DEPARTMENT OF THE ARMY
MOBILE DISTRICT, CORPS OF ENGINEERS
P.O. BOX 2288
MOBILE, AL 36628-0001

REPLY TO
ATTENTION OF

OCT 15 2008

Inland Environmental Team
Planning and Environmental Division

Principal Chief Chadwick Smith
Cherokee Nation of Oklahoma
Post Office Box 948
Tahlequah, Oklahoma 74465

Dear Principal Chief Smith:

The U.S. Army Corps of Engineers (Corps), Mobile District, is initiating the scoping process for the preparation of an Environmental Impact Statement (EIS), as required by the National Environmental Policy Act (NEPA), for the implementation of proposed updates to the Corps' Water Control Manuals (WCM) for management throughout the Alabama-Coosa-Tallapoosa (ACT) and Apalachicola-Chattahoochee-Flint (ACF) River Basins. The ACT River Basin is located in Georgia and Alabama. The Notice of Intent (NOI) to prepare the EIS for the ACT action was published in the *Federal Register* on November 9, 2007, and a notice identifying the dates and locations for four public scoping meetings was published in the Federal Register on August 22, 2008. The ACF River Basin is located in Alabama, Florida, and Georgia. The NOI to prepare the EIS for the ACF action was published in the *Federal Register* on February 22, 2008, and a notice identifying the dates and locations for five public scoping meetings was published in the *Federal Register* on September 19, 2008.

The study areas of environmental concern are located throughout both the ACT and the ACF River Basins and include federally-owned reservoirs, locks, dams and waterways maintained and operated by the Corps and dams and reservoirs owned and operated by the Alabama Power Company and Georgia Power Company. Each EIS will address current operations and any changes in water management operations at the reservoir projects, as well as potential impacts throughout each basin which would result from implementation of the procedures identified in the updated manuals. The EISs and WCM updates will bring to light any potentially significant impacts associated with proposed updates to the manuals; discuss limitations of, or gaps in existing data sets; consider possible alternatives to the proposed action; and identify updated tools that could assist the Corps in evaluating impacts to the human and natural environment resulting from implementation of the proposed action and alternatives.

The Corps respectfully requests the participation of federally-recognized tribes in preparing both EISs and manual updates. The Corps has tried in earnest to send this correspondence to all appropriate officials within each federally-recognized tribe within the ACT and ACF River Basins, and requests that recipients of this letter direct it to additional tribal officials, as appropriate and particularly those with responsibility for environmental and natural resource concerns.

The Corps would like to hold a meeting to address tribal concerns if so desired by the federally-recognized tribes. Please let the Corps representative shown below know if your tribal government desires to engage in further government–to–government consultation regarding the EIS's for the ACT and ACF River Basin WCM updates. The Corps recommends holding the meeting on November 13, 2008 from 9:00 am to 4:00 pm CST, at the Five Rivers-Alabama's Delta Resource Center in Spanish Fort, Alabama, located just east of Mobile, Alabama on the Mobile Bay Causeway (http://www.outdooralabama.com/outdoor-adventures/5rivers/).

The Corps looks forward to working with you on this project. Please reply with any questions, comments, or desire to participate in the meeting to Mr. Thomas Birchett, Archeologist, Planning and Environmental Division at (251) 694-4107, or email *thomas.c.birchett@usace.army.mil*. Thank you for your time.

Sincerely,

N Jason Payne
FOR Byron G. Jorns
Colonel, Corps of Engineers
District Commander