

Dear Ms. Favilla:

Thank you for your remarks before the Mississippi River Commission during our public meeting held in Alton, Illinois, on August 15, 2002. In your remarks you expressed concern regarding the tardiness or lack of response to statements and questions asked at hearings and/or meetings. In addition, you also indicated that you had not received a reply to a Freedom of Information Act (FOIA) request regarding the Solid Waste Agency of Northern Cook County (SWANCC) decision and isolated wetlands. You also discussed the Upper Mississippi River-Illinois Waterway (UMR-IWW) System Navigation Study and the budget constraints on the Environmental Management Program (EMP).

Our Commission policy is to respond to all persons who made comments during our public meetings. Our records indicate you received a response dated October 12, 2001, to your presentation given at the August 17, 2001, public hearing held in St. Louis. The St. Louis District acknowledges the receipt of comments received at its public meetings relative to regulatory issues and also responds to questions that may have been requested at meetings. If you have specific instances in which you have made a comment or request and did not receive a response, please contact Ms. Julie Ziino, Executive Assistant in the St. Louis District, at (314) 331-8016 regarding the specific instance. The six Districts of the Mississippi Valley Division area strive to respond to formal questions from our local interests on all matters, or in some cases send an acknowledgement card as the response when there are no specific items that need to be answered.

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There have been two FOIA requests this past year from your organization. The first request was received in the St. Louis District on January 22, 2002. On January 29, 2002, correspondence acknowledging the request was sent to the requester. On March 26, 2002, a partial denial was issued to the requester based upon the attorney work product exemption. The requester filed an appeal on May 16, 2002. The appeal was forwarded through the chain of command on May 20, 2002. On July 10, 2002, the Mississippi Valley Division directed the St. Louis District to release the documents, and they were released on August 19, 2002.

The second request was received on May 20, 2002. On May 28, 2002, the St. Louis District placed a telephone call to the requester for more information because the request appeared to be a duplicate of the first request. The requester clarified the request and indicated that it was for any permits or applications that were issued/accepted since the SWANCC decision on Corps jurisdiction on wetlands. On August 23, 2002, the District contacted the requester to go over the list and asked the requester to further clarify or perhaps narrow down the request. The District has recently followed up with an additional request for clarification and is awaiting a response. The District's goal is to avoid a duplication of the previous request. Therefore, it is suggested that a response to the District's letter will enable an agreement to be reached on the exact scope of your request.

The UMR-IWW System Navigation Study has been restructured to give equal consideration of fish and wildlife resources and navigation improvement planning consistent with recommendations from the National Research Council and the Federal Principals Group. The restructured study will ensure the UMR-IWW system continues to be a nationally significant ecosystem and a nationally significant commercial navigation system as designated by Congress. The restructured study will address the navigation efficiency needs of the UMR-IWW, the ongoing cumulative effects of navigation, and the ecosystem restoration needs with a goal of attaining an environmentally sustainable navigation system. The full economic and environmental evaluations necessary to support a potential recommendation for construction of navigation improvements and implementation of ecosystem restoration measures will be completed by October 2003. These potential plans will be presented at a series of

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public meetings beginning in October 2003 to gain public input prior to making a final recommendation. The final feasibility report is currently scheduled for completion in 2004. For more information and details concerning the UMR-IWW System Navigation Study, please refer to the Rock Island District website:  
<http://www2.mvr.usace.army.mil/umr-iwwsns/>.

We understand your concerns regarding the budget constraints of the Environmental Management Program. The U.S. Army Corps of Engineers recognizes the need for sustained EMP funding, but the Administration's budget constraints affect all

programs. The Corps, in its management of EMP, recognizes the need to investigate alternative solutions to habitat restoration and enhancement projects. The majority of projects within the St. Louis District strive for a balance of structural and non-structural solutions. The program promotes completeness, efficiency, effectiveness, and acceptability in our planning, design, and construction of EMP projects. The use of structural designs and well-coordinated native plantings and forest management plans ensures a diversity of solutions that hopefully meets the goals and objectives of these projects. The EMP staff at St. Louis District will continue to collaborate with our state and Federal sponsors on specific projects and will work with nonprofit organizations such as the Sierra Club and the general public to maximize regional understanding and support for the program.

Balancing the flood control, navigation, and environmental needs within the Mississippi Valley remains a challenge. Your continued input is invaluable to the Corps' ability to meet this challenge. The Commission appreciates receiving your views and will be pleased to hear from you at our future public meetings.

Sincerely,

Don T. Riley  
Brigadier General, U.S. Army  
President Designee, Mississippi  
River Commission