dam. As one of the other speakers suggested, we already have significant spring rise on the lower Missouri River and on the Mississippi, and there's not a response from the pallid. So I think that needs to be taken into account too. That's all I have, Colonel. Thank you.

THE HEARING OFFICER: Are there any others who wish to testify?

In closing I would like to remind you that the hearing administrative record will be open

through 28 February for anyone wishing to submit written facts or electronic comments. Also if you want to be on our mailing list or receive a copy of this transcript you need to fill out one of the cards at the table available at the entrance.

If there are no further comments, this hearing is closed. Ladies and gentlemen, thank you for attending tonight and providing us with valuable information.

(Concluded, 9:50 p.m.)

* * *

REPORTER'S CERTIFICATE

I, Colin J. Campbell, Certified Shorthand Reporter, hereby certify that the foregoing was taken down by me in machine shorthand and was thereafter reduced to typewritten form; that the foregoing represents a true and complete transcript of the proceedings had in the foregoing matter.

I further certify that I am not attorney for or related to any of the parties hereto, and that I am not financially interested in this action.

To all of which I have affixed my signature this ____ day of October 2001.

_____

Colin J. Campbell, CSR
For the firm of Cassel, Inc.
705 Douglas, Suite 315
Sioux City, Iowa 51101
(712) 258-3528

REPORTER'S CERTIFICATE

I, Colin J. Campbell, Certified Shorthand Reporter, hereby certify that the foregoing was taken down by me in machine shorthand and was thereafter reduced to typewritten form; that the foregoing represents a true and complete transcript of the proceedings had in the foregoing matter.

I further certify that I am not attorney for or related to any of the parties hereto, and that I am not financially interested in this action.

To all of which I have affixed my signature this 22nd day of October 2001.

Colin J. Campbell

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