



MISSOURI
DEPARTMENT OF
NATURAL RESOURCES

Michael L. Parson
Governor

Dru Buntin
Director

May 3, 2024

Colonel Travis J. Rayfield
Commander and District Army Engineer
Department of the Army
Corps of Engineers, Kansas City District
635 Federal Building
601 E. 12th Street
Kansas City, MO 64106-2824

RE: Section 216 of the Water Resources Development Act of 2020, Lower and Upper Missouri River Comprehensive Flood Protection

Dear Colonel Rayfield:

The Missouri Department of Natural Resources (department) supports the United States Army Corps of Engineers' (USACE) in pursuing a Lower Missouri River Basin spin-off study in the metropolitan area of St. Joseph, Missouri under Section 216 of the Water Resources Development Act (WRDA) 2020. We request that the study area include areas protected by a federal levee system constructed in the mid-1960s, consisting of two separate units, described as follows:

Unit R471-460 is located on the right bank of the Missouri River and protects the cities of Elwood and Wathena, Kansas, as well as the Rosecrans Memorial Airport and Missouri Air National Guard facilities. Unit L-455 is located on the left bank of the Missouri River and protects portions of the City of St. Joseph. Both units also protect significant agricultural property and unincorporated areas. Both units are part of the Missouri River Levee System authorized by the 1944 Flood Control Act.

Section 216 of the WRDA 2020 authorized and expanded the initial feasibility study, the Lower Missouri River (LMR) Study, to a broader lower basin effort of a system evaluation over 735 Missouri River miles from Sioux City, Iowa, to the mouth near St. Louis, Missouri. In partnership with Missouri, Kansas, Iowa, and Nebraska, the study coordinates with state agencies, Tribes, stakeholders, levee districts, other agencies, and the public to create a roadmap for a more resilient future for the Lower Missouri River, with a focus on flood risk management.

The Section 216 authority additionally allows for site-specific feasibility studies (spin-off studies) in priority flood risk areas to begin the feasibility study phase prior to completion of the LMR Study. Initial sites selected for further evaluation in a spin-off study include Holt County, Brunswick, and Jefferson City in Missouri. The Implementation Guidance for Section 216 of the WRDA of 2020 – Lower and Upper Missouri River Comprehensive Flood Protection (IG) states that, upon the written request of a non-federal interest, spin-off studies may be initiated at any time during the LMR Study or after completion of the LMR system study. The IG further states that, per Section 216(a), spin-off



studies associated with the LMR Study shall be considered continuations of the LMR Study and will not require new start approval to initiate. In accordance with the Section 216 authority and its respective Implementation Guidance, the department requests to initiate a spin-off study in the vicinity of St. Joseph, Missouri (as described above).

The department understands that spin-off studies will require a non-federal sponsor, and are to be cost shared at 50 percent federal and 50 percent non-federal cost. The department supports participating as a sponsor in partnership with the USACE and will seek non-federal funding support from the Missouri Legislature through the Missouri Flood Resiliency Program for FY 2026.

The department also notes that the IG directs USACE to rely on existing data and analysis to the extent practicable. In recognition of the local sponsors' and community's decades-long commitment to achieving a federal levee system that provides the design level of flood damage reduction, the department respectfully requests that the extensive work that has already been completed through federally and locally funded partnerships, resulting in the MRLS R471-460 and L455 Feasibility Report and Environmental Assessment Report dated September 2006, serve as the baseline for a streamlined spin-off study that is similar to the USACE "Post Authorization Change Report" process. The department recognizes that further analyses in this area may be needed to understand potential impacts to adjacent levee systems and to perform required National Environmental Policy Act documentation and public engagement processes. However, given the fact that the feasibility study was completed in the recent past under USACE authorization, and significant non-federal funding has already supported the processes typical to feasibility/spin-off studies, the department supports use of existing data to inform this proposed spin-off study.

Finally, the department requests that USACE consider alternate authorities (e.g., the existing authority for this area, Post Authorization Change, or an authority that allows for project or facility modification to account for conditions expected at a future date) that could be utilized instead of the above proposal, if an alternate authority could result in a more expedient update to the Feasibility Study and its associated implementation. If such an authority is available, the department would appreciate being notified of that option.

We appreciate the efforts of USACE to partner with us to improve flood resiliency in the Lower Missouri River Basin. Thank you for your commitment to restoring Missouri's natural resources. If you have any questions, please contact Chris Wieberg at chris.wieberg@dnr.mo.gov or by phone at 573-751-1403.

Sincerely,

A handwritten signature in black ink, appearing to read "Dru Buntin". The signature is fluid and cursive, with the first name "Dru" and last name "Buntin" clearly distinguishable.

Dru Buntin
Director