

**General Reevaluation Report  
Missouri River Levee System  
Unit L142**

**Jefferson City, Missouri**

**Appendix A**

**PUBLIC INVOLVEMENT**

**APRIL 2001**

**GENERAL REEVALUATION REPORT  
MISSOURI RIVER LEVEE SYSTEM  
UNIT L142  
JEFFERSON CITY, MISSOURI**

**APRIL 2001**

**APPENDIX A**

**COORDINATION AND PUBLIC INVOLVEMENT**

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**April 2001**

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## **Appendix A**

### **Public Involvement**

**Introduction.** This appendix documents the information and comments provided to the study team by individuals and groups not affiliated with the Corps of Engineers for the team's use in formulating and evaluating alternative solutions. The public involvement in the General Reevaluation Report was preceded by activities that collected public input for the Initial Appraisal Report completed in June 1991. We made the initial appraisal in response to a May 14, 1991, request from the City of Jefferson. The City's letter is reproduced in this appendix for ready reference. Although the Reevaluation Report continues with refinement of alternatives identified in the initial appraisal, this appendix focuses only on public involvement following the initial appraisal. Public involvement in the GRR began with a workshop meeting we sponsored jointly with the City of Jefferson on June 29, 1993. Much of the information and views captured at this workshop related to alternatives for reducing flood damage in Cedar City the relatively densely populated portion of the L-142 project area which was recently annexed by the City of Jefferson, the likely non-Federal sponsor for Unit L-142.

**Impact of the Flood of 1993 recovery effort.** The alternatives considered in the initial appraisal included structural measures to protect Cedar City. After the devastating flood of 1993, the City of Jefferson cooperated with the flood hazard mitigation program of the Federal Emergency Management Agency to accomplish the purchase and evacuation of most of the flood damageable property in the Cedar City area. With all but a few of the former Cedar City structures evacuated from the floodplain, many concerns expressed by the Cedar City community became moot. Although these concerns were valid at the time of the workshop meeting, they did not materially affect formulation of the project recommended in this GRR.

The flood hazard mitigation action impacted the General Reevaluation of MRLS Unit L142 in two significant ways. First, it removed much of the population whose residences might have

received flood protection from MRLS Unit L142. Consequently, the remainder of the study has focused on coordination with elected and appointed officials representing the public in general and the business interests that remain exposed to flood damages in the project area. The paragraphs that follow in this section describe how the participation of officials, agencies and businesses has influenced the development of the preferred plan.

The second important result of the flood hazard mitigation program was that land in the project area became encumbered with restrictive easements prohibiting structures. Some coordination in the latter part of the General Reevaluation focused directly on the interaction of these easements with the alignment of the preferred levee design and the potential sponsor's ability to meet the conditions of non-Federal sponsorship for the L142 project.

**Involvement in the GRR.** While the GRR is a fully Federally funded effort, involvement of a potential non-Federal sponsor for implementation is a key to its success. The GRR identifies a single alternative for implementation and includes a high level of design detail sufficient to support the preparation of construction plans and specifications.

To assure consensus in the design by the future cost-sharing sponsor, the focus of public involvement during much of the GRR investigations has involved technical exchanges between designers and counterpart specialists working for the City and the Missouri Highway and Transportation Department (MHTD). The exchanges with the MHTD were directed primarily at the possibility of a coordinated solution to provide flood damage reduction and improved reliability of transportation over U.S. Highway 54. Although the attempt to combine the highway and flood damage reduction works ultimately withered, the correspondence and memoranda reproduced in this appendix document that the opportunity for cost-saving was thoroughly investigated before it was abandoned.

Other issues that surfaced only to later disappear concerned the possibility of a gambling riverboat near the project and, separately, the possibility for integrating a new private levee with the Federal project. Contact with the Missouri Department of Natural Resources identified an archaeological site near the proposed levee alignment that must be further tested and evaluated if it cannot be avoided in the final levee design. Several exchanges with the City of Jefferson have identified the potential sponsor's preferences and concerns that were accommodated in the levee design when cost and engineering considerations allowed. The memoranda reproduced in this appendix with regard to levee design are detailed and are self-explanatory.

By letter dated April 14, 1998, we solicited participation of several interested agencies in a meeting held on May 5, 1998, to discuss the NED plan for Unit L142 and the remaining interagency coordination of the report and environmental statement. We contacted the U.S. Fish and Wildlife Service, Columbia Field Office, the Natural Resources Conservation Service, the Environmental Protection Agency, the Federal Aviation Administration, the Missouri Department of Conservation, the Missouri Department of Natural Resources Planning Section and Division of State Parks.

By letter dated June 4, 1998, we requested that the Natural Resources Conservation Service participate in joint coordination for wetlands inventory/delineation on agricultural lands offsite procedures. We made this request to facilitate our work in identifying affected

wetlands and achieving compliance with Section 404 of the Clean Water Act.

By letter dated June 11, 1998, we submitted Federal Aviation Administration (FAA) Form 7460-1, Notice of Proposed Construction or Alternation to the FAA Central Region. Because of the proximity of the operating Jefferson City Airport, FAA approval of construction plans is required.

By letter dated June 24, 1998, we requested formal comments regarding any significant resources that might be impacted by implementation of the preferred plan. We requested these comments from the U.S. Fish and Wildlife Service, the Missouri Department of Conservation, the Missouri Department of Natural Resources, the U.S. Environmental Protection Agency, Region VII, the FAA, and the Missouri Department of Transportation – Aviation Department.

Responding to our letter of June 24, 1998 the Missouri Department of Transportation Aviation Department cautioned in its June 25, 1998, letter that the levee construction must be planned to not interfere with operation of the Instrument Approach Landing System. The Aviation Department also suggested that the location of a mitigation wetland development would violate the FAA minimum distance of 10,000 feet from an airport serving jet aircraft. The Department recommended that we request an airspace case study from FAA.

In a letter of July 7, 1998, the Natural Resources Conservation Service, Fulton Field Office, commented that levee unit L142 would cause higher upstream flood levels and more scouring downstream, encourage more development in a flood prone area, narrow the floodway, and result in filling of a wetland south of Mokane Road resulting in changed drainage patterns over a large area and possible litigation from adjoining landowners. The Fulton Field Office recommended a non-structural alternative to the levee.

Responding to our June 24, 1998, request, the Missouri Department of Natural Resources Division of State Parks commented in a July 10, 1998, letter that any modification to the Katy Trail State Park must assure that the trail remains accessible and open to the public. The Department requested information on the reason for passing the levee alignment under Highway 54 as compared to extending the levee to the northeast to tie to the west side of Highway 54.

In a July 24, 1998 letter, the Missouri Department of Natural Resources Division of Environmental Quality commented that, if wetland areas cannot be avoided, they should be mitigated on at least an acre-for-acre basis. The Division of Environmental Quality recommended a levee scope reduced to the minimum necessary to protect existing structures coupled with acquiring as much of the project area as possible and allowing it to flood. The Division of Environmental Quality also recommended addressing cumulative impacts of Unit L142 and other activities on the Missouri River and maintaining a minimum 300-foot undisturbed corridor along the river.

By letter of July 31, 1998, the FAA indicated the preferred levee design would not exceed FAA obstruction standards and would not be a hazard to air navigation.

In a letter of September 29, 1998, The Missouri Department of Transportation Aviation Department recommended that wetland development be oriented to either emergent

marsh or forested wetland and provided other guidelines to minimize the attractiveness of the wetland to waterfowl. The Aviation Department also requested further involvement in future wetland design activities.

In a letter of January 8, 1999, the City of Jefferson provided its financing plan for the non-Federal share of the project cost.

By letter of January 11, 1999, the Mayor of Jefferson City expressed the city's continuing support for the NED plan for Unit L142 and provided a copy of a resolution passed in November by the City Council authorizing the letter of support.

In a letter of February 2, 1999, to the Natural Resource Conservation Service, Camdenton Soil Survey Office, we requested a prime and unique farmland conversion impact rating for Alternative 10a.

In a May 18, 1999, letter, the Governor of Missouri asked that the schedule for the project be speeded-up and recommended that the director of FEMA approve the erection of certain structures on deed restricted land. A November 9, 1999, letter from John A. Miller, Regional Director, FEMA Region VII, outlined the conditions for achieving an exception to allow part of the project to be constructed on deed restricted land. In a January 4, 2000, letter to the Regional Director, FEMA Region VIII, the Mayor of the City of Jefferson substantially agreed to the conditions enumerated in the Regional Director's November 9, 1999, letter. In an April 12, 2000, letter to the Director, Missouri State Emergency Management Agency, the Regional Director, FEMA Region VII, indicates acceptance of the compensatory mitigation proposed by the City of Jefferson and agreement to provide the legal instrument necessary to allow construction of a part of the levee on deed restricted property.

By a March 1, 2000, letter to the City Administrator, City of Jefferson, the Chief of the Planning and hydrologic Engineering Branch, Kansas City District requested that the City participate in developing a plan to respond to the effects of MRLS Unit 142 on the Capital View Levee District. In a 24 April, 2000, letter, the City Administrator, City of Jefferson, agreed to discuss concerns for MRLS Unit L142 with the members of the Capital View Levee District. On February 5, 2001, the Council of the City of Jefferson approved a resolution supporting and endorsing the concept of acquiring all the agricultural lands in the Capital View Levee District. The Council's approval is contingent on Federal approval and funding the MRLS Unit L142.

A public meeting on May 20, 1999, was held in conjunction with the project sponsors to present the NED/Preferred Plan. At that meeting and in correspondence received through May 31, 1999, we received comments on the NED/Preferred Plan. A tabular display of the comments and our responses to those comments follows the copies of correspondence and documents bound in this appendix.

The following is a guide to the reproduced documents.

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**Comments and Responses**  
from the  
**May 20, 1999 Public Meeting**  
on  
**Missouri River Levee System Unit L142**