APPENDIX 5

COORDINATION

YAZOO BACKWATER AREA REFORMULATION

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LIST OF ATTACHMENTS

YAZOO BACKWATER AREA REFORMULATION

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INTRODUCTION

1. Intense coordination activities were undertaken by the U.S. Army Corps of Engineers, Vicksburg District, during the conduct of the Yazoo Backwater Area Reformulation study. The following list of items reflects the chronology of events related to this endeavor. Appropriate exhibits are included to illustrate selected significant correspondence and occurrences. However, this is not a comprehensive list of all coordination, contacts, and interaction accomplished during this study.

2. At the direction of the Mississippi River Commission, the Vicksburg District undertook even a more aggressive public involvement program in 1997, whereby three facilitated workshops were conducted to identify measures/features to meet the environmental needs within the Backwater area consistent with flood damage reduction. Their goal was to bring local and national environmental groups, state and Federal agencies, local sponsors, and local landowners together to reach a consensus regarding the environmental needs and implementable measures/features to be included in the recommended plan. These meetings along with others resulted in the second array of alternatives shown in the Main Report. These meetings concluded in late 1997.

3. During 1998, coordination continued between the Mississippi River Commission, the Vicksburg District, the U.S. Fish and Wildlife Service, the Environmental Protection Agency, local sponsors, and other concerned groups and individuals.

4. In 1999, the Mississippi Levee Board requested the Vicksburg District delay the draft report 3 to 6 months to allow time to gain consensus for an alternative that would provide flood protection to the South Delta and enhance the environmental resources of the area. This consensus committee met numerous times in 1999 and was comprised of local and national environmental groups, state and Federal agencies, and local economic groups. This coordination is summarized in Attachment 1.

CHRONOLOGICAL LIST OF EVENTS

5. The following is a list of chronological events related to coordination.

a. Scoping meeting held in Rolling Fork, Mississippi, 30 November 1993.

b. Letter from John Phillips to Vicksburg District, 15 December 1993, giving support for the pumps at Steele Bayou.

c. Letter from Claiborne Adcock to Vicksburg District, 2 January 1994, requesting flood relief from headwater flooding along the Sunflower River.

d. Letter from U.S. Forest Service to Vicksburg District, 10 January 1994, requesting additional information on impacts a project might have on the Delta National Forest.

e. Letter from Mississippi Department of Wildlife, Fisheries and Parks to Vicksburg District, 14 January 1994, expressing concerns the project impacts might have on the fisheries in the area.

f. Letter from Board of Mississippi Levee Commissioners to Vicksburg District, 4 December 1996, requesting the Corps discontinue further review of the levee alternative as part of the Yazoo Backwater project.

g. Letter from Mississippi Wildlife Federation to President, Mississippi River Commission, 28 April 1997, requesting the Corps delay facilitated meetings on Yazoo Backwater pumps project until a Draft Environmental Impact Statement can be distributed.

h. Outline of facilitated environmental workshops.

i. Letter from Solutions, Inc., to various Federal, state, and local agencies and environmental groups.

j. List of participants for workshop no. 1, 6 May 1997.

k. Letter from Vicksburg District to various Federal, state, local agencies, and environmental groups, providing information packets requested at the workshops.

l. Letter to Environmental Protection Agency from Vicksburg District, 21 May 1997, accepting a request from the Environmental Protection Agency to brief the project in Atlanta.

m. Letter to Vicksburg District from U.S. Fish and Wildlife Service, 27 May 1997, requesting they be involved more in the planning process of the Yazoo Backwater reformulation study.

n. Summary from workshop no. 3 held in Vicksburg on 29 May 1997.

o. Letter from Delta Land Trust to Vicksburg District, 12 June 1997, commenting on workshops and information packets.

p. Letter from Vicksburg District to various Federal, state, local agencies, and environmental groups, 8 July 1997, inviting them to briefings and discussions on the Yazoo Backwater reformulation.

q. Letters from Environmental Protection Agency to Vicksburg District, 14 July 1997, inviting the Corps to attend meeting with Environmental Protection Agency and U.S. Fish and Wildlife Service to discuss nonstructural strategy for flood damage reduction in the Yazoo Backwater Area.

r. Meeting agenda and attendees list for 7 August 1997 Yazoo Backwater Area reformulation meeting.

s. Letter from Board of Mississippi Levee Commissioners to Vicksburg District, 10 October 1997, requesting representatives from Department of Environmental Quality and the Department of Wildlife, Fisheries and Parks be added to the evaluation team.

t. Agenda for 23 October 1997 nonstructural economic analysis meeting.

u. Letter from Vicksburg District to Delta Land Trust, 28 October 1997, scheduling a meeting with Delta Land Trust on 5 November 1997 to discuss nonstructural approach flood damage reduction.

v. Letter from Board of Mississippi Levee Commissioners to Vicksburg District, 21 November 1997, expressing concerns on damages considered to catfish industry in the economic analysis of the Yazoo Backwater Area reformulation.

w. Letter from Delta Land Trust to Vicksburg District, 19 February 1998, discussing agricultural intensification benefits.

x. Yazoo Backwater meeting agenda, 7 July 1998.

y. Letter from Delta Council to U.S. Senator Trent Lott, providing letters from Vicksburg District and Environmental Protection Agency.

z. Agendas for Yazoo Backwater Area reformulation meetings held 31 August, 4 September, 21 September, and 9 December 1998.

aa. Letter from Board of Mississippi Levee Commissioners to Vicksburg District, 18 March 1998, requesting the Corps delay the draft report 3 to 6 months and inviting the Corps to the initial "consensus meeting."

bb. Letter from U.S. Fish and Wildlife Service to Vicksburg District, 22 March 1999, discussing different combined structural/nonstructural plans.

cc. Letter from Vicksburg District to U.S. Fish and Wildlife Service, 26 April 1999, responding to U.S. Fish and Wildlife Service's letter of 22 March 1999, discussing different combined structural/nonstructural plans.

dd. Letter from Earthjustice Legal Defense Fund to Vicksburg District, 20 July 1999, raising concerns of the proposed Yazoo Backwater reformulation project.

ee. Fish and Wildlife Coordination Act - Planning Aid Report on the Yazoo Backwater Area Project, September 1999.

ff. Memorandum for Commander, Mississippi Valley Division, 4 January 2000, subject: Yazoo Backwater Project, MS - Nonstructural Measures, from Deputy Commander for Civil Works.

DEPARTMENT OF THE ARMY
VICKSBURG DISTRICT, CORPS OF ENGINEERS
VICKSBURG, MISSISSIPPI 39180

Scoping Meeting
on
Yazoo Backwater Area

Carson Seale Vocational Center
Rolling Fork, Mississippi 39159
30 November 1993

PRESENT:

CORPS OF ENGINEERS:

VICKSBURG DISTRICT:

Mr. William B. Hobgood, Chief, Planning Division
Mr. Rogers C. Turner, Planning Division
Mr. Marty Garton, Planning Division
Mr. Jim Chandler, Planning Division
Mr. Steve Reed, Planning Division
Mr. Gary Young, Planning Division
Mr. Michael Logue, Public Affairs Office
Mrs. Patty K. Elliott, Public Affairs Office
Mr. Johnny Sanders, Programs and Project Management Division
Mr. Bob Fitzgerald, Engineering Division
Mr. Tommy Shelton, Programs and Project Management Division
Mr. Charles "Flash" Gordon, Greenville Project Office
Mrs. Jeannine Beatty, Planning Division
Mrs. Bobbie Hall, Planning Division
Mrs. Myra Dean, Planning Division
Mrs. Penney Mattingly, Planning Division

PRESENT ALSO:

Mr. Claiborne D. Adcock, Bonnie Farms, P.O. Box 177, Holly Bluff, Mississippi 39088
Mr. Luther Alexander, P.O. Box 1035, Greenville, Mississippi 38701
Mr. Murry Alexander, Mississippi Levee Board, 1200 Kirk Circle, Greenville, Mississippi 38701
Mr. Jeremiah Blackwell, General Delivery, Mayersville, Mississippi 39113
Mr. Don Brazil, Mississippi Department of Wildlife, Fisheries and Parks, P.O. Box 378, Redwood, Mississippi 39156

Mr. Charley Bridges, ASCS - Sharkey County, 406 Highway 61 North, Rolling Fork, Mississippi 39159
Mr. Rod Brown, RKB Farms, Route 1, Box 30, Anguilla, Mississippi 38721
Mr. Bill Canty, Senator Trent Lott's Office, P.O. Box 1474, Oxford, Mississippi 38655
Mr. James R. Carter, P.O. Box 458, Rolling Fork, Mississippi 39159
Ms. Kathleen H. Carter, 604 Race Street, Rolling Fork, Mississippi 39159

Mr. Laurance Carter, Carter Farms, P.O. Box 458, Rolling Fork, Mississippi 39159
Mr. Rives C. Carter, Mississippi Levee Board, 109 Highway 61 South, Rolling Fork, Mississippi 39159
Mr. G. W. Catledge, Route 2, Box 248, Rolling Fork, Mississippi 39159
Mr. Nick Chandler, Levee Boards' Consultant, Swiftown, Mississippi 38959
Mr. W. H. Clinkscales, Delta City, Mississippi 39061

Melanie and Crawford Dean, WABG-TV, 849 Washington Avenue, Greenville, Mississippi 38701
Mr. Hayes Dent, Office of the Governor, P.O. Box 139, Jackson, Mississippi 39205
Mr. Daniel Duckworth, 806 Highway 61 North, Rolling Fork, Mississippi 39159
Mr. John M. Duffey, 700 Walnut Street, Rolling Fork, Mississippi 39159
Mr. Bobby Edwards, Mississippi Forestry Commission, P.O. Box 190, Rolling Fork, Mississippi 39159

Mr. King T. Evans, P.O. Box 49, Anguilla, Mississippi 38721
Mr. Ed Hackett, Soil Conservation Service, Suite 1321 Federal Building, 100 Capitol Street, Jackson, Mississippi 39269
Mr. M. H. Heath, Route 2, Box 246, Rolling Fork, Mississippi 39159
Mr. Ronald E. Heath, 4510 Highway 80, Vicksburg, Mississippi 39180
Mr. Gene Hodnett, Route 1, Box 173, Anguilla, Mississippi 38721

Mr. Rex Hollingsworth, Mississippi Department of Economic and Commercial Development, P.O. Box 849, Jackson, Mississippi 39205
Mr. Jimmy Huff, Holly Bluff, Mississippi 39088
Mr. Roger Jones, Roger Jones Farm, Route 1, Box 173-B, Anguilla, Mississippi 38721
Mr. Roger L. Jones, The Nature Conservancy, P.O. Box 1028, Jackson, Mississippi 39215
Mr. David Lee King, Route 1, Box 174, Anguilla, Mississippi 38721

Mr. Garry Lucas, Mississippi Department of Wildlife, Fisheries and Parks, P.O. Box 3324/DSU, Cleveland, Mississippi 38733
Mr. H. E. Martin, P.O. Box 27, Cary, Mississippi 39054
Mr. Jamie McGowin, Washington County Board of Supervisors, P.O. Box 309, Greenville, Mississippi 38702
Mr. John L. McPherson, 701 Walnut, Rolling Fork, Mississippi 39159
Mr. Mike McPherson, 282 Marilyn Drive, Pearl, Mississippi 39208

Mr. Allan J. Mueller, U.S. Fish and Wildlife Service, 900 Clay Street, Vicksburg, Mississippi 39180
Mr. Wayne Nuckolls, Agricultural Representative of Congressman Thompson's Office, Route 2, Box 392, Rolling Fork, Mississippi 39159
Mr. J. R. Nunnery, Jr., P.O. Box 427, Hollandale, Mississippi 38748
Mr. Ken Quackenbush, U.S. Fish and Wildlife Service, 900 Clay Street, Room 235, Vicksburg, Mississippi 39180
Mr. Eldon Screws, Ola Farms, P.O. Box 127, Holly Bluff, Mississippi 39088

Mr. Robert Seyfarth, Mississippi Department of Environmental Quality, P.O. Box 10385, Jackson, Mississippi 39289-0385
Mr. Charles E. Shannon, 1114 Calhoun Avenue, Yazoo City, Mississippi 39194
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Mr. Frank P. Stuart, Jr., P.O. Box 58, Cary, Mississippi 39054
Mr.Charles Tindall, Jr., Board of Levee Commissioners, P.O. Box 918, Greenville, Mississippi 38701

Mr. John Tindall, Mississippi Department of Wildlife, Fisheries and Parks, P.O. Box 451, Jackson, Mississippi 39205
Mr. Bill Tomlinson, Mississippi Wildlife Federation, P.O. Box 1814, Jackson, Mississippi 39215-1814
Mr. Tommy Walker, MFC, 400 Locust Street, Rolling Fork, Mississippi 39159
Mr. Jim Wanamaker, Mississippi Levee Board, P.O. Box 637, Greenville, Mississippi 38701
Mr. Ken Weiland, Yazoo-Mississippi Delta Levee Board, P.O. Box 610, Clarksdale, Mississippi 38614

Mr. Anthony White, 600 South Parkway, Rolling Fork, Mississippi 39159
Mr. K. Van Wilson, U.S. Geological Survey, Water Resources Division, 100 West Capitol Street, Suite 710, Jackson, Mississippi 39269
Mr. Waye Windham, Windham Farms, Inc., Route 2, Box 518, Rolling Fork, Mississippi 39159
Mr. Alvin Womak, U.S. Department of Agriculture, Forest Service, 402 Highway 61 North, Rolling Fork, Mississippi 39159
Mr. Torrey S. Wood, Torrey Wood and Son, P.O. Box 427, Hollandale, Mississippi 38748

WXVT - Channel 15 (2 representatives)

MR. GARY YOUNG: Good evening. My name is Gary Young. I am a biologist with the U.S. Army Corps of Engineers in Vicksburg. I would like to welcome everyone to this scoping meeting for the Yazoo Backwater Area Project.

Before we get started with the presentations and the scoping meeting, I would like to take some time out to thank some individuals who helped us set up and provided the facilities here--Mr. Tankson and Mr. Stevenson from the Vocational Center. They are in the back. They did a super job of helping us set this up and providing the facilities. I would like to thank Mr. Grayson who is with the school district for helping us out, also.

I would like to do one other thing at this time and that is to introduce some public officials who have taken some time out of their busy schedules to be with us here tonight. If you would as I call you name, please stand up and be recognized. From Senator Trent Lott's office, we have Mr. Bill Canty. From Representative Bennie Thompson's office, we have Mr. Wayne Nuckolls. It is nice to have them with us tonight.

The scoping process is the key to preparing a concise Environmental Impact Statement (EIS) and also allows us to identify the critical issues that need to be analyzed in depth. The handout on scoping, which you should have picked up as you signed in tonight, gives a detailed explanation of exactly what scoping is all about. I will touch on it a little bit in my presentation a little later on.

I would like to emphasize at this point that the primary purpose of this meeting tonight is to gather public input to help us, the Corps, better define exactly what the significant environmental issues are and the ones we need to be analyzing in depth. If we keep that in mind as the meeting goes on, I think it will help everyone out.

We will begin tonight's meeting with a presentation by the study manager who will talk a little bit about the study process. After that, we will have some remarks from the local sponsor and our cooperating agencies. I will give a very brief presentation on the environmental attributes of the study area and, like I said before, a little bit about the scoping process.

After all that is done, we are going to allow you the opportunity to provide input, suggestions, or ideas about what you think are some of the environmental studies we might need to consider as part of this process; any kind of significant resources you think we may have overlooked or you believe is important; and any kind of issues you think we need to be looking at in depth.

At this time, I would like to introduce Mr. Marty Garton who is the study manager. He will give a presentation on the study process.

MR. MARTY GARTON: Thanks, Gary. Tonight I would like to talk a little bit about the history of flood control in the Backwater Area. I want to talk a little bit about the studies that we now envision doing and, also, about our study schedule.

I would like to mention first that we are just beginning this process. We started on our Backwater reformulation only this past July so we are in the front end of this. We are not going to have a lot of details to talk to you about tonight, but we are soliciting your input at the front end of our study process to help us out.

If you are familiar with the reformulation efforts that are ongoing now in the Yazoo Basin, you probably know about Steele Bayou and Upper Yazoo Projects. Well, this is the third phase in that overall reformulation effort. We are going to be using exactly the same approach that you may be familiar with that was used with those other two study efforts.

SLIDE 1

The purpose of our reformulation efforts will be to take a look at the Backwater Area, see what the problems and needs are from the water resources standpoint, develop what we think is the best plan for meeting those needs, and then determine if it is economically feasible. Now, in our planning process today, flood damage reduction and the environment are coequal planning objectives.

SLIDE 2

Now, the Backwater Area is shown on this slide and is located immediately north of Vicksburg and extends from the backwater levee to the vicinity of Belzoni--that is about 60 miles--and then it is bounded on the west by the main line Mississippi levees and the hill line on the east. This area you see highlighted here encompasses about 700,000 acres. The majority of the land within our study area is cleared land. However, there are some significant wooded lands in the area. There are approximately 130,000 acres that are public lands that are dedicated to woodland uses.

SLIDE 3

The Federal Government has had a long involvement in the Backwater Area, as you can see by this slide. As a matter of fact, it has extended over 50 years. The first authorization for flood control in the basin was in 1941. Since that original authorization, as you can see on this slide, we have had numerous changes in amendments to that original plan as authorized. They impact both the flood control measures as well as the environmental areas. The latest evaluation we have had in the Backwater Area was done in 1982 in which we did a review of the pumping plant feature of the Backwater Project. Another significant event you see on this slide is the Water Resources Development Act that was passed in 1986, and I will talk about that a little later as well as that 1982 report.

SLIDE 4

Over the years, it has evolved to where we have broken the Backwater Area down into five subareas. They are the Yazoo Area, the Carter Area, the Rocky Bayou Area, the Satartia Area, and the Satartia Extension Area. The features you see in black are those that have been completed. Those you see in green are those that are currently authorized, but construction has not started. Now, the completed features include about 27 miles of levee connecting the main line Mississippi River levees up to the right bank levees along the lower auxiliary channel. You also have the structured Muddy Bayou or Eagle Lake. You have a drainage structure at Steele Bayou. You have a drainage structure at the Little Sunflower River. You also have the Satartia Area levee along with its gravity drainage structure.

Now, the authorized features for which we have not started construction are the Rocky Bayou Area where we would be looking at the existing local levee--it is authorized to a higher grade and higher section. Then there is an authorized levee on the east of what we call the Carter Area that extends from the left bank of the Lower Auxiliary Channel levee along the right bank of the Yazoo River up to the vicinity of Yazoo City where it would tie into the Yazoo Headwater Project levee.

SLIDE 5

We also have mitigation features that are authorized and have been implemented for the Backwater Area. They include the structure at Muddy Bayou or Eagle Lake. We have constructed four greentree reservoirs on Delta National Forest along with five slough control structures. Then we have the Lake George Wildlife Wetland Restoration Project which includes about 8,800 acres of frequently flooded clear lands the Corps has acquired and is now reforesting.

SLIDE 6

When we talk about our Reformulation Study, we first took a look at the Satartia Extension Area. Back in 1962, the Corps did a study in which it turned out that this area, when you look at the relationship with the area protected to the cost, did not meet the feasibility test. We do not think anything has really changed from that original finding, and we do not propose to do any reformulation efforts in that area.

If you move upstream a little bit and look at the Satartia Area, you can see those features are complete and are in place so we are not going to look any further there as well.

Now, when you look up a little further at the Rocky Bayou Area at that authorized work, we do not plan to do any reevaluation efforts either because we have recent communications from the Rocky Bayou Levee and Drainage District that says that they are not interested in participating as a project sponsor in that area. So we are not going to do any reformulation in that area.

If you cross the river from the Rocky Bayou Area, you will see the Carter Area. Over the last several years, there has been a big dedication of lands within that area to environmental purposes. About 22,000 acres, as a matter of fact, have been acquired and dedicated to environmental uses. Because of this trend, we, at this time, do not propose to look at any reformulation efforts for that area or authorized project as well.

So that really leaves us concentrating on one area and that is the Yazoo Area.

SLIDE 7

Now, as I mentioned earlier, the last study that we did in that area was in 1982. This is the result of that study. The study recommended the construction of a pumping station with 17,500 cubic feet per second (cfs) capacity. It had two operating criteria for the pump. During the cropping season, the pumps would not be turned on until the interior ponding elevation reached 80 feet, National Geodetic Vertical Datum (NGVD). However, during the winter waterfowl season of December to March, we would let that interior ponding elevation rise to 85 feet, NGVD, before we turned the pumps on.

It also had recommended with it the acquisition of 6,500 acres of land for mitigation of the adverse environmental impacts. This project, at that time, cost approximately $147 million. It returned about $19.5 million annually in benefits, and the ratio

of those benefits to the annualized first cost was 1.3. In other words, for every $1 we invested in cost we got $1.30 back.

SLIDE 8

In the Yazoo Area, we are going to be looking at two categories of measures. One of them are structural measures, as we call it, and the other would be nonstructural measures. We really are looking at two structural measures. One of them is a pumping station and the other one, in lieu of a pumping station, would be a levee system along the Big and Little Sunflower Rivers. The nonstructural alternative would include things like floodproofing of structures, possibly the evacuation of structures, or maybe the acquisition of land in title or easement that is subject to frequent flooding. All of these alternatives would be compared in terms of feasibility with a no-action alternative or leaving the status quo as it is.

SLIDE 9

In terms of pumps, we have decided this time to look initially at five different pump sizes. As you can see from this slide, the 17,500 cfs is right in the middle. The reason we do that is we need to decide whether or not there has been a change since that finding back in 1982. Do we need a smaller pump or maybe a larger pump in looking at the best plan and determining the economic feasibility.

An alternative to a pumping station would be a levee system along the Big Sunflower River. We believe we can achieve significant reductions in these interior ponding elevations with a system like this. The levees would extend from the existing backwater levee upstream to the vicinity of Murphy, Mississippi, which is a distance of about 50 miles.

One thing this plan would do is return a lot of the wooded lands that would be located within the levee system to the natural overflow that it originally had from the Mississippi River.

Now, you are probably wondering how in this world could this work. How can you get those reductions in ponding elevations? Well, I think this slide will demonstrate it for you. Eighty percent of the flow into the Backwater Area comes down from the Sunflower River system. If you open this system directly back to the Yazoo River, this water would not have to be stored within the Backwater Area, giving us those reductions in stages.

To help you visualize that, I have an artist's conception of what it would look like. You can see the levees going up the Sunflower River. Down at the existing Little Sunflower River

structure, we would essentially make a hole in the levee where we would have a large overflow section that would allow water to empty directly into the Yazoo River under high flow conditions. Under low flow conditions, we would probably operate the existing structure to accommodate those type flows. As you can see, the area now is essentially opened back up to the Mississippi River and its natural overflow facilities.

One thing we would do at the Little Sunflower, too, in conjunction with a plan like this is to operate that existing structure to induce ponding in this area under select conditions.

SLIDE 10

What I want to show you from this slide is that the environment is going to be an integral part of anything we do in this reevaluation effort. You can see here that we are going to be looking at a wide range of environmental resources. I want to emphasize again that during our studies, the environment will be a coequal planning objective for flood damage reduction.

Now, the Corps does not assess impacts on environmental resources alone. We have what we call cooperating agencies that help us in the analyzing and the formulating and evaluating of our various alternatives. We are also going to be using the Waterways Experiment Station which has been involved extensively in the studies that already have been done in the Yazoo Basin, and we will be making use of private contractors as well.

SLIDE 11

We are going to be taking every opportunity we can to make sure the environment is adequately considered and is protected. As I said at the beginning of this presentation, we are just starting. We are just at the beginning. I do not have any specifics regarding that, but there are a lot of things we can do from an environmental standpoint. As a matter of fact, there is a four-step procedure we go through in our planning process regarding the environment.

The first one is we try to avoid impacts where we can. We try to minimize impacts associated with our features when we can. We look for opportunities to improve or restore environmental resources. Also, when all else is considered and we have unavoided and unmitigated impacts, we have to compensate for those. So we will be employing those four steps.

SLIDE 12

When you talk about the pump alternative, we are going to be looking just like the people did before about how you operate that pump to maximize its impacts on flood damage reduction, as well as, minimizing the impacts and possibly the restoration of environmental resources.

When we look at that levee alignment, we certainly want to locate it as to minimize its impact upon valuable environmental resources. We also could include environmental features in all our plans such as greentree areas or the creation of wetlands or moist soil areas. We could look at restoration or reforestation of cleared lands. We could look at operations of existing structures at Steele Bayou and the Little Sunflower River to see if we can do things there to improve the environmental resources in the area. So we are going to be taking a good look at all the environmental aspects in our reformulation.

SLIDE 13

Cost sharing--the study we have underway will be fully funded by the Federal Government. However, the law I mentioned to you earlier, the Water Resources Development Act of 1986, placed new cost-sharing requirements nationwide on Corps water resource projects. It has been determined that under current guidelines and policy, the construction of the pumping station or alternative for this area, as well as operation and maintenance of whatever project might be feasible, would have to be cost shared with a local sponsor.

SLIDE 14

We have several ongoing studies you may be familiar with that I will touch on just briefly. The first one is the Sunflower River Rehabilitation Study that is underway to see what kind of flood control capacity has been lost over the years in the lower part of the Sunflower River. The other one is the Mississippi Delta Study that we have underway.

We are just getting started, like I said, on ours. The Mississippi Delta Study has just gotten underway. They are about half way through with a Sunflower River maintenance study. So we do not know exactly how all these interact and what the impact of one might be on the others. About the best answer I can give you today on how we are going to consider all three of these since they are in the same area, is to say that the people that are doing my study, as well as these others, are all working in the same office. If we see something coming out of one of the other

studies that need to be taken into consideration as we progress through our evaluation, we are able to reflect that and take it into consideration. That is going to be a big part of what we are doing to make sure these are all compatible.

SLIDE 15

The last thing I want to talk about a little bit is our study schedule. As I mentioned, we initiated our efforts in July of this year. We are looking at around March 1995 to have some indication to the preliminary economics in terms of feasibility. If it turns out that we have a project that is still justified, we would hold some public meetings probably in the April 1995 timeframe. We would come back to the public and say this is what we found, this is what we looked at, how does it look to you, give us your feedback, do we need to look at other things.

A final public meeting is scheduled for March 1997. There will be a submission of a final report with our recommendation to Headquarters in a July 1997 timeframe.

That is all I had prepared to talk about on the study. I will turn it back over now to Gary.

MR. YOUNG: Thank you, Marty.

At this time, I would like recognize one other public official, and if you would stand up when I call your name, Mr. Hayes Dent from the Governor's office.

I would like to introduce the President of the Board of Mississippi Levee Commissioners, Mr. Rives Carter.

MR. RIVES CARTER: I am Rives Carter, and I serve as President of the Board of Mississippi Levee Commissioners. The Levee Board is sponsoring this reformulation study for the purpose of identifying a project which will reduce the frequency and the duration of flooding in the south Delta in an affordable and environmentally sustainable manner. We are looking forward to this study proceeding in a timely fashion, and we welcome the opportunity to meet with any interested parties as the study progresses.

You talk about this being the first phase. This thing started in 1941, if I recall, so we have had plenty of time to study it.

MR. YOUNG: I would like to introduce Mr. Jim Wanamaker.

MR. JIM WANAMAKER: Thank you. I would like to take this opportunity to introduce one of our Commissioners from Washington

County, Mr. Murry Alexander. We have our attorney, Mr. Charles Tindall. We also have Mr. Nick Chandler who is employed by both of the Levee Boards to serve as an environmental consultant to help us on some of these projects.

As most of you know with the implementation, as it was brought out earlier, of the cost sharing in 1986, construction of this project stopped after completing the first item of work on the pumps.

In June 1992, the Mississippi Levee Board agreed to sponsor this project in an effort to expedite completion of the reformulation study, and at the same time, we plan to continue work to eliminate the burden of cost sharing. In the event that cost sharing cannot be totally eliminated, we are also working to have the guidelines for computing the local share modified to utilize local economic conditions which has been directed by Congress on two occasions in 1990 and 1992 which will reduce the percentage of the local cost share for this project.

We are looking for the reformulation study to accomplish two major goals. The first is to provide a less expensive design with the necessary capacity to provide adequate flood protection to the area. The second is to provide an environmentally sustainable design and a thorough evaluation of any environmental losses resulting from construction of the project with a plan for concurrent mitigation.

Over the recent weeks, I have had the opportunity to read the transcript of the public meeting held on the pumping plant project in 1979 that took over 5 hours. What surprised me more than anything was that the vast majority of the people who expressed concern about the project were fearful that the mitigation for the project would take away their private hunting lands.

Under the current law, mitigation lands for any project have got to acquired from willing sellers only. An emphasis is placed strongly upon cleared land that can be converted to bottom-land hardwoods. From information we have received regarding the Upper Steele Bayou Project and some other projects, the availability of suitable land from willing sellers has far exceeded the need of the recent projects.

We plan to work closely with the Corps to keep the public and other organizations informed as this study progresses over the next 3 to 4 years. We hope that the end result will be, after 50 or so years of project, a long-needed project.

Thank you.

MR. YOUNG: At this time, I would like to allow our cooperating agencies that Marty pointed out in his presentation to have an opportunity to make some remarks. I will start with Mr. Ken Quackenbush of the U.S. Fish and Wildlife Service.

MR. KEN QUACKENBUSH: My name is Ken Quackenbush from the U.S. Fish and Wildlife Service. Our agency has agreed to be a cooperating agency in this project.

We have been involved in project studies dating back into the early 1950's. We have numerous concerns regarding the Backwater Project. They date back from our first beginnings with it. Those concerns relate to impacts associated with endangered species, decreases in winter availability of flooding, food availability for migratory waterfowl, impacts to wetlands, etc.

We will cooperate, as I said, to develop an EIS. We are pleased to be part of the program.

MR. YOUNG: Would any of the other cooperating agencies like to make a statement at this time?

What I would like to do right now is give you a brief overview of some of the environmental attributes of the study area, talk a little bit more about the scoping process, and explain what we are trying to accomplish tonight.

SLIDE 1

There are two main objectives to scoping. One is to determine the scope of issues to be addressed, and the second one is to identify significant issues. As we go along through this process tonight, try to keep these objectives in mind as what we are trying to accomplish.

SLIDE 2

The Yazoo Backwater Area has several significant environmental areas including the Delta National Forest, Panther Swamp National Wildlife Refuge, and three state-managed areas that were purchased by the Corps for mitigation purposes--Lake George Wildlife Wetland Restoration Project, Twin Oaks Wildlife Management Area, and Mahana Wildlife Management Area. There are also several large tracts of private lands that are managed for wildlife purposes including the Delta Wildlife and Forestry Lands south of Delta National Forest.

SLIDE 3

In addition to the significant environmental areas, there is also an extensive amount of farmland in the project area. It is one

of our responsibilities during the planning process to evaluate the impacts of the project based on other Federal laws, regulations, policy; state laws, regulations, and policies; and any local ordinances or policies that might be in effect. I just want to point out that this is part of our process in developing the EIS.

SLIDE 4

There is extensive acreage of bottom-land hardwoods and wetlands within these significant areas. These areas not only provide some high quality terrestrial wildlife habitat, but they also serve a wetland functional value, also. These areas, as you know, are used for hunting, nature study, photography, and other related uses.

SLIDE 5

The aquatic resources in the study include numerous oxbow lakes, sloughs, streams, and rivers. These areas provide fishing opportunities as well as some other recreational opportunities. They also provide significant and very important riverine aquatic habitat and flood plain aquatic habitat.

SLIDE 6

The waterfowl resource in the Yazoo Backwater Area is a significant resource. There are several Federal and state agencies, private organizations, and private landowners that actively manage wintering waterfowl.

SLIDE 7

There are several endangered and threatened species that may occur in the project area. The yellow plant on this slide is the endangered plant called pondberry. It definitely occurs in the project area. In addition to those, the other two species are the Louisiana black bear and the pallid sturgeon which may also occur in the project area.

SLIDE 8

Cultural resources is also something we consider in our planning process. There are an abundant number of prehistoric and historic cultural sites in the Yazoo Basin. We will do surveys to identify those sites and evaluate the project impacts. If we determine that any of those sites are eligible to be placed on

the National Register of Historic Places, we would first try to avoid those sites; and if we cannot do that, we will mitigate for the impacts to those cultural resource sites.

SLIDE 9

These are the broad categories that we generally consider in a study of this nature. In thinking about the scoping process and providing input, you may want to add to these. You may want to provide specific input about any one of the categories. I have touched on each one of these a little bit except for the water quality, and water quality will definitely be part of the planning process.

SLIDE 10

Some very broad considerations when you think about scoping. First is what kind of environmental studies do you think need to be included as part of this process? Which resources do you think are significant. Also, you may want to consider what issues need to be analyzed in depth. What kind of alternatives do we need to evaluate? And, of course, the other is anything that you believe is important.

SLIDE 11

I would like to close my presentation with reemphasizing the importance of this scoping process. It does two things. It helps clarify what the significant environmental issues are that we are considering in this process, but it is also the key for preparing a concise EIS. So keep that in mind as you are formulating ideas for input.

That concludes my presentation. Could we get the lights please?

What I would like to do now is record your input, ideas, and suggestions on what kind of environmental studies that may need to be considered, what kind of significant resources you think are in the study area, what issues we need to analyze in depth, and anything else, like I said before, you believe is important.

The way I would like to do that is we will start right here on the front row. If you would like to provide some input, I would ask that you come to the microphone because we are recording and need you to come to a microphone so we can record it clearly.

Okay, we will start right here on the front row.

MS. KATHLEEN CARTER: My name is Kathleen Carter. I am from Rolling Fork, and I am Vice Chairman of the Flood Control Committee of Delta Council. We appreciate the Corps of Engineers

holding this hearing tonight because it is important that the public be allowed to have input on the matter of flood control in the south Delta.

Delta Council has been a constant proponent of practical flood control in the Delta. It is in this tradition that we endorse the Backwater Project reformulation study defined by the Vicksburg District, Corps of Engineers, and approved by the Board of Mississippi River Levee Commissioners.

We request that the Corps of Engineers expedite the completion of this study to the maximum extent possible. Delta Council members have repeatedly recognized the urgent need for the completion of the Backwater Project including pumps. We view this project and this study as one that is essential to the flood protection and the future development of the entire south Delta region.

The pumping capacity in the earlier design will accomplish the objective of substantially reducing the extent of economic losses sustained in the Backwater Area and would be operated in a manner which is sensitive to the environmental issues which might otherwise be a concern. We trust that the reformulation study will once again reestablish the Yazoo Backwater Project including pumps as a high priority.

Due to a determination by the Department of Army that completion of this project will require a non-Federal share to be borne by a local sponsor, Delta Council reiterates its position that it is both responsible and timely for the Yazoo-Mississippi Delta Levee Board and the Board of Mississippi River Levee Commissioners to develop a formal study or prospectus outlining options that must be evaluated in preparation for any informed consideration that might be given to the completion of this project.

Delta Council reaffirms its commitment to assist and cooperate at the request of the Levee Boards at making certain that the most reliable analytical and technical methods are incorporated into the findings and options identified through this study. Although it is wise to proceed responsibly in a thorough study for the implementation of any flood control plan, we need only look back to the south Delta of 1973, 1974, 1975, 1979, 1983, 1984, or 1989 to get a vivid reminder that effective flood control is not a luxury but a necessity. The timely completion of this study will hopefully lead to the objective of flood protection in the south Delta.

I appreciate the opportunity to be here tonight and to deliver this statement on behalf of Delta Council.

MR. YOUNG: Thank you. I have one more small request. Unless you really just want, I would prefer you use the microphones in the center isle. I should have mentioned that.

MR. BILL CLINKSCALES: My name is Bill Clinkscales. I am President of the Delta National Forest Conservation League which is a group of hunters that hunt in the Delta National Forest.

We are real concerned about the Corps doing anything that is going to--in other words, Little Sunflower River. We do not want a monigan put in it and dredge it out, cut the trees off the bank, and make a big drudge ditch out of it. It is a scenic, beautiful river and we do not want it tampered with.

If anything has to be done to it, maybe something along the line of underbrushing the brush and leaving the trees where they come over the bank and not disturb that. Big Sunflower River goes through it, too.

All right, now, that kind of takes my part about what I have to say about the Delta National Forest Conservation League.

All right, I am a landowner up and down the Big Sunflower River between Highway 14 and Balmer's Ferry. If you are talking about putting a levee on the side of the river, the people that live on that river--they live right on the bank of it because that is the highest ground. They have their shops there. That is the best cotton land and everything. If you put those levees down the side of it, you are going to destroy the best land that the folks are farming right now.

To my way of thinking, the only thing you can do that the people down here are going to agree with is to put those pumps in down there and be real careful how you treat these rivers. In other words, I am thinking that if you are going to put a dredge boat in Big Sunflower River to dredge it out, it ought to be--before people agree to let you do it, it should be that you have to--you cannot take 40 acres of land from somebody that does not want to sell. The reason I am trying to say that--like for instance, where I live I have some pivot systems that make a turn. If you come in there and take 40 acres away from me just because you can, you screw up my whole farming operation. You see what I am saying? In other words, we have some concerns about that, and we want you to put some thought into it before you do it.

Thank you.

MR. YOUNG: Thank you, sir. We appreciate those comments. We skipped over a couple of people. Anybody back there on that row back there want to say anything or have any input?

MR. KEN QUACKENBUSH: I say something else to say. I did not expect it to work quite like this.

One of the things we are concerned about in the Backwater Area is wetland changes. The pool size in the sump needs to be a variable. Research has shown historically that in other areas when you maintain a constant stage of water on an annual basis, you will eventually change the timber composition and, as a result and effect, the wildlife species and the habitat quality that is out there.

We would prefer and recommend that we try to seek nonstructural measures and try to avoid impacts, if at all possible, and mitigation.

One of the things that is likely to occur is monetary impacts that will increase over time. This past time, I guess, is a very vivid reminder of that. Some structural measures will induce structure construction activities to move further down into flood prone lands. The result of that is going to be increased flood damages. That needs to be fully considered when we are taking into account the cost-benefit ratio and evaluating that versus nonstructural measures as opposed to structural.

Another thing that fits right in with that is, as in the case in the Huxtable Pumping Plant in the St. Francis Basin, what you saw very rampantly occur following the completion of the station up there were very radical changes in cropping patterns and the dramatic change in damages within the sump area.

Like I say, we are pleased to be working with the Corps on this and pleased to be a cooperating agency. We do have some very large concerns, and we want to work with you to make sure that those concerns are, in fact, addressed.

Thank you.

MR. YOUNG: Thank you.

MR. KING EVANS: That reminds me of blind men describing anything. Everybody has a different idea of what it looked like.

I am King Evans from Anguilla. I farm a little piece of land across the Sunflower River. Like Mr. Clinkscales said, if you put a levee out there, it is going to take my house and best land.

I do not think we will ever find anything that is going to alleviate all the periods of flooding in the south Delta. The people of Missouri and all that area thought they had it made because they had not been flooded in a long time. We are almost in the same thing.

It looks to me like after 1927, I do not believe if anyone in here was living and saw that 1927 flood. Maybe a few of us. Anyway, after the 1927, they told the Corps of Engineers to go in there and drain it. They went in and almost drained it. I have said that a cooter going up from Rolling Fork to Satartia in October would have to take a flask of water because everything was drained from here to Satartia. All those sloughs everywhere in the south Delta had been drained. If it was not then, it was last year. I think some water stayed in there this year.

It looks to me like we probably need to increase the level of the Sunflower River and Deer Creek. I see somebody that maybe does not have the same idea. I do not know whether there is an opening in the Sunflower River to the Yazoo or not. I do not know whether the water will all go down the canal or not. It looks to me like we ought to increase the level in the Sunflower River. Then where it enters into the Yazoo, we need to have a dumping gate there. If we find out there is a front coming down, we can open those gates and let the water out. We cannot drain this country completely dry because I do not want to see the salt water come in. With the rice farming, irrigation, catfish farming, we are pumping a whole lot of water out of the aquifers.

Right around the Sunflower River where the river caves off there sometimes, you might think it is just a shallow thing but it is deep down in there. It is perhaps 100 feet deep. It caves off down in there. I believe that if we would raise the level of that Sunflower River a little bit and have a dumping gate--and probably need to open the Steele Bayou gates a little wider--so when the Mississippi and Yazoo drop, we could let that water out so it will not pond in there.

I was wondering about the feasibility of a pumping station--how many years would we use the pumping station and what it would cost. The interest on the money that it would cost to build a pumping station. Somebody, when we are talking about it out here a few years ago, said the Corps could pay $1,000/acre for all the land, I believe, south of Rolling Fork and it would be cheaper than building a pumping station.

So, I think all these things need to be considered. Thank you.

MR. YOUNG: Thank you very much. We skipped a gentleman over here on this side. Go ahead. We will pick him up in a second.

MR. WAYNE NUCKOLLS: I am Wayne Nuckolls, Ag Representative for Congressman Thompson. I am also a farmer from Issaquena County so I have two statements to make tonight.

I do not have anything written out, but I spoke with the Congressman yesterday. He wanted to express his support for the reformulation projects. He wanted to expedite as much as possible this process because he knows the concerns of the people of the south Delta. He would also like to say that there seems to be some disjointed connection between the Corps activities and the Corps final results that come from them.

We have a gentleman here speaking about impacting on the pooling area. Well, the largest impact that we have had in the south Delta from pooling has been from activities of the Corps of Engineers north of us. So that is something that needs to be taken into account. When you look at environmental issues, look at what this land was 20 or 30 years ago. Don't just look at the last 15 years. See what has happened because of activities that have taken place north of us.

Okay, that is the Congressman's end of it. Now, we should look at my end of it as a farmer from Issaquena County.

As everyone in this room probably knows--I wish they could all stand up and speak--I wish they would. I think you would get a little better feel of how the people that have farmed here for many, many years have seen the increase of flood control activities north of us and the affects they have on us. We understand how these people want to get rid of their water, but what those people need to understand is that we are now in a cost-share situation and we need their help the way we have been behind them when they needed help. We need the North Delta to join in with the South Delta Levee Board. We need an agreement.

So speak to your friends up north as often as possible because there are study projects underway that would be beneficial to them. I would hate to see the people of south Delta try to stop something that would be beneficial to anyone. We need to all work together on this.

One other thing from the Congressman's perspective. The cost share--we will be working to see what we can do as far as a reduction because of the local economy. I think the formula should be changed when you are looking at a very weak economy in the area. There should be some adjustments in that formula, and

with an agreement with the North Delta, maybe with that the project can continue speedily.

Thank you.

MR. YOUNG: Thank you.

UNIDENTIFIED: What is the cost-share ratio?

MR. YOUNG: Marty, do you want to handle that question?

MR. GARTON: The current law requires that the locals provide up to or I should say a minimum of 25 percent of the project cost. Now, they have to provide by lands, easements, relocations, and disposal areas that are appropriate for whatever project might be formulated. Those things they provide are counted toward that 25 percent minimum that they have to bear. Only 5 percent of it has to be in cash. The other 20 percent can be in what you might call in-kind type features. If the lands, easements, relocations, and disposal areas are greater than the 25 percent, they would have to bear whatever that cost is. There is a cap on the other side that it cannot be more than 50 percent. So whatever project is formulated, it lies between 50 percent as a maximum and 25 percent as a minimum under current guidelines and policy.

MR. WANAMAKER: In regard to that, following some language that was in the Water Resources Act of 1990, the Assistant Secretary of the Army for Civil Works presented some adjustments in the local cost-share criteria which would have reduced the cost share of the Backwater Project to about 5.6 percent. Because of some other problems nationally with that language, Congress in the 1991 Appropriations Bill told them to go back to the drawing board. In 1992 in the Water Resources Act, they again asked the Department of Army to reevaluate the guidelines in determining the ability of the local sponsor to pay for these projects. That has not been done yet. Primarily because at this point in time, we do not have a Assistant Secretary of the Army for Civil Works. We do not know when that is coming. We are in the hopes that through the political process in some manner while the reformulation effort is going on, we get the guidelines for the local cost share down to make it more affordable.

We think the project can be designed to a little different design that would not be as costly as the original design. We plan to participate with the Corps in helping make that determination, as an official local sponsor in this matter. We will continue to seek to get the Department of Army to reevaluate the determination that this part of the project is a separate element in hopes of getting it back to a full 100 percent Federally funded project. We have 4 years to work on this, and have made a

commitment to be the local sponsor under the condition that an affordable alternative can be arrived at. There is no formal commitment at this point in time by the Levee District for money. This will have to be over the next 5 years. We will have to work on these and hope that we can come up with a project that we can afford.

Thank you.

MR. YOUNG: Okay, we have kind of gotten out of sequence here. Is there anyone else that would like to provide some input?

MR. LIN SHIRLEY: My name is Lin Shirley. I am a Soil and Water Conservation District Commissioner here in this county and also a farmer. I farm out here on the Little Sunflower River. We farmers down here in this Backwater Area are an endangered species. A lot of us are gone due directly to this. Anything that is done or not done directly impacts us.

One thing, as a Soil and Water Conservation District Commissioner, which I would like to see on these projects the Corps conducts is a little erosion control conducted on these things. On the cutoffs--from Whittington Cutoff down, there is a lot of silting that occurs there--_____. Those farmers are required to control this nonpoint pollution.

At the Steele Bayou drainage project, there is a lot of silting on that. There is no erosion control on that. So, we have a lot of concerns, but wildlife is not the only endangered species.

MR. YOUNG: Thank you. Is there anybody else that would like to provide some input?

MR. BILL TOMLINSON: My name is Bill Tomlinson. I represent the Mississippi Wildlife Federation (MWF). I am going to just read a simple statement.

The Mississippi Wildlife Federation was and is still opposed to the original plans of the Yazoo Backwater Pumping Plant. Our original comments were made to the U.S. House of Representatives Subcommittee on Energy and Water Development on April 16, 1986 concerning the pumps.

MWF is sympathetic to the human suffering caused by the frequent flooding of the lower Delta. We believe that the Corps, through a combination of floodproofing, relocation, and flowage easements, can provide substantial flood protection without excessive substantial destruction and cost associated with the original pumping project.

Thank you.

MR. YOUNG: Thank you. Is there anybody else that would like to say something?

MR. MIKE MCPHERSON: I am Mike McPherson and we own property over there close to where Lin is talking about farming. I have a couple of concerns.

One question that came to my mind and was mentioned earlier is that the people in the Carter Area have begun to give up this land for the different programs. What situations have come up and prompted the situations to come up to encourage these people to turn their land over to whatever programs they are being turned over to?

Also, we are hearing a lot about the cooperative agencies watching out for the environmental welfare. To reiterate what Lin said, there is more here at stake than just the environmental impact. The environmental impact is extremely important, but the impact to the economy, especially of this entire area that we are talking about, is based solely on farming. From the farmers to the grocers and the chemical companies on up, I think it is very important that we see an equal amount of study done toward the economical impact. To be quite honest, from the groups that we have on the cooperative, I don't see that equality there.

MR. YOUNG: Thank you. Is there anybody else who would like to provide some input tonight? Is there anybody who has already made some remarks that would like to add to what they said or maybe delete from what they said?

MR. KING EVANS: Let me say one thing about the Corps of Engineers. If it had not been for the Corps of Engineers _____, it flooded every year until they _____ and cleaned that bottom up and down _____. That stopped the water from coming. But for right now, it floods in February through May. You might see flooding all over south Delta. If anybody is old enough, you would remember before they built the levee dams _____.

MR. YOUNG: Thank you. Is there anybody else who would like to provide some input?

If you will look on those handouts we passed out as you came in, there is an address on the back of that. Once you get home if you decide you want to have some input and want to say something, you can provide written comments up to January 14, 1994. The address in on the back of that handout.

I certainly appreciate everybody's input tonight. Once again, I would like to thank the people at the vocational center for helping us set this meeting up. They were very, very helpful. Thank you for coming out tonight.

Meeting adjourned 8 p.m.

PHILLIPS PLANTING COMPANY
ROUTE 5, BOX 129B
YAZOO CITY, MISSISSIPPI 39194
601-828-3223

Wed., Dec. 15, 1993

District Engineer
U.S. Army Corps of Engineers
Vicksburg, MS 39180-5191

Dear Sirs:

Please consider my comments concerning the restoration of the Sunflower River system to its 1962 capacity.

While this restoration is a necessity for the survival of many of the agricultural operations in this fertile basin, and to improve the quality of life for the many families devastated annually because the Sunflower River system is not performing adequately, it must be done with great care. There is only one option that will protect property owners in the southern regions of the Sunflower River basin with the least loss of productive farm land, while causing the least amount of damage to the environment, and at the same time offer relief to the upper basin area. That option is the pumps that are planned to be located at Steele Bayou and which must be a part of any comprehensive plan to economically protect the farmland, the families, and the hard-wood forests that make up the Sunflower River basin. It would be a mistake of tremendous proportions to put a levee down each side of the Sunflower and or Little Sunflower River. Levees would take most of the best and most productive farmland, would be the most destructive to the forests and wildlife habitat, and would create an area of more ponding outside the levee than they were draining up the basin.

The only feasable protection for the Little Sunflower basin is pumps that were planned as an orginal part of the Yazoo Basin Project.

Respectfully ~~Sub~~mitted,

John Phillips

P.O. Box 177
Holly Bluff, MS 39088
January 2, 1994

U.S. Army Engineering District, Vicksburg
District Engineer
Attn: CELMK-PD-Q
2101 North Frontage Road
Vicksburg, MS 39180-5191

Dear Sir:

I attended the Corps of Engineers scoping meeting at Rolling Fork. Thank you for the opportunity for the members of our community to express our ideas and feelings. I did not speak then, but would like to express my feelings through this letter now.

I am a farmer, hunter, amateur archeologist and relic hunter and a life-long resident of Holly Bluff. I don't feel that I and this community need anything in addition to the current flood control measures to control backwater. We have not had any significant problems with backwater since the gates at Little Sunflower and Steele Bayou and the accompanying levee system were completed. Our problem is headwater. We in this community (beginning at the mouth of the Holly Bluff Cutoff south to both gates) experience flooding without respect to the height of the Mississippi River.

For example, on 1/16/89 the Mississippi at Vicksburg was 27.30 ft. which flooos land there with elevations of less than 73.53 ft. The elevations at Steele Bayou and Little Sunflower were -- River 77.00 ft. and Land 79.20 ft. and River 84.10 ft. and Land 82.20 ft., respectively. By this, one can see that the gates at Steele Bayou were open, yet the Little Sunflower gates had to be closed. Why closed -- because the headwater that should be at the gates via the Little Sunflower and Big Sunflower Rivers is obstructed north of there at the confluence of the Big Sunflower and Little Sunflower. The obstruction probably actually begins at the mouth of the Holly Bluff Cutoff (Dowling Bayou area).

To further substantiate my position, it can also be noted that on this same day, 1/16/89, the elevation of the Sunflower at Anguilla was 45.10 ft. which floods land with elevations of less than 96.20 ft. Comparing this with the land flooded at Vicksburg (less than 73.53 ft.) and adjusting for slope (10.50 ft.), there are 12.20 ft. of "excess water" caused by restricted flow. It appears the restriction is between the gauging station at Holly Bluff, north to at least the station at Anguilla. I am enclosing a schedule to help clarify my

position. I have many other examples like this one.

My recommendation would be that the Corps simply maintain the existing flood control projects. The study to "clean and snag" the Big and Little Sunflower Rivers should be completed with work scheduled to begin immediately afterward. This would allow the water that cannot be controlled by the Holly Bluff Cutoff to flow south via the Big and Little Sunflower Rivers as it once did. These rivers have been allowed to grow in trees for 40 years since the construction of the cutoff. Weirs should probably be installed after cleanout of these rivers to maintain a level to discourage foliage growth during the low water periods.

Once the headwater gets south to the gates in a reasonable time, not like May and June of 1990 where it took 23 days to equalize between Anguilla and the gates, then the desirability and feasibility of pumps should be addressed. These ideas I have proposed could be implemented with minimal or no adverse impact on wildlife, residents or our economy, but would have a very positive effect on all if the headwater problem can be controlled.

I would appreciate your response and/or comments on these suggestions.

Sincerely yours,

Claiborne D. Adcock

Claiborne D. Adcock
A concerned citizen

cc: Marty Garton
John Sanders
Thomas Shelton
James E. Wanamaker

Date	MS River @ Vicksburg		Steele Bayou		Little Sunflower		Sunflower @ Holly Bluff		Sunflower @ Arcuilla	
	River Reading	LAND Covered by water	River	LAND	River	LAND	River Reading	LAND Covered by water	River Reading	LAND Covered by water
1999 -										
JANUARY 1st	47.30	75.53	77.00	79.20	84.10	82.20	91.00	91.60	45.10	76.24

Glaiborne D. Adcock
P.O. Box 177
Holly Bluff, MS 39088

U.S. Army Engineering District, Vicksburg
District Engineer
Attn: ~~Marty Martin~~
2101 North Frontage Road
Vicksburg, MS 39180-5191

United States Department of Agriculture
Forest Service
National Forests in Mississippi
100 W. Capitol St.
Suite 1141
Jackson, MS 39269
601-965-4391

Reply to: 2650

Date: January 10, 1094

Colonel Stanley G. Phernambucq
The Corp of Engineers
2101 North Frontage Road
Vicksburg, MS 39180

Dear Colonel Phernambucq:

Thank you for providing the briefing on the reformation of the Yazoo Backwater Project, in particular the Sunflower River Levee Alternative.

To determine impacts that such a project might have on the Delta National Forest and make qualitative judgements about them, we need to know parameters such as the quantity of water being pooled and depth estimates, length of flood duration, time(s) of the year, and frequency of flooding (annual, irregular, etc.). Other items such as water quality in the form of sedimentation would be useful.

Our initial concerns can be stated within broad categories and include, but are not limited to:

Access: Limitations to public access for hunters, anglers, bird watchers and other users. Impacts on routine Forest Service activities such as planning and executing timber sales.

Structural: Maintenance needs after inundation (erosion, gravel wash, culverts, debris on roads, etc.), gates, fences, signs, boundary markers, green tree reservoirs with their pumps and electrical lines. Needs to clear out blockages in waterways and sloughs to allow for drainage. Fate of Work Center.

Biological: Changes in abundance and composition of terrestrial species, particularly deer, turkey, and squirrel. Changes in beaver populations and occupied habitat. Shifts in waterfowl habitat suitability and use patterns. Changes in abundance and composition of aquatic species.

Impacts on the Federally endangered pondberry and to Forest Service sensitive species. Impacts on the three designated Research Natural Areas and one Botanical Area.

Tree growth rate changes, increases in tree mortality, regeneration, and long term vegetation composition changes.

Copies given to PD-F + PD-Q

Legal: Ability to comply with existing laws pertaining to the management of National Forests such as the National Forest Management Act, Endangered Species Act, and others.

Thank you for your time and efforts to keep us informed. We would appreciate future updates when new information about this alternative are developed.

Sincerely,

KENNETH R. JOHNSON
Forest Supervisor

U.S. DEPARTMENT OF AGRICULTURE
FOREST SERVICE
100 W. CAPITOL ST.
SUITE 1141
JACKSON, MS 39269

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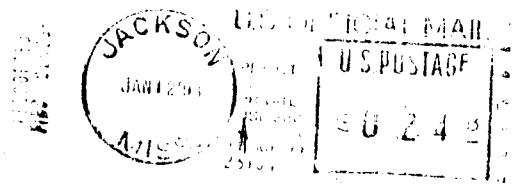

COLONEL STANLEY G PHERNAMBUCQ
THE CORP OF ENGINEERS
2101 NORTH FRONTAGE ROAD
VICKSBURG MS 39180

MISSISSIPPI
DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS

SAM POLLES, Ph.D
Executive Director

January 14, 1994

District Engineer
U.S. Army Engineer District, Vicksburg
ATTN: CELMK-PD-Q
2101 North Frontage Road
Vicksburg, Mississippi 39180-5191

SUBJECT: SCOPING - YAZOO BACKWATER AREA REFORMULATION STUDY

Dear Sir:

The Mississippi Department of Wildlife, Fisheries & Parks (MDWFP) appreciates the opportunity to comment on the Yazoo Backwater Area Reformulation Study. A public meeting to Scope the project was held at Rolling Fork on November 30, 1993. This meeting was attended by our staff.

As mentioned in recent scoping meetings concerning Corps projects in the Mississippi Delta, recent surveys undertaken by MDWFP on Delta streams have shown those streams to have valuable fish and mussel resources, which could be impacted by the project.

We have re-examined the March 1982 "Yazoo Area Pump Project, Draft Phase 1, General Design Memorandum-Environmental Impact Statement". We are extremely concerned with the table of fishery losses found on Page 5, Attachment 1, Appendix H (Identical Table found in Appendix B of the Fish & Wildlife Coordination Act Report, Page B-15). This Table is based on an assumption that the pumps would have no adverse effect on the Fishery of Eagle Lake. The examples of the methodology for quantification of fishery losses associated with the pump (Attachment 1, Appendix G, Pages 1 & 2) does not have a lake acreage that could possibly include Eagle Lake. Yet, Plates C-10 and C-11 and the flood-frequency Plates in Appendix L indicate that the pumps can reduce flooding of Eagle Lake. We see no reason to consider a reduction in flood frequency for Eagle Lake to not have a fishery loss equivalent to that of other lakes within the project area.

We are also concerned with the application of the Muddy Bayou Structure Fishery Benefits in the table of fishery losses in Attachment 1, Appendix H. The Table lists fishery benefits associated with the Muddy Bayou Structure, fishery losses associated with the Yazoo Backwater Levees.

P. O. Box 451 ● Jackson, Mississippi 39205-0451 ● (601) 362-9212

We could not find in the report the methodology on how the Muddy Bayou Structure Benefits or the Yazoo Backwater Levees Losses were calculated. Therefore, we could not ascertain if the Yazoo Backwater Levees Losses included the losses to the Eagle Lake Fishery from the closure of the Steele Bayou Structure.

When the Steele Bayou Structure was closed and the Yazoo Area Levee Diversion Canal was completed, the source of backwater flooding to Eagle Lake changed form the Yazoo-Mississippi Rivers to the Sunflower River-Steele Bayou. The Muddy Bayou Structure was built to prevent backwater flooding of Eagle Lake from the sediment and pesticide-laden waters of Sunflower River - Steele Bayou. Also, without a description of how the benefits and costs were calculated, we cannot ascertain how the Muddy Bayou Structure created such a net benefit ratio to compensate for a substantial portion of the losses from both the Pump and the Backwater levees.

The table on Page 5, Attachment 1, Appendix H listed the sport fish benefits of the Muddy Bayou Structure as 22,000 man-days. The MDWFP surveyed the fishery in Spring, 1992, and found Spring (March to June) fishing effort to be 45,100 man-hours (Lucas, et al, 1993). MDWFP has found that Spring fishing effort is 54% of annual effort (Lucas, et al, 1993), therefore, annual effort would be estimated to be 63,500 man-hours. The USFWS reported fishing effort for 1968 as 66,000 man-days (Towns, 1969).

The MDWFP has been working with the Yazoo-Mississippi Delta Joint Water Management District (YMD) on the problem of extremely low flows that occur during summer and fall in the streams of the Big Sunflower River watershed. The MDWFP requests that the EIS address the effect the Project will have on stream flow in this watershed during low flow conditions. The MDWFP is concerned that a reduction in flow during the low flow period would have a detrimental effect on the fishery/aquatic resource and on the water quality of the river.

The MDWFP is concerned about how a pump with a pumping capacity of up to 24,500 cfs would effect flow rates and hydraulic parameters of the streams, especially in the pump area where these streams have a history of standing water. The Corps needs to evaluate the changes the pump will have on stream flow rates and undertake a hydraulically-based habitat study (IFIM) if significant changes will occur.

From information presented in Plates C-10 and C-11 in the March, 1982, document "Yazoo Area Pump Project, Draft Phase 1, General Design Memorandum-Environmental Impact Statement", most alternatives considered would have a major impact on the 1 year and 2 year flood frequency.

The 2 year flood frequency has been identified by Corps of Engineers Biologists to have an important impact on production and survival of both small short-lived fish species and large long-lived fishes (July 9, 1993 correspondence to Dr. Sam Polles from Mr. William B. Hobgood, Chief, Planning Division, Vicksburg District, Corps of Engineers). Therefore, the MDWFP anticipates substantial mitigation will be needed to offset the environmental losses associated with this project.

The MDWFP has not been appraised of the methodology to be used in this project to survey the wildlife resources or quantify the environmental losses associated with the project. The MDWFP worked with the Corps of Engineers on the Upper Yazoo Projects Reformulation Study. MDWFP personnel took a prominent part in the creation of the Aquatic HEP HSI values, which were used in the Reformulation Report in a manner inconsistent with their creation. The method agreed to by the HEP Team and the method documented in other Corps of Engineers Reports in the Yazoo Basin was to obtain 100% mitigation for <u>each</u> target HEP species. The HEP method was modified in the Reformulation Report and as such, the proposed mitigation for the UYP Project will not adequately mitigate for smallmouth buffalo and white crappie losses. The procedure where indicator species with the highest loss in Habitat Units dictate the amount of mitigation may appear to over-compensate the mitigation for other indicator species. But the Aquatic HEP model only takes into account changes in frequency of flooding, not changes in duration of flooding. Both frequency and duration of flooding have an impact on fish production in floodplain rivers.

The MDWFP is still willing to assist the Corps in Habitat Evaluation but wishes to be appraised of the HEP methodology prior to report presentation.

The Upper Yazoo Projects Reformulation Report also had deficiencies in evaluation of within-stream habitat losses. These losses were a result in part from inconsistencies between the information presented in the Engineering Appendix and information used by the environmental team to assess losses. The Engineering aspects of the project must be defined for adequate evaluation of environmental losses.

The MDWFP requests that the Corps evaluate the effect the project will have on the esthetics value of the project area.

Mussels are present in the Sunflower River. This resource needs to be assessed in regards to both environmental and economic losses that may occur due to the project.

For mitigation to address aquatic losses within the project area, it is very important that mitigation occur in the 1 or 2 year flood plain and it would be preferable if mitigation occurred adjacent to prominent area bodies of water, be they rivers or lakes.

The MDWFP has noted a decline in harvest of squirrel, rabbit, raccoon, quail, fox, ducks, doves, woodcock, and turkey (Trends for harvest and license sales data 1980-1993, MDWFP). The MDWFP requests that the Corps evaluate the effect of this project on these species.

The MDWFP has worked in the past with the Corps of Engineers to obtain adequate and timely assessments of environmental impacts of water development projects and is willing to continue working with the Corps in addressing environmental concerns of water development projects. Garry Lucas, a Fisheries Biologist with this Agency, has been assigned as project liaison for the Study. If you have any further questions or need additional assistance from this Agency, feel free to contact Mr. Lucas at P.O. Box 3324, Room 159 Walters Hall DSU, Cleveland, MS 38733; Telephone (601) 843-1150.

Sincerely,

Bill Quisenberry

Bill Quisenberry
Adm. Assistant to Executive Director

BQ/cj

Literature Cited

Towns, W. L. May 1969. Yazoo River (Lower Tributaries) Project Fish and Wildlife Coordination Act Report on Eagle Lake. U.S. Dept. Interior, Fish and Wildlife Service, Atlanta, GA.

Lucas, Garry, Walter Hubbard and Dennis Riecke. 1993. Report on the fishery surveys of Eagle Lake, 1990 to 1992. Freshwater Fisheries Report #121. MS Dept. Wildlife, Fisheries & Parks, Jackson, MS

BOARD OF

MISSISSIPPI LEVEE COMMISSIONERS

RIVES C. CARTER, PRESIDENT

P. O. BOX 637

GREENVILLE, MISSISSIPPI 38702-0637

(601) 334-4813

(601) 332-6732

FAX # 378-9592

E MAIL mslevee@tecinfo.com

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PATRICK BOLLS, MAINTENANCE SUPERINTENDENT
RICK BOYD, ENGINEERING TECHNICIAN

December 4, 1996

Colonel Gary Wright, Commander
Vicksburg District Corps
2101 N. Frontage Rd.
Vicksburg, MS 39180

RE: Yazoo Backwater Reformulation

Dear Colonel Wright:

The Board of Mississippi Levee Commissioners at their regular meeting of October 7, 1996 reviewed the alternatives being considered for the Yazoo Backwater Project as it would relate to the ongoing levee enlargement program. The levee alternative being considered as part of the reformulation of the Yazoo Backwater Project would cease to be a functional alternative as the levee enlargement program extends up the backwater project.

The Board of Mississippi Levee Commissioners having thoroughly discussed the above issues at this time would like to request that the Vicksburg District Corps of Engineers discontinue further review of the levee alternative as part of the Yazoo Backwater Project.

BOARD OF MISSISSIPPI
LEVEE COMMISSIONERS

James E. Wanamaker, P.E.
Chief Engineer

JEW/gm

F:\WP60\FILES\MEMO10-1

Marty Garton

MISSISSIPPI WILDLIFE FEDERATION
Affiliate of The National Wildlife Federation

VIA TELECOPIER 634-7110

April 28, 1997

Robert B. Flowers
Major General, U.S. Army
President, Mississippi River Commission
P.O. Box 80
Vicksburg, MS 39180-0080

Re: Facilitated Meetings Concerning the Yazoo Backwater Pumps Project

Dear General Flowers,

Anna Schoonover contacted our office today on your behalf to notify us that the Corps is planning a short series of facilitated meetings to receive input on the proposed Yazoo Backwater Pumps Project beginning next week. She stated that the purpose of the meetings is to gather input on what environmental features need to be addressed in the DEIS. You are aware that we have had some serious concerns about the old plan, and wish to see a full evaluation and consideration of alternatives in the reformulated plan.

The Mississippi Wildlife Federation (MWF) is pleased that the Corps intends to include MWF in the process. MWF endorses the concept of a complete discussion of this vital issue. I am concerned, however, that this "facilitation" process appears to be hastily put together with no input from the participants on the agenda and structure. In an attempt to accomplish something worthwhile, I strongly suggest you include certain elements. A fair and open discussion of the issue should incorporate the following:

1. A release of the preliminary DEIS to the participants. It will be difficult to have very detailed discussions about the issues if all the participants don't have current information on the various alternatives and the existing conditions. For example, the most recent reports we have from the Corps are 10 to 15 years old. It would be prudent to release a preliminary DEIS to the participants just as you do for reviewing agencies.

2. Ample time to review this information. Anna said a meeting would be held next Tuesday, and she probably wouldn't mail any information out before Wednesday of this week. This leaves little time to thoroughly review whatever material you send and prepare for the meeting. I urge you to delay the first meeting and allow enough time for the participants to review all the materials.

3. The discussion should include all relevant issues. The facilitated discussion should include not only environmental issues, but also economics, justification and other factors. These are real issues that need to be aired.

As we have stated repeatedly over the years, we support environmentally and economically sound flood control for our state that meets contemporary needs. I believe that this can be accomplished only through a fair and open dialogue with all interested parties and agencies.

Sincerely

Lonnie Bailey
President

Attachment

cc: Mike Davis, Deputy Assistant Secretary for Army (Civil Works)

Yazoo Backwater Reformulation

FACILITATED ENVIRONMENTAL WORKSHOPS

1. Purpose. To identify measures/features to meet the environmental needs within the backwater area consistent with flood damage reduction.

2. Objective. To reach consensus regarding the environmental needs and implementable measures/features to be included in the recommended plan.

3. Plan of Action. Facilitated groups would be the format for soliciting input. A minimum of three workshops would be conducted. The proposed workshops are:

a. Workshop #1- Jackson, Mississippi (environmental interests)
b. Workshop #2- Rolling Fork, Mississippi (non-Federal sponsor and local interests)
c. Workshop #3- Vicksburg, Mississippi (all parties)

The workshops would be facilitated by Solutions Inc., private consulting firm. Corps participation would be minimized. Letters would be mailed to the participants in advance of the workshops announcing the location, time, and date. Participants would be requested to limit their attendees. The project sponsor, Mississippi Board of Levee Commissioners, would be requested to coordinate with local land owners in the project area and establish spokespersons to represent their interest. A balance between environmental interests and pumping plant proponents will be sought. Recommended size for facilitated groups is about 15 people. Attendees will be asked to provide input as to alternative environmental measures/features and prioritize the measures/features.

4. Proposed Workshop Participants.

Workshop #1

Mississippi Wildlife Federation
Louisiana Wildlife Federation
Delta Wildlife & Forestry
Ducks Unlimited
Delta Wildlife Foundation
Sierra Club (Local)
The Nature Conservancy (Local)
U.S. Forest Service
Fish and Wildlife Service
Environmental Protection Agency, Region IV
Louisiana Department of Wildlife and Fisheries
Mississippi Department of Wildlife Fisheries & Parks
Louisiana Department of Environmental Quality
Mississippi Department of Environmental Quality

Workshop #2

Natural Resources Conservation Service
Mississippi Board Levee Commissioners
Yazoo-Mississippi Delta Levee District
Delta Council
Anderson Tully Company
James River Company
Local Land Owners

5. Preworkshop Packet/Workshop Briefing (Workshops #1 & #2). An information packet will be prepared and included in the notice letters. The packet will provide the following information:

a. Workshop Purpose, Format, and Agenda
b. Project History
    (1) Authorizations/studies
    (2) Completed flood damage reduction features
    (3) Completed mitigation features
    (4) Base conditions (Preproject induced clearing)
c. Reformulation Alternatives
    (1) Structural
    (2) Non-structural
    (3) No action
e. Data
    (1) Existing wooded lands-by elevation, Private vs Public
    (2) Current land use maps

At the beginning of the workshops, the study manager will review the information in the preworkshop packet, provide an opportunity to respond to questions regarding the information, discuss the facilitated group format and process, and present the formulation process and how the information provided will be used. The input from the workshops will be compiled by the contractor and provided to CELMK.

April 30, 1997

Mr. Jimmy Wannamaker
Board of Mississippi Levee Commissioners
211 S. Walnut Street
Greenville, Mississippi 38701

RE: Public Involvement Workshops--Yazoo Basin, Backwater Area, MS

Dear Mr. Wannamaker:

As you are aware, Solutions, Inc., has been retained by the Vicksburg District, U.S. Army Corps of Engineers, to conduct a series of public involvement workshops. These workshops are being held in conjunction with the Yazoo Basin, Backwater Area, Mississippi, Reformulation study.

The purpose of the workshops is to identify measures/features to meet the environmental needs within the Backwater Area consistent with flood damage reduction. The objective of the workshops is to reach agreement regarding the environmental needs and the implementable measures/features to be included in the recommended plan.

A minimum of three workshops will be conducted. The proposed workshops are:

a. Workshop #1 - Jackson, Mississippi
b. Workshop #2 - Rolling Fork, Mississippi
c. Workshop #3 - Vicksburg, Mississippi

Additional workshops will be held if desired by the participants.

You are invited to attend Workshop #2 which will be held on May 8, 1997, at the Armory on U.S. Highway 61, in Rolling Fork, Mississippi, at 7:00 p.m. Invited to participate in this workshop are:

The Nature Conservancy
Natural Resources Conservation Service
U. S. Forest Service
Board of Mississippi Levee Commissioners
Yazoo-Mississippi Delta Levee District
Yazoo Mississippi Water Management District
Delta Council
Delta Wildlife & Forestry
Anderson Tully Company
Crown-Vantage Company
Delta Wildlife Foundation
Local Land Owners

Workshop #1 will be held in the Lodge at the Mississippi Agricultural Museum on Lakeland Drive in Jackson, Mississippi, on May 6, 1997, 7:00 p.m. Invited to participate in this workshop are:

Mississippi Wildlife Federation
Louisiana Wildlife Federation
Ducks Unlimited
Sierra Club
Jackson Audubon Society
Fish and Wildlife Service
Environmental Protection Agency, Region IV
Louisiana Department of Wildlife and Fisheries
Mississippi Department of Wildlife, Fisheries & Parks
Louisiana Department of Environmental Quality
Mississippi Department of Environmental Quality

The third workshop will be scheduled shortly after the first two workshops. All participants from the workshop #1 and workshop #2 are invited to attend this and any subsequent workshops. There will be approximately 26 participants in the third meeting.

As we discussed, I am enclosing information packets for you and the local land owners to review prior to the workshop. The packets contain background information regarding the Backwater Area Project, the Yazoo Basin Reformulation Studies, and the Backwater Area Reformulation Study; flood history and frequency data; and environmental land-use data.

I look forward to working with you in these important meetings.

Sincerely,
SOLUTIONS, INC.

Anna W. Schoonover
President

Enclosure

Workshop #2--This letter sent to:

Mr. Homer Wilkes
Natural Resources Conservation Service
100 W. Capitol Street, Suite 1321
Jackson, Mississippi 39269
965-2505

Mr. Jimmy Wannamaker
Board of Mississippi Levee Commissioners
211 S. Walnut Street
Greenville, Mississippi 38701
601-334-4813
(5 packets)

Mr. Ken Weiland
Yazoo-Mississippi Delta Levee District
140 Delta Avenue
Clarksdale, Mississippi 38614

Mr. Chip Morgan
Delta Council
#1 Stoneville Road
Stoneville, Mississippi 38776
601-686-3350

Anderson Tully Company (no name yet)

Mr. Jeff Portwood
Crown Vantage Company
Highway 465 North
Rolling Fork, Mississippi 39159
873-2229

Mr. Larry Miller
U. S. Forest Service
100 W. Capitol Street, Suite 1141
Jackson, Mississippi 39269
965-4391

Mr. Harvey Henderson
Delta Wildlife & Forestry
East Side Court Square
Sumner, Mississippi 38957
375-8756

Dr. Dean Pennington
Yazoo-Mississippi Water Management District
112 Stoneville Road
Stoneville, Mississippi 38776-0127
686-7712

Mr. Pat Patterson
The Nature Conservancy
809 N. President Street
Jackson, Mississippi 39202
355-5357

Mr. James Cummins
Delta Wildlife Foundation
#1 Stoneville Road
Stoneville, Mississippi 38776
601-686-3170

April 30, 1997

Mr. Blue Watson
Louisiana Department of Wildlife and Fisheries
2000 Quail Drive
Baton Rouge, Louisiana 70808

RE: Public Involvement Workshops--Yazoo Basin, Backwater Area, MS

Dear Mr. Watson:

As you are aware, Solutions, Inc., has been retained by the Vicksburg District, U.S. Army Corps of Engineers, to conduct a series of public involvement workshops. These workshops are being held in conjunction with the Yazoo Basin, Backwater Area, Mississippi, Reformulation study.

The purpose of the workshops is to identify measures/features to meet the environmental needs within the Backwater Area consistent with flood damage reduction. The objective of the workshops is to reach agreement regarding the environmental needs and the implementable measures/features to be included in the recommended plan.

A minimum of three workshops will be conducted. The proposed workshops are:

a. Workshop #1 - Jackson, Mississippi
b. Workshop #2 - Rolling Fork, Mississippi
c. Workshop #3 - Vicksburg, Mississippi

Additional workshops will be held if desired by the participants.

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Mississippi Wildlife Federation
Louisiana Wildlife Federation
Ducks Unlimited
Sierra Club
Jackson Audubon Society
Fish and Wildlife Service
Environmental Protection Agency, Region IV
Louisiana Department of Wildlife and Fisheries
Mississippi Department of Wildlife, Fisheries & Parks
Louisiana Department of Environmental Quality
Mississippi Department of Environmental Quality

The second workshop will be held on May 8, 1997, at the Armory on U.S. Highway 61, in Rolling Fork, Mississippi, at 7:00 p.m. Invited to participate in this workshop are:

The Nature Conservancy
Natural Resources Conservation Service
U. S. Forest Service
Board of Mississippi Levee Commissioners
Yazoo-Mississippi Delta Levee District
Yazoo Mississippi Water Management District
Delta Council
Delta Wildlife & Forestry
Anderson Tully Company
Crown-Vantage Company
Delta Wildlife Foundation
Local Land Owners

The third workshop will be scheduled shortly after the first two workshops. All participants from the workshop #1 and workshop #2 are invited to attend this and any subsequent workshops. There will be approximately 26 participants in the third meeting.

I am enclosing an information packet for your review prior to the workshop. The packet contains background information regarding the Backwater Area Project, the Yazoo Basin Reformulation Studies, and the Backwater Area Reformulation Study; flood history and frequency data; and environmental land-use data.

I look forward to working with you in these important meetings.

Sincerely,
SOLUTIONS, INC.

Anna W. Schoonover
President

Enclosure

Workshop #1---This letter went to:

Mrs. Elizabeth Barber
Mississippi Wildlife Federation
520 N. President
Jackson, Mississippi 39201
353-6922

Mr. Randy Lanctot
Louisiana Wildlife Federation
337 South Acadian Throughway
Baton Rouge, Louisiana 70806
504-344-6706

Mr. Ross Melinchuk
Ducks Unlimited
193 Business Park Drive, Suite E
Jackson, Mississippi 39213
956-1936

Sierra Club (No name yet)

Mr. Skipper D. Anding
Jackson Audubon Society
169 Mill Cove
Ridgeland, Mississippi 39157
856-7661

Mr. Allen Mueller
U. S. Fish and Wildlife Service
2524 South Frontage Road, Suite B
Vicksburg, Mississippi 39180
629-6607

EPA (No name yet)

Mr. Blue Watson
Louisiana Department of Wildilfe and Fisheries
2000 Quail Drive
Baton Rouge, Louisiana 70808
504-765-2642

Mr. Wayne Watts
Mississippi Department of Wildlife, Fisheries & Parks
2906 N. State Street
Jackson, Mississippi 39216
364-2174

Mr. Dugan Sabins
Louisiana Department of Environmental Quality
7290 Bluebonnet Road
Baton Rouge, Louisiana 70884
504-765-0741

Mr. Jimmy Palmer
Mississippi Department of Environmental Quality
2380 Highway 80W
Jackson, Mississippi 39204
961-5000

WORKSHOP #1
MAY 6, 1997
PARTICIPANTS

Skipper D. Anding
President, Jackson Audubon Society
169 Mill Cove
Ridgeland, MS 39157

Elizabeth Barber
Executive Director
Mississippi Wildlife Federation
520 N. President St.
Jackson, MS 39201

Charles Chisolm
Director, Office of Pollution Control
Mississippi Department of Environmental Quality
P.O. Box 10385
Jackson, MS 39289-0385

Jay DePrato
Evnironmental Biologist
Louisiana Department of Wildlife and Fisheries
P.O. Box 426
Ferriday, LA 71334-0426

Mike Ewing
Fisheries Biologist
Louisiana Department of Wildlife and Fisheries
Same

Rickey Gray
Mississippi Department of Agriculture and Commerce
121 N. Jefferson
Jackson, MS 39200

Larry Marcy
U.S. Fish and Wildlife Service
2524 S. Frontage Rd., Ste B
Vicksburg, MS 39180

Ross Melinchuk
Director, State and Federal Coordination
Ducks Unlimited
193 Business Park Drive, Ste E
Jackson, MS 39213

Louie Miller
Legal Director, Mississippi Chapter Sierra Club

1755 Barnes Road
~~921 Congress St.~~
~~Canton, MS 39046~~
~~Jackson, MS 39202~~

Avery Rollins
Central Group Chairman
Sierra Club of Mississippi

141 Dover Lane
Madison, MS 39110

T. Logan Russell
Delta Land Trust
P.O. Box 4384
Jackson, MS 39296

Wayne S. Watts, P.E.
Mississippi Department of Wildlife, Fisheries & Parks
2906 N. State Street
Jackson, MS 39216

16 MAY 1997.

Planning Division
Plan Formulation Branch

I refer to a letter dated May 14, 1997, from Mrs. Anna W. Schoonover regarding the initial workshops on the Yazoo Backwater Reformulation Study on May 6-8, 1997.

As requested, the information package responding to your input from these workshops is enclosed (enclosure 1). The information provided is preliminary and subject to change as the public involvement process evolves.

I appreciate your participating in the workshops. Your assistance in identifying concerns, needs, and potential solutions will lead to the formulation of the best plan for the Backwater Area.

We look forward to continuing to work with you on this very important effort.

Sincerely,

Gary W. Wright
Colonel, Corps of Engineers
District Engineer

Enclosure

Copy Furnished (w/enclosure):

CEMVK-PD-F

Same letter sent to addressees on attached list.

INFORMATION PACKAGE FOR YAZOO BACKWATER REFORMULATION STUDY
WORKSHOPS - 6-8 MAY 1997

Mr. Skipper D. Anding, President
Jackson Audubon Society
169 Mill Cove
Ridgeland, Mississippi 39157

Ms. Elizabeth Barber
Executive Director
Mississippi Wildlife Federation
520 North President Street
Jackson, Mississippi 39201

Mr. Charles Chisolm, Director
Office of Pollution Control
Mississippi Department of
Environmental Quality
P.O. Box 10385
Jackson, Mississippi 39289-0385

Mr. Jay DePrato
Environmental Biologist
Louisiana Department of
Wildlife and Fisheries
P.O. Box 426
Ferriday, Louisiana 71334-0426

Mr. Mike Ewing
Fisheries Biologist
Louisiana Department of
Wildlife and Fisheries
P.O. Box 426
Ferriday, Louisiana 71334-0426

Mr. Rickey Gray
Mississippi Department of
Agriculture and Commerce
121 North Jefferson
Jackson, Mississippi 39200

Mr. Larry Marcy
U.S. Fish and Wildlife Service
2524 South Frontage Road
Suite B
Vicksburg, Mississippi 39180

Mr. Ross Melinchuk, Director
State and Federal Coordination
Ducks Unlimited
193 Business Park Drive, Suite E
Jackson, Mississippi 39213

Mr. Louie Miller
Legal Director
Mississippi Chapter, Sierra Club
1755 Barnes Road
Canton, Mississippi 39046

Mr. Avery Rollins
Central Group Chairman
Sierra Club of Mississippi
141 Dover Lane
Madison, Mississippi 39110

Mr. T. Logan Russell
Delta Land Trust
P.O. Box 4384
Jackson, Mississippi 39296

Wayne S. Watts, P.E.
Mississippi Department of
Wildlife, Fisheries and Parks
2906 North State Street
Jackson, Mississippi 39216

Mr. Luther Alexander, Supervisor
District 4, Washington County
Delta Council
P.O. Box 1035
Greenville, Mississippi 38701

Honorable Paul Artman
Mayor of Greenville
P.O. Box 897
Greenville, Mississippi 38702

Mr. Laurance Carter
P.O. Box 458
Rolling Fork, Mississippi 39159

Mr. Rives C. Carter, President
Board of Mississippi Levee
Commission
211 South Walnut Street
Greenville, Mississippi 38701

Mr. Robert E. Coker, Commissioner
Yazoo-Mississippi Delta Levee
Board
140 Delta Avenue
Clarksdale, Mississippi 38614

Mr. James Cummins
Executive Director
Delta Wildlife Foundation
#1 Stoneville Road
Stoneville, Mississippi 38776

Ms. Jennifer Derby
Environmental Protection Agency
Wetlands Section
100 Alabama Street, SW
Atlanta, Georgia ~~30345~~ 30303-3104

Mr. Tim Evans
Wildlife Biologist
Anderson-Tully Company
P.O. Box 38
Vicksburg, Mississippi 39181

Mr. Robroy Fisher
The Nature Conservancy
151 Bayou Road
Greenville, Mississippi 38701-7732

Mr. James E. Johnson
Natural Resources Conservation
Service
P.O. Box 1160
Greenwood, Mississippi 38930

Mr. Jim Luckett, President
Delta Wildlife and Forestry
P.O. Box 24
Sumner, Mississippi 38957

Mr. Bill Kennedy
Delta Council
P.O. Box 264
Inverness, Mississippi 38753

Mr. Mark Monroe, Forester
Anderson-Tully Company
P.O. Box 38
Vicksburg, Mississippi 39181

Mr. Larry Moore
District Ranger
Delta National Forest
U.S. Forest Service
402 U.S. Highway 61 North
Rolling Fork, Mississippi 39159

Mr. Jonah Myrick
Natural Resources Conservation
Service
U.S. Highway 61 South
Rolling Fork, Mississippi

Mr. Dean Pennington
Yazoo Mississippi Water
Management District
112 Stoneville Road
Stoneville, Mississippi 38776-0127

GARTON/rbm/5446
CEMVK-PD-F
5-21-97

21 MAY 1997

Planning Division
Plan Formulation Branch

Mr. Robert F. McGhee
Director, Water Division
Region 4
Environmental Protection Agency
100 Alabama Street, SW.
Atlanta, Georgia 30303-3104

Dear Mr. McGhee:

I refer to your letter of May 13, 1997, regarding the Yazoo Backwater Reformulation Study.

Two copies of the slides to be used at the May 23, 1997, video teleconference among the U.S. Army Corps of Engineers, Vicksburg District; Environmental Protection Agency; and U.S. Fish and Wildlife Service are enclosed for your information (enclosure 1).

We look forward to meeting with you to discuss this very important study.

Sincerely,

Gary W. Wright
Colonel, Corps of Engineers
District Engineer

JOHNSON 5/21
CEMVK-PD-F
HOBGOOD 5/21
CEMVK-PD

SMITH
CEMVK-DD-P

MAJ MESSER
CEMVK-DD

COL WRIGHT
CEMVK-DE
21/5

Enclosure

Copies Furnished (w/enclosure):

CEMVK-PD-F
CEMVK-PR

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
100 ALABAMA STREET, S.W.
ATLANTA, GEORGIA 30303-3104

MAY 13 1997

4WM/WCWGB/MW

Colonel Gary W. Wright
District Engineer
U.S. Army Corps of Engineers
4155 Clay Street
Vicksburg, MS 39180-3435

OPTIONAL FORM 99 (7-90)

FAX TRANSMITTAL # of pages ▶ 2

To	From
Colonel Wright	M. Wi
Dept./Agency	Phone # 404-562-9409
Fax # 601-631-5296	Fax #

NSN 7540-01-317-7368 5099-101 GENERAL SERVICES ADMINISTRATION

Dear Colonel Wright:

This is in response to the Vicksburg District's public involvement workshops for the Yazoo Basin Backpumps project. The U.S. Environmental Protection Agency (EPA) was informed of the workshop dates two working days before the first workshop was scheduled by the District.

In previous discussions with both District and Division staff, EPA was informed that an effort would be made to inform, solicit information from EPA and meet to discuss significant projects associated with the Mississippi River Tributaries projects, including the referenced Backpump project. However, EPA was not provided adequate notification of these workshops to identify outstanding environmental concerns. We do not understand the reluctance of the District to involve EPA in the process, despite previous discussions to the contrary.

Since other programs at EPA have concerns regarding the Backpump Project, I would like to invite District staff to conduct a presentation of the project in Atlanta on May 23, 1997, before the final workshop is conducted. I have invited staff from the Regional Directors's office of the U.S. Fish and Wildlife Service to attend this important briefing. Once again, we seem to be lacking coordination between our agencies. I hope we can resolve our concerns and proceed on our respective agency missions to protect the environmental and economic interests of the citizens of the State of Mississippi.

For further information or questions concerning this important matter, please contact Mike Wylie of our Wetlands Section at 404/562-9409.

Sincerely,

R F McGhee

Robert F. McGhee
Director
Water Division

cc: FWS, Vicksburg
EPA, Dallas
FWS, Atlanta
Corps Lower Mississippi Valley Division, Vicksburg

IN REPLY REFER TO

United States Department of the Interior

FISH AND WILDLIFE SERVICE
2524 South Frontage Road, Suite B
Vicksburg, Mississippi 39180-5269

May 27, 1997

Colonel Gary W. Wright:
District Engineer
U.S. Army Corps of Engineers
4155 Clay Street
Vicksburg, MS 39180

Dear Colonel Wright:

On May 16, 1997 you provided this office some information on the Yazoo Backwater Reformulation Study. While I am glad to receive this information, I am also distressed to see how much work has been done with little or no coordination with the Fish and Wildlife Service. You have invested a great deal of time, money, and effort in generating this detailed project information. History shows that once project planning reaches this level of detail, all of the decisions have been made, even if it is still called preliminary data. From the information that you provided, it is clear that the 14,000 cfs pump is likely to be the selected alternative.

Proposing new project alternatives, i.e. a nonstructural alternative or major modifications to proposed alternatives, at this stage of planning is typically strongly resisted. You have a highly skilled, professional staff that has put much hard work and effort into generating this information. They understandably resist anyone questioning their assumptions and calculations at "the last minute". Unfortunately, no one outside the Corps had the opportunity to participate in the production or review of this information until after all of the hard work was finished.

I am especially concerned about the lack of involvement in mitigation planning. The Fish and Wildlife Service has a major role in determining mitigation needs. While we did prepare an analysis of waterfowl impacts, there has been no discussion or coordination between our staffs regarding mitigation requirements, justification, amount, locations, quality, or other considerations, yet you have already calculated the total cost of mitigation for all of the structural alternatives.

Genuine cooperative planning and public involvement are not easily achieved and your recent efforts are to be praised, however, early involvement in the planning process is essential. For cooperative planning to be successful, we must be included before you formulate any project alternative, not after you have already calculated all project costs and benefits.

We remain anxious to work cooperatively with you and your staff on the formulation of this and

future projects. However, for our participation to be truly meaningful, we must be included in the process from the beginning of planning and not only after all the work has been done.

Please contact me if you wish to discuss this or any other issues.

Sincerely,

Allan J. Mueller
Field Supervisor

cc: Environmental Protection Agency, Atlanta, GA
Board of Mississippi Levee Commissioners, Stoneville, MS
Mississippi Department of Wildlife, Fisheries and Parks, Jackson, MS
Fish and Wildlife Service, Atlanta, GA
Mississippi Department of Environmental Quality, Jackson, MS
Corps of Engineers, Mississippi River Division, Vicksburg, MS

SUMMARY FROM GROUP B
WORKSHOP #3
VICKSBURG, MS
MAY 29, 1997

1. What will be water quality impacts to MS River, upstream and downstream?

2. Existing Water Quality in the back water area:
   - nutrients
   - toxics
   - suspended solids

3. What would be the effects of reforestation on water quality downstream? EQIP practices?

4. Groundwater--will we lose inventory? What will be the effect on the water? Will wells be flooded and contaminate aquifers?

5. Impacts on waterfowl
   - Eagle Lake, wintering, migratory

6. Fisheries:
   - Eagle Lake
     - Spawning habitat
     - Rearing habitat

7. Migratory shorebirds

8. Neotropical birds

9. Threatened and endangered species:
   - Black bear
   - Bald Eagle
   - Big Toe Mussel
   - Pond Berry

10. Bottomland hardwoods
    - additional clearing will __ happen

11. Other wildlife, etc., game species, non-game species not _____ under other categories

12. Wetlands:
    dewatering
    Identify natural wetlands in project area

13. USFWS Plan for S. Delta--Reforestation (Migratory Bird Initiative). How do alternatives impact the identified areas? How can the alternatives parallel the USFWS Plan?

14. Reforestation

15. What's been offered/enrolled in the Farm Bill Program, WRP, CRP, Water Bank, etc--Partners, Nature Conservancy, Delta Land Trust Programs, mitigation banking.

16. What will be the hydraulic effects downstream? Will there be increased flooding? Mitigation for unavoidable losses.

17. Potential Mitigation:
    Maintaining low flow
    Reforestation
    Pooling water for early migrants
    Wintering waterfowl; late migrants
    Fish spawning
    Restoring hydrology

18. Use of plumps (positives)
    impacts of elevation on wildlife habitat
    rule curves used to manage wetland/wildlife habitat (managing water levels)
    viability of bottomland hardwood forest
    reforestation increase

19. Impacts to all public wildlife lands in project area.

SUGGESTED ALTERNATIVES FROM GROUP B

1. Reforestation--at various flood frequencies (3yr-5yr, etc.)
2. Pump, various capacities
3. Combination of pumps and reforestation
4. Conservation easements with reforestation
5. Fee title acquisition from willing sellers
6. Flowage easements

SUMMARY FROM GROUP C
WORKSHOP #3
VICKSBURG, MS
MAY 29, 1997

1. Information on water quality impacts under different scenarios:
   just levees and gates
   just levees and gates and flood easements
   just levees and gates and pumps
   just levees and gates and pumps and easements

(Corps and FWS will get this information and have periodic reviews and updates with participants.)

2. Impacts and benefits of above scenarios on:
   waterfowl; fisheries and other aquatic wetlands; bottomland hardwoods; wildlife; people; and air quality.

SUMMARY FROM GROUP D
WORKSHOP #3
VICKSBURG, MS
MAY 29, 1997

Issue: There was historically no promise to provide flood protection below 90 feet MSL. Investigate project authority.

1. Non-structural alternatives should be analyzed. (The group should have input. Whoever advocates a particular alternative should get the information.)

2. Combined non-structural/structural alternatives should be analyzed. (The group should have input. Whoever advocates a particular alternative should bet the information.)

3. Operation of pumps/gates for the benefit of waterfowl, aquatic habitats, etc. (A HEP should be done to get this information. The COE and HEP team members would provide this information.)

4. Complete compensation of all habitat losses. (This would be provided by the HEP and HEP team members.)

5. "No Project" alternative should be evaluated over the entire project period. (The COE would provide this information.)

WORKSHOP #3
VICKSBURG, MS
MAY 29, 1997

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lmk

RECOMMENDATION
WORKSHOP #3
VICKSBURG, MS
MAY 29, 1997

Request Corps provide a group grueling addressing the following:

Where we have been
Where we are now
Where are we going relative to scheduling
What is and will be the process for developing non-structural alternatives

GROUP CATEGORIES WITH CONCERNS BY GROUP
MEMBERS OF GROUPS
WORKSHOP #3
VICKSBURG, MS
MAY 29, 1997

GROUP A: PLAN FORMULATION CONCERNS

CONCERNS:

1. What are mitigation measures proposed for unavoidable fish and wildlife habitat losses? One mitigation feature could be using existing structure at Steele Bayou to create flooded habitat for fish and wildlife during low flow periods.

2. All data and analysis should be open and objective; analysis should not be predisposed to a particular outcome.

3. There is a lack of understanding of available information.

4. Hoe effective is the proposed project on addressing present and future flooding problems?

5. Why is the project needed? Define it in detail. Justify it based on current land uses.

MEMBERS OF GROUP A:

Robroy Fisher
Marty Garton
Dean Pennington
Mike Ewing
Jay DePrato
Jimmy Palmer
Lonnie Bailey
Greg Barwick
Mark Monroe
Louie Miller

GROUP B: ENVIRONMENTAL ANALYSIS CONCERNS

CONCERNS:

1. What are hydraulic effects of project on areas downstream?
2. Negatives of Pump:
   - Harmful affects to wildlife and fish habitat
   - Allow more bottomland hardwoods to be cleared
   - Negative impacts on wetlands and plants
   - Negative impacts on waterfowl
3. What will be the water quality impacts?
4. If built, will the pumps exacerbate aquifer depletion situation?
5. The concerns about fish and wildlife habitat protection exist regardless of the alternatives (pumps, levees, non-structural, etc.)--

   E.g.: Direct and indirect impacts to:
   - waterfowl
   - fisheries, including Eagle Lake
   - neotropical migratory birds
   - T & E species, including black bear
   - public lands
   - remaining bottomland hardwoods
   - other wildlife
   - USFWS plan for south Delta
   - reforestation
6. Describe the physical land and water masses downstream of the pump project and the effect this project presents on such.
7. Some issues are mislabeled as environmental issues that are used to delay and/or kill the project.
8. What are mitigation measures proposed for unavoidable fish and wildlife habitat losses? One mitigation feature could be using existing structure at Steele Bayou to create flooded habitat for fish and wildlife during low flow periods.
9. Positive of Pump:
   - wildlife habitat improved
   - overall environment improved
   - rule curves can be used to manage wetland/wildlife habitat
   - viability of bottomland hardwood forests
   - reforestation increased due to pumps

MEMBERS OF GROUP B

Willie Bunton	Laurance Carter
Gary Young	Larry Marcy
James Cummins	Rives Carter
Larry Banks	Luther Alexander
Charles Chisolm	Elizabeth Barber
Jim Luckett	

GROUP C: ECONOMIC/SOCIO CONCERNS, LEGAL

CONCERNS:

1. We would like a listing from the Corps as to the effects, pro and con, concerning people (health and economic concerns), personal property and wildlife in regard to the pump project.
2. Not enough emphasis is placed on the needs and desires of local residents.
3. What are hydraulic effects of project on areas downstream?
4. Economic, aquatic and waterfowl, value of wetlands, particularly bottomland hardwoods, should be considered.
5. Describe the physical land and water masses downstream of the pump project and the effect this project presents on such.
6. The cost benefit analyses, non-structural alternative analyses, and structural analyses should reflect today's existing conditions and the most realistic predictions of future conditions throughout the project period (including all relevant environmental and economic values).

MEMBERS OF GROUP C:

Chip Morgan
Avery Rollins
James Johnson
Jim Wanamaker
Logan Russell
Paul Artman
Stoney Brooks
John Meador

GROUP D: ISSUES RELATED TO FINDING COMMON GROUND

CONCERNS:

1. Some issues are mislabeled as environmental issues that are used to delay and/or kill the project.
2. What are mitigation measures proposed for unavoidable fish and wildlife habitat losses? One mitigation feature could be using existing structure at Steele Bayou to create flooded habitat for fish and wildlife during low flow periods.
3. Positive of Pump:
   - wildlife habitat improved
   - overall environment improved
   - rule curves can be used to manage wetland/wildlife habitat
   - viability of bottomland hardwood forests
   - reforestation increased due to pumps

MEMBERS OF GROUP D

Ron Nassar
Clarke Reed
Charles Baxter
Maryetta Smith
Larry Moore
Bill Kennedy
Wayne Watts
Bob Coker
Rayford Wilbanks

SUMMARY FROM GROUP A
WORKSHOP #3
VICKSBURG, MS
MAY 29, 1997

1. Do crop damages include timber? How is timber included in benefits?

2. How are dollars of benefits calculated?

3. Why has Corps spent so much time on structural alternatives?

4. Each will provide their specific concerns with the _____ of economic analysis of structural options.

5. Inventory of willing sellers for ___ easements (fee simple).

6. Total damages (dollar value), with no project?

7. Are more benefits or damages (lost access to hunting ...) that are not included in current calculations?

8. Non-structural:
    1. Acquire land and _____
    2. Fund easements
    3. Fund _____ structures (engineering levees)
    4. Relocation

9. Each will provide issues, ____, approaches to non-structural.

10. What is the project, ____ of data? Need for detailed, intensive _____ of project.

11. Benefits from being able to manage water levels with pumps.

DELTA LAND TRUST

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June 12, 1997

Colonel Gary Wright,
District Engineer
US Army Corps of Engineers
4155 Clay Street
Vicksburg MS 39180-3435

Dear Colonel Wright:

I enjoyed seeing you at the third facilitated workshop on Thursday, May 29 in Vicksburg. On behalf of the landowners Delta Land Trust represents, I truly appreciate the opportunity to participate in the Yazoo Backwater Area (YBWA) reformulation process as afforded by the facilitated workshops.

I would like to take this opportunity to first address the facilitated workshop process in general with specific comments regarding the April, 1997, May 16 and June 6 information packets to follow.

While I support the concept of the workshops in promoting stakeholder participation in the YBWA reformulation, I believe that the facilitated meetings should not continue until a thorough briefing is held by the U.S. Army Corps of Engineers (COE), U.S. Fish & Wildlife Service (FWS) and U.S. Environmental Protection Agency (EPA). As given in Ms. Schoonover's letter of June 6, this was the consensus opinion of the participants in the third workshop.

I submit that this briefing should be coordinated by the COE, but that FWS and EPA should have open access in the planning and implementation of this briefing. I would suggest an all day briefing with the federal agencies making presentations in the morning and the various stakeholders allowed to ask questions and make position statements during the afternoon. Such a briefing should illuminate where the facilitated workshops fit in the context of the

overall water resources development planning effort for the YBWA projects- all the projects- something the facilitators have been unable to do.

With regards to the information packets distributed prior to and after the facilitated workshops, one element that has been missing entirely is even preliminary analysis of the non-structural alternatives and combinations of structural and non-structural alternatives. Given the requirements of NEPA, WRDA, and a plethora of COE policy, for thorough contemplation of non-structural alternatives, for treatment of environmental restoration on equal footing with flood control and even for foregoing national economic benefits in favor of environmental enhancement, such an analysis is inevitable. Why not address this now?

As seen in Mr. Allan Mueller's letter of June 4 to you, I attended the May 30 meeting regarding the FWS commissioned economic analysis of non-structural alternatives for the Big Sunflower River Maintenance Project at the request of Mr. Mueller and the contracted economist. From this meeting, I gathered that easements and other non-structural techniques were relatively new considerations for your staff. As such, those resource professionals from FWS, EPA, USDA and non-governmental organizations, with substantial easement, wetlands restoration and reforestation experience could assist your staff in developing the non-structural alternatives to be analyzed. Open access in the referenced briefing planning and implementation process would lay the groundwork for this.

Comments on *Yazoo Basin Reformulation, Mississippi Backwater Area, Information Packet, April, 1997*

MITIGATION

#20. What is the restoration success at Lake George Wildlife Wetland Restoration Project? Have any duck days have been lost as a result of restoration activities at the Lake George Project? If so, have these losses been mitigated?

Regarding the green tree reservoirs in Delta National Forest, has the actual duck usage of these impoundments been compared to the projected usage? How does the actual usage compare to that of the destroyed natural wetlands?

Have the terrestrial wildlife losses caused by the greentree reservoirs been mitigated?

REFORMULATION

#21. Note that the Wetlands Reserve Program, Conservation Reserve Program and other private and public conservation initiatives have substantially altered land use in the project area since 1989.

#23. Note that WRDA and NEPA require that non-structural alternatives for the entire Yazoo Backwater Project be contemplated, not just for the Yazoo Area. Thus, the statement "After coordination with local project sponsors, the reformulation efforts are being concentrated in the Yazoo Area" is a problem.

#24. While the statement is made that a full range of alternatives is being considered, the referenced information packet and the May 16 packet contain little if any information on the non-structural alternatives.

#25. Regarding the statement "The recommended plan will be selected in concert with the non-Federal sponsor, Board of Mississippi Levee Commissioners, after full coordination with the public and local, state, and Federal officials and agencies" does not indicate that the facilitated workshops have a place in the planning process for the Yazoo Basin Reformulation.

Regarding the table entitled, "Cleared, Wooded and Total Lands Flooded by Frequency Base (Without-Project) Conditions, Yazoo Backwater Area, Mississippi", how current are these figures? In which category have WRP, CPR, FmHA and similar crop lands been placed?

Comments on *Preliminary Data, Information Package, May 16, 1997*

GENERAL

At what stage in the process are we with regards to the "Yazoo Backwater Reformulation Study, Study Process" flowchart? Are there different time lines for collecting structural alternatives base data and the non-structural alternatives base data?

DELTA LAND TRUST

HYDRAULIC INFORMATION

1. Impact of Pump on Downstream Areas. Does the statement "There are no adverse impacts from the pump station discharge to the downstream areas" contemplate the nature of the flooding with regards to the velocity of the pump discharge, the relative sediment load of the discharge, and changes in frequency, duration and timing of downstream flooding?

2. Impact of Pump Alternative on Eagle Lake. The information packet indicates that Eagle Lake area is currently protected to the 10 year frequency and that with pumps in place the protection to the Eagle Lake area would be approximately the 100-year frequency level of protection. If this statement is accurate, how will the beneficial aspects of the prevented Eagle Lake flooding be mitigated?

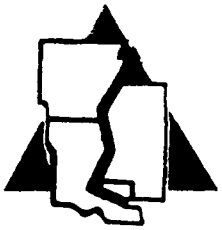
3. Water Quality. The packet states "Implementation of structural alternatives for the Yazoo Backwater Project should have little impact on water quality in the area". What about on downstream communities outside the project area?

   For example, studies indicate that up to 90% of the pollutants leaving farm fields are carried by sediment. Will not the sediment load of the pumped water be higher than the sediment load of non-pumped drainage?

4. Stage-Frequency Data. At what stage on the Mississippi River are the Yazoo Backwater Area levees and the proposed pumping plant breached? Is the two foot elevation difference in the Mainline Mississippi River levees and the YBWA levees sufficient to protect the Mainline Levee?

ECONOMIC DATA

When were these figures compiled? How were the agricultural intensification benefits computed? What is the source of the projected crop prices used? Were changes in the crop insurance program allowed for? Where did the catfish numbers come from? Is the alternative of raising any flooded catfish pond levees more cost effective? Why would a catfish producer build ponds with deficient levees in such a flood prone area?



DELTA LAND TRUST

ECONOMIC ANALYSES

1. The statement "The Federal objective of water resource planning is to contribute to national economic development consistent with protecting the Nation's environment" while accurate, is incomplete. Note that U.S. Army Corps of Engineers Circular EC 1105-2-210, June, 1995 entitled "Ecosystem Restoration in the Civil Works Program, establishes guidelines that USACE planning should explicitly recognize opportunities for environmental restoration and that reductions in national economic development benefits can be justified in the pursuit of environmental restoration. Further note that many references in WRDA, NEPA and the COE's own policy provide for thorough consideration of non-structural alternatives that would lead to environmental restoration.

2. The statement "Federal projects should alleviate problems and realize opportunities related to the output of goods and services or to increased economic development" can justify the non-structural alternative of easements with reforestation as easily as it can justify structural approaches. The goods and services associated with reforestation include timber and wildlife in private markets and a host of ecological services for society. These ecological services have significant economic value. Further note that no non-structural benefit categories such as timber, wildlife or ecological services referenced above are included.

3. a. Structural Property. What is the expected value (probability weighted value) of the damages associated with 100 year flood frequency?

   c. Reduction of Damages to Agricultural Crops. The Mississippi State University computerized damage assessment program should be made available to the various stakeholders for review. Has the model been peer reviewed? Has the model been validated?

   Regarding the statement "Increased productivity of existing cleared cropland results when farmers are able to increase crop yields by more efficient management practices and or changes in management practices"...What production practices would be changed? Do the suggested changes contemplate declining cotton plantings in the YBWA? The flood data covers 108 years, what period does the crop data cover?

Regarding the surveys of farmers within the project area...Who designed these surveys? Are the surveys statistically valid? These surveys should be made available to the various stakeholders.

d. Intensification Benefits. With current soybean prices at $8 per bushel and cotton prices at $.70-$.75 per pound, the suggested intensification benefits seem marginal at best. Additionally, due to unrelenting tobacco budworm and beet armyworm insect pressure, production costs for YBWA cotton acres has increased significantly in the 1990s. As a result, cotton plantings in the YBWA are declining, while cotton plantings worldwide are increasing. The outlook for cotton production in the YBWA is not bright.

f. Catfish. Who would build catfish ponds with deficient levees and access roads in the YBWA? Where are the ponds suffering these losses located?

h. Reduced Emergency Costs. Note that FEMA has denied the State of Mississippi's request for federal disaster assistance for the 1997 "flood".

HISTORICAL POPULATION STATISTICS BY COUNTY

The correlation coefficient between population losses in Issaquena County (from 6,400 in 1940 to 1,875 in 1992) and Sharkey County (from 15,150 in 1940 to 6,980 in 1992) and forest loses during this time period is very high. People vote with their feet. In the case of the YBWA, as agricultural intensification has increased, forest acres have decreased and people have left the area.

Do the project benefit/cost calculations include the lost economic activity resulting from the declining population as a cost of the structural project? Alternatively, does the non-structural benefit/cost calculations include increasing or stable populations as a benefit of the non-structural approach?

EXISTING LAND USE IN THE YB STUDY AREA

Do the referenced COE real estate surveys include land ownership data for the YBWA? What percentage of farmland is operated by the landowner and what percentage is operated by a tenant?

PRODUCTION STATISTICS FOR THE PRINCIPAL FIELD CROPS (1982-1992)

The left column of this chart was not copied. From the title of the table, I assume that the left column would be years 1982, 1987, and 1992.

Note over the ten year period, as the total harvested acres for soybeans declines, the per acre yield increases, while as the total harvested acres for cotton increases, the per acre yield decreases. Assuming that all of the increased 36,000 cotton acres came from the 84,000 decreased soybean acres, then the average/marginal rule suggests that the land converted to cotton production is inferior for both cotton and soybean production.

ENVIRONMENTAL DATA

Potential Environmental Avoidance, Mitigation, Compensation and Enhancement Features

Minimization should be included to the above list, but Avoid, Minimize and Mitigate should not be included in the same discussion with non-structural alternatives. Avoid, Minimize and Mitigate pertain to project features for a structural project as required by Clean Water Act regulations. Non-structural alternatives result from NEPA, WRDA and COE policy.

9 & 10. What reforestation assumptions are implicit in these alternatives? Have species been matched to sites per Baker/Broadfoot? Have growth and yield calculations been performed per Cao/Durand? What price indices were used? What economic activity multipliers were used?

TERRESTRIAL ANALYSES

This data does not include a single calculation for the impacts of the non-structural alternative (via easements and reforestation) on the species analyzed.

Comments on *June 6 Information Packet*

My interpretation of Ms. Schoonover's statement regarding "where have we been, where are we now, and where are we going" refers to the brief referred to above where COE, FWS and EPA will brief the participants on where in the

water resources planning process the YBWA projects are at this point in time, which of the projects is under discussion (Pumping Plant, West Bank Yazoo Levees, Rocky Bayou levees, etc.) and how the facilitated workshops fit into that process.

I believe that the enclosed Delta Democrat Times article did a better job of captured the essence of the meeting. However, like Ms. Schoonover's notes, the referenced article did not include statements made by myself and Mr. Lonnie Bailey, President of the Mississippi Wildlife Federation, regarding the treatment of non-structural alternatives under NEPA, WRDA and COE policy.

For the record, I am of the opinion that these laws and related COE policy require a thorough analysis of the non-structural alternatives. As such, I remain hopeful that the COE's official planning process for the YBWA will include open access for this purpose.

Thanks again for this opportunity to participate in the democratic process in general and the early stages of the YBWA planning process in particular.

Sincerely,

T. Logan Russell, President

cc: Ms. Noreen Clough, U.S. Fish & Wildlife Service, Atlanta, GA
Mr. John Hankinson, U.S. Environmental Protection Agency, Atlanta, GA
Mr. Allan Mueller, U.S. Fish & Wildlife Service, Vicksburg, MS
Mr. Tom Wellborne, U.S. Environmental Protection Agency, Atlanta, GA

DT

Both sides talk, but no agreement is reached on Yazoo Backwater

3/97

(1)

By SANDRA McINTIRE
Delta Democrat Times

VICKSBURG — The third in a series of workshops to formulate an agreement among opposing groups regarding environmental needs to be included in the reformulation of the Yazoo Backwater Project was held in Vicksburg Thursday night.

"We're here to try to transform the dialogue from an adversarial one to a working partnership between several interests," said Anna Schoonover, president of Solutions Inc., the firm hired by the U.S. Army Corps of Engineers to forge an agreement.

This was another in what will eventually be several workshops, Schoonover explained.

Participants in the first, held in Jackson on May 6, were representatives of environmental groups including the Audubon Society, Mississippi Wildlife Federation, the state Department of Environmental Quality, U.S. Fish and Wildlife Service, Louisiana Department of Wildlife and Fisheries, Ducks Unlimited, the Sierra Club and the Delta Land Trust.

Existing land use in the Yazoo Backwater Study Area

Type of Use	Acreage a/ (acres)	Percent of Use Built Up (%)	Nonbuilt Up (%)	Percent of Total Area (%)
Built up/Nonbuilt Up Uses				
Agricultural b/	592,828	d/	64.4	64.4
Forest lands	273,426	d/	29.7	29.7
Water Bodies	53,987	d/	5.9	5.9
Subtotal	920,241		100.0	100.0
Total Area c/	920,241		100.0	100.0

a/ Acreage for the various categories of urban land were calculated utilizing distribution percentages derived from onsite real estate surveys, 1994.
b/ Includes catfish ponds.
c/ Includes built-up (communities, villages, etc.) areas.
d/ Less than 1%.

Source: USACE GIS, 1994, USACE Real Estate Surveys, 1994

The second meeting, held in Rolling Fork on May 8, included representatives from the Washington County Board of Supervisors, Greenville city government, Mississippi Levee Board, Delta Levee Board, Delta Wildlife Foundation, U.S. Environmental Protection Agency, Anderson-Tully, The Nature Conservancy, Natural Resource Conservation Service, Delta Wildlife & Forestry, Delta Council, Delta National Forest, YMD Joint Water Management District and local landowners.

Thursday night's meeting brought together both sets of groups to discuss identified concerns and to help develop recommendations and alternatives or

See YAZOO on 9A

bout backwater project needs and plans

(3)

Rollins, central group chairman with the Sierra Club of Mississippi, gave the group's report.

He said the group identified two major issues and four possible scenarios for the flood control work.

"We would like to see information on the impact of water quality using all four scenarios," he said. "We would also like to see information on the impact and benefits or losses to waterfowl, fisheries and wetlands, bottomland hardwood, wildlife, people and the air quality with all four scenarios."

The four scenarios for flood control in the backwater area include:

- Using levees and gates.
- Using levees, gates and flood easements.
- Using levees, gates and pumps.
- Using levees, gates, pumps and easements.

The final group, Group D, was reported on by Wayne Watts of the Department of Wildlife, Fisheries and Parks.

He said his group was interested in looking at nonstructural, as well as structural alternatives for flood control, along with the pumps and gates.

And, finally, Watts said there was a concern with the legality of the entire project.

"One of our members said he believed that, historically, there was no promise of flood protection below 90 feet mean sea level," Watts said. "We need to investigate what authority the Corps has to do this project."

After the group reports, Russell again expressed his concern that the group was being forced to move too quickly.

In the end, the group did decide to recommend to the Corps that it put together a briefing, or "grueling" as some members called it, giving a history of the backwater project, explaining where the project is now and where it is going, outlining the scheduling for the reformulation study and explaining the process for nonstructural alternatives.

Schoonover said the recommendation will be given to the Corps and another meeting scheduled.

YAZOO: Both sides still have questions a

FROM 1A

(2)

to identify needs that still have to be met and information holes that need to be filled.

"We don't want to slow down the project," said Logan Russell of the Delta Land Trust.

One suggestion offered included buying up all the land in the basin which flooding and planting trees on it.

"We're not here to help the Corps build the project," said Lonnie Bailey, president of the Mississippi Wildlife Federation.

Both men said the U.S. Army Corps of Engineers has not provided enough information for them to effectively take part in workshops designed to identify measures and features to meet the environmental needs within the Yazoo Backwater Area consistent with flood damage reduction.

And both men also said they did not know why the workshops were being held and what kind of consensus anyone hoped to achieve.

Russell said he thought the workshops were moving too fast.

"I'm not sure what's expected of us," Russell said. "The Corps has sent out packets of information that deal only with structural options, which isn't what we want."

After some lengthy discussion about the purpose of the meeting, which was explained in a letter dated April 30, the 50 people broke into four discussion groups to go over the concerns previously identified. Each group was to look at the concerns from a different perspective.

Group A looked at the various concerns from a plan formulation perspective. At the end of the meeting Dr. Dean Pennington of the YMD Water Management District, reported that the group was still concerned with the amount and quality of information available

"Much of the material is outdated," he said. "We would like more access to detailed, intensive analysis of how damages are figured as well as the calculations of the values of the benefits of the flood control project."

Pennington said his group also would like to see an analysis of the economic value of structural and non-structural options for the project and what the the economic impact would be if nothing is done.

Total value of agricultural products sold
Yazoo Backwater Economic Base Area

Year	Total value of farm products sold a/		
	Total sales by county ($000)		
	Issaquena	Sharkey	Total Sales
1954	13,805	23,090	36,895
1959	16,433	27,305	43,738
1964	17,910	40,479	58,389
1969	13,960	27,236	41,196
1974	16,302	34,109	50,411
1978	19,746	41,119	60,865
1982	19,183	44,894	64,077
1987	23,263	45,540	68,803
1992 c/	27,941	59,607	87,548
		Total change	137%

a/ Sales are presented in 1982 dollars.
b/ Change from previous year.
c/ Presented in 1992 dollars.

Source: ERS, USDA: Census of Agriculture, 1954-1992

The second group, headed by Elizabeth Barber, executive director of the Mississippi Wildlife Federation, looked at concerns in light of the environmental impact of the project.

"We want to know about the effects of the project on water quality as well as aquifer quantity," Barber said. "We would also like more specific information on the effects to fisheries, birds, endangered species, bottomland hardwoods and wetlands,"

Barber said the group specifically was concerned about the effects on the Migratory Bird Initiative and the South Delta Reforestation program.

Group C dealt with socioeconomic issues as they relate to the concerns developed. Avery

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
100 ALABAMA STREET, S.W.
ATLANTA, GEORGIA 30303-3104

July 14, 1997

Colonel Gary W. Wright
District Engineer
U.S. Army Corps of Engineers
2101 North Frontage Road
Vicksburg, MS 39180-5191

Dear Colonel Wright:

The Region 4 Offices of the U.S. Environmental Protection Agency (EPA), and the U.S. Fish and Wildlife Service (FWS) would like to have the opportunity to hold discussions with your agency regarding floodplain management strategies in the Yazoo Backwater Area, Mississippi. We think this can be an important opportunity to continue recent discussions, and to expand the dialogue among our three federal agencies which have responsibilities for water resources management in the Delta. Specifically, we are proposing to discuss with your agency options for a nonstructural strategy for flood damage reduction in the Yazoo Backwater Area.

We would additionally like to request your participation in the planning and implementation of an economic analysis of a nonstructural strategy to flood management in this region. We are proposing to jointly fund such an analysis through a federal partnering agreement. The NEPA and Wetlands Offices at EPA have held preliminary discussions with resource economists at Virginia Tech, who have the needed expertise for this type of analysis.

Allan Mueller and Larry Marcy of the FWS-Vicksburg Office have agreed to organize a meeting for Friday, July 18 at 10:30 AM Central Time for representatives of our three federal agencies to begin this dialogue. Given our respective agencies' responsibilities and legislative mandates, a comprehensive analysis of nonstructural flood damage reduction measures is critically important, and could be most effectively accomplished through careful coordination between our agencies.

We look forward to working with you in this regard. Please feel free to contact either of our offices with any questions or recommendations: Tom Welborn at EPA (404) 562-9354, and Larry Marcy at FWS (601)629-6618. The FWS Vicksburg Office will be contacting you early this week.

Sincerely,

Thomas C. Welborn, Chief
EPA: Wetlands, Coastal, Water Quality Grants Branch

Columbus H. Brown
FWS: Geographic Assistant Regional Director

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
100 ALABAMA STREET, S.W.
ATLANTA, GEORGIA 30303-3104

JUL 23 1997

Colonel Gary W. Wright
District Engineer
U.S. Army Corps of Engineers
2101 North Frontage Road
Vicksburg, MS 39180-5191

Dear Colonel Wright:

We would like to thank your staff for participating in the meeting/teleconference with representatives of the U.S. Fish and Wildlife Service, and the Environmental Protection Agency (EPA)-Region 4 Wetlands Section and Office of Environmental Assessment. We consider the "Nonstructural Strategy for Flood Damage Reduction in the Yazoo Backwater Area, Mississippi," presented by Larry Marcy of FWS, as an important step toward examining nonstructural measures for floodplain management in this portion of the Delta.

An economic analysis would be a necessary first step in determining the feasibility of the presented nonstructural alternative. EPA has identified a group of resource economists at Virginia Tech with the needed expertise and experience for this type of analysis. As we discussed at the teleconference, we would like your participation in the planning and implementation of this evaluation.

FWS has done some excellent preliminary work in developing this nonstructural strategy, but appropriate representatives of our three federal agencies will need to determine the specific tasks required to ascertain economic viability, as well as its functional relationship to other flood control measures in the Basin.

We look forward to working with you in this effort. Please feel free to contact me at 404-562-8357 or Tom Welborn, Chief of Wetlands, Coastal, and Water Quality Grants Branch at 404-562-9354 with any questions or recommendations.

Sincerely,

John H. Hankinson, Jr.
Regional Administrator

PD-F
7-10
TEAM B

JUL 08 1997

Planning Division
Plan Formulation Branch

I refer to Ms. Anna Schoonover's letter of June 6, 1997, concerning the summary from the Yazoo Backwater Reformulation Workshop Number 3.

The referenced meeting is scheduled for 9 a.m., August 7, 1997, in the Executive Conference Room, Second Floor of the U.S. Army Corps of Engineers, Vicksburg District Headquarters, 4155 Clay Street, Vicksburg, Mississippi. All participants in the public involvement workshops process are invited and encouraged to attend.

Briefings will be provided by the Vicksburg District and the U.S. Fish and Wildlife Service during the morning. Personnel from the Environmental Protection Agency are also scheduled to attend. The Corps briefing will discuss the history of water resources development in the Backwater Area, where we are in the reformulation process, remaining reformulation activities, and features of structural and nonstructural alternative plans currently being evaluated. Open discussions will be conducted during the afternoon as required.

I hope you will take advantage of the opportunity to participate in this important meeting. If you have any questions, please contact Mr. Marty Garton, study manager, telephone (601) 631-5446.

Sincerely,

Gary W. Wright
Colonel, Corps of Engineers
District Engineer

GARTON/ejb/5446
CEMVK-PD-F

Copies Furnished:

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Vicksburg, Mississippi 39180-5269

Environmental Protection Agency
Atlanta Regional Center
100 Alabama Street, SW.
Atlanta, Georgia 30303

Solutions, Inc.
P.O. Box 820127
Vicksburg, Mississippi 39182-0127

CEMVD-ET-P
CEMVK-PR-Y
CEMVK-ED
CEMVK-PD-F

Same letter sent to addressees on attached list.

JOHNSON
CEMVK-PD-F

HOBGOOD
CEMVK-PD

SMITH
CEMVK-DD-P

COL WRIGHT
CEMVK-DE

MAILING LIST
ITEK LETTER
YAZOO BACKWATER AREA REFORMULATION
JUNE 1997

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Baord of Mississippi Levee
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Wayne S. Watts, P.E.
Mississippi Department of
Wildlife, Fisheries and Parks
P.O. Box 451
Jackson, Mississippi 39205

YAZOO BACKWATER AREA REFORMULATION
MEETING AGENDA
7 AUGUST 1997

0900-0905 Welcome -- COL Gary Wright

0905-0910 Meeting Overview -- Anna Schoonover

0910-1030 Corps Briefing -- Marty Garton

Topics

- Study History
- Study Purpose
- Study Area
- Existing Conditions
- History of Water Resources Development
- Reformulation Study
- Alternatives--Nonstructural, Combination, and Structural

1030-1045 ---------- BREAK ----------

1045-1200 U.S. Fish and Wildlife Service Briefing

Topics

- Introduction -- Allan Mueller
- Water Resource Problems of the Yazoo Backwater Area -- Charles Baxter
- Flood Control and Drainage in the Yazoo Basin--An Environmental Perspective -- Charles Baxter
- Water Resources Objectives That Should Guide Plan Formulation -- Charles Baxter
- A Nonstructural Flood Damage Reduction Strategy for the Yazoo Backwater Area -- Larry Marcy
- Considerations in Developing Combined Structural-Nonstructural Alternatives -- Charles Baxter

1200-1315 ---------- LUNCH ----------

1315-Until Open Discussion

YAZOO BACKWATER AREA REFORMULATION

7 AUGUST 1997
ATTENDEES LIST

Name	Address	Telephone
Bill Hobgood	Vicksburg District	(601) 631-5409
Gerald Miller	EPA, Region IV Office of Environmental Assessment 61 Forsyth Street Atlanta, GA 30303	(404) 562-9626
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Jim Luckett	P.O. Box 24 Summer, MS 38957	(601) 624-2398
Walter and Juanita Smith	Route 1, Box 302 Greenwood, MS 38930	(601) 453-2157
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Larry Marcy	U.S. Fish and Wildlife Service 2524 S. Frontage Road Vicksburg, MS 39180	(601) 629-6618
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John Meador	Vicksburg District	(601) 631-5502

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RICK BOYD, ENGINEERING TECHNICIAN

October 10, 1997

John Meador
Vicksburg District Corps
4155 Clay
Vicksburg, MS 39180

RE: EPA Response VPI Study

Dear John:

As I reviewed the EPA comments that we discussed yesterday, it would be my suggestion that if the evaluation team is to be expanded to include local representatives of the environmental community that they should be representatives from the Department of Environmental Quality and the Department of Wildlife, Fisheries, and Parks. I wanted to get this information to you as soon as possible and will have further comments on the scoping work at a later date.

BOARD OF MISSISSIPPI
LEVEE COMMISSIONERS

James E. Wanamaker, P.E.
Chief Engineer

JEW/gm

F:\WP60\FILES\MEM10-10

Yazoo Backwater Project Reformulation
Nonstructural Economic Analysis Meeting
23 October 1997

Agenda

0800 - Welcome, Administrative Info, and Introductions - Meador

0810 - Opening Remarks by Guests
EPA, USFWS, VPI, MSU/MAFES, Sponsors, DEQ, MDWFP, MVD

0820 - Background, Goals of Meeting - Meador, Garton, Derby

0830 - General Discussion of Scope of Work (with focus on meeting goals)

1000 - Break

1015 - General Discussion Resumes

1200 - Question and Answers - Guests

1300 - VPI and EPA depart for Jackson Airport
Further discussion as necessary.

Meeting Concludes

Note: A memorandum of the meeting will be prepared and distributed to attendees. The schedule of work will be reviewed in light of the results of the meeting and revised as necessary.

Yazoo Backwater Project Reformulation
Nonstructural Economic Analysis Meeting
23 October 1997

Background:

- **The Vicksburg District is currently in the process of reformulating the Yazoo Backwater Project and is evaluating an array of flood damage reduction alternatives including structural, nonstructural, and combination alternatives.**

- **Earlier this year, EPA contacted resource experts at VPI regarding an economic evaluation of the EPA/USFWS nonstructural strategy for flood damage reduction in the Yazoo Delta. A scope of work was developed and provided VPI for this effort.**

- **By letters dated July 14 and July 23, 1997, the EPA and USFWS suggested a federal partnering agreement to facilitate an economic analysis of a nonstructural flood damage reduction in the Yazoo Delta.**

- **Subsequent agreements have been reached among the agencies to incorporate the recommended nonstructural economic analysis into the Backwater reformulation study.**

- **Once these agreements were reached, the Vicksburg District developed a scope of work to incorporate the VPI efforts into the overall study.**

- **Each scope of work has been distributed to the parties attending the meeting today for review. EPA has reviewed and commented on the Vicksburg District scope and we are meeting today to refine the scope and get to work.**

Yazoo Backwater Project Reformulation
Nonstructural Economic Analysis Meeting
23 October 1997

Meeting Goals:

- **Reach consensus on the tasks required to perform the economic analysis of nonstructural measures.**

- **Develop a general understanding of data needs and basic assumptions required for the study as well as the tools to be used in the analysis.**

- **Establish the roles, responsibilities, and task assignments of the study participants.**

- **Develop a framework for completion of the work.**

YAZOO BACKWATER AREA NONSTRUCTURAL EVALUATION

TASKS		Team Member
1	Conservation easement for reforestation of cleared lands	
	a. Determine easement values (market approach)	VXD
	b. Evaluate factors that may effect easement values	VPI
	c. Net income of conversion from rowcrop to timber production	VPI
	d. Crop and timber input data (yields, varieties, etc.)	MAFES
	e. Benefits from reduction in flood damages	VXD
	d. Determine easement values (market approach) for lands not converted to timber production	VXD
2	Determine other benefits of converting to timber production	
	a. Environmental effects of conversion	VXD
	b. Nontimber benefits of conversion (hunting leases, etc.)	VPI
3	Impacts of restricting lands from current farm programs	
	a. Determine easement values (market approach)	VXD
	b. Evaluate factors that may effect easement values	MAFES
4	Conservation easement for preservation of existing woodlands	
	a. Determine easement values (market approach)	VXD
	b. Evaluate factors that may effect easement values	VPI
	c. Identify benefits of easements purchased	VPI
5	Water management easements	
	a. Determine easement values (market approach)	VXD
	b. Evaluate factors that may effect easement values	VPI
	c. Determine environmental effects	VXD
6	Relocation, removal, floodproofing primary residences	
	a. Costs of relocation, removal or floodproofing	VXD
	b. Benefits of relocation, removal, or floodproffing	VXD
7	Regional Economic Analysis	
	Impacts of shifting from crop to timber production	VPI
8	Other	

MEADO
CEMVK-PR

October 28, 1997

Mr. T. Logan Russell, President
Delta Land Trust
Post Office Box 4384
Jackson, Mississippi 39296

GARTC
CEMVK-I

Dear Mr. Russell:

JSMIT
CEMVK-I

I received your October 14, 1997, letter regarding previous correspondence and communications between you and Vicksburg District staff concerning your interests in the Yazoo Backwater Project.

RSMIT
CEMVK-DD

Mr. John Meador of my staff notified you by telephone on October 21 that we were unable to comply with your request to meet the afternoon of October 24. However, I understand a meeting has been scheduled on November 5 at 1:30 p.m. Please contact Mr. Meador at 631-5502 or Mr. Marty Garton at 631-5446 for additional details concerning the scheduled meeting. We look forward to seeing you on November 5.

Sincerely,

Roy O. Smith, P.E.
Deputy District Engineer
for Project Management

CF:
CEMVK-PD
CEMVK-PR-Y

Post Office Box 4384
Jackson, MS 39296
Phone: (601) 981-3865
Fax: (601) 981-3864
roi@teclink.net

DELTA LAND TRUST

October 14, 1997

PROGRAM SERVICES

CONSERVATION EASEMENTS

ECOLOGICAL RESEARCH

ECONOMIC RESEARCH

LANDOWNER ASSISTANCE

WETLANDS MITIGATION

Mr. John Meador, Yazoo Basin Project Manager
U.S. Army Corps of Engineers, Vicksburg District
4155 Clay Street
Vicksburg, Mississippi 39180
ATTN: CEMVK-PR-Y

Via Facsimile To: (601) 631-5151-Confirming Copy Via U.S. Mail

Dear Mr. Meador:

Thank you for your facsimile dated August 11, 1997 in which you attached a couple of pages from the Corps "Project Partnership Kit: Sub-File VI" that were apparently downloaded from the Internet. Note that one listed example of a "water resources problem that is beyond their ability to solve" is *degraded environmental conditions* (reference #1, page 3 of your fax; page 2 of the file you pulled down).

The information you sent certainly raises the following question. Given the exemption of the Yazoo Backwater Pumping Plant from cost-share considerations by the U.S. Congress in the 1996 Water Resources Development Act, would alternatives to the Pumping Plant be likewise exempted, such that the "financial authority and capability to provide the cash and real estate requirements needed for a project" would not apply?

Likewise, the differences in sponsorship guidance provided in the "How the Vicksburg District can help solve your water resources problems..." manual referenced in my letter of July 21 to Colonel Gary Wright and that given in the information you sent with your August 11 fax should be addressed.

Further, questions from my June 11 letter to Colonel Wright (which you and I discussed via teleconference on June 26 and again at the August 7 workshop) are still unanswered, despite Colonel Wright's letter of June 27, 1997 which stated that "We (the Corps) will provide you with detailed responses within the next 30 days". To date, I have received no such responses, nor were many of

DELTA LAND TRUST

the issues raised in my letter of June 11 addressed during the August 7 workshop.

I plan to be in Vicksburg on October 24 for the Vicksburg District's update on the Mainline Levee Project and would suggest that afternoon from 1-3 PM as a possible meeting time to discuss these matters. Please let me know if this is a convenient meeting time for you and your staff.

Thanking you for your assistance in this matter, I am,

Sincerely yours,

T. Logan Russell, President

DELTA LAND TRUST

[illegible]

July 21, 1997

Colonel Gary Wright
U.S. Army Corps of Engineers
Vicksburg District
4155 Clay Street
Vicksburg MS 39180

Dear Colonel Wright:

The purpose of this letter is to request a meeting with you and the appropriate Vicksburg District staff to discuss the possibility of Delta Land Trust sponsoring a non-structural flood control project for the Yazoo Backwater Area.

Some of the authorization for the non-structural approach was referenced in my letter to you of June 12, 1997, so I will not further belabor that point in this correspondence. However, please find enclosed Page 12 of a Vicksburg District publication entitled, "Customers' Guide: How the Vicksburg District can help solve your water resources problems...Continuing Authorities, Planning Assistance to States, Flood Plain Management Services".

Specifically note the following statement in the "How to request help" section:

"Assistance through the Continuing Authorities Program begins with a request from a responsible local sponsor such as a city council, county board of supervisors, director of public works, flood control agency or environmental organization."

Delta Land Trust would qualify under the "environmental organization" category of potential sponsors. The purpose of this letter is not to request that we be considered a "responsible local sponsor" of a non-structural flood control project in the Yazoo Backwater Area, rather it is to request a meeting to discuss this possibility.

Thank you for taking this matter under consideration. I look forward to hearing back from you at your earliest possible convenience.

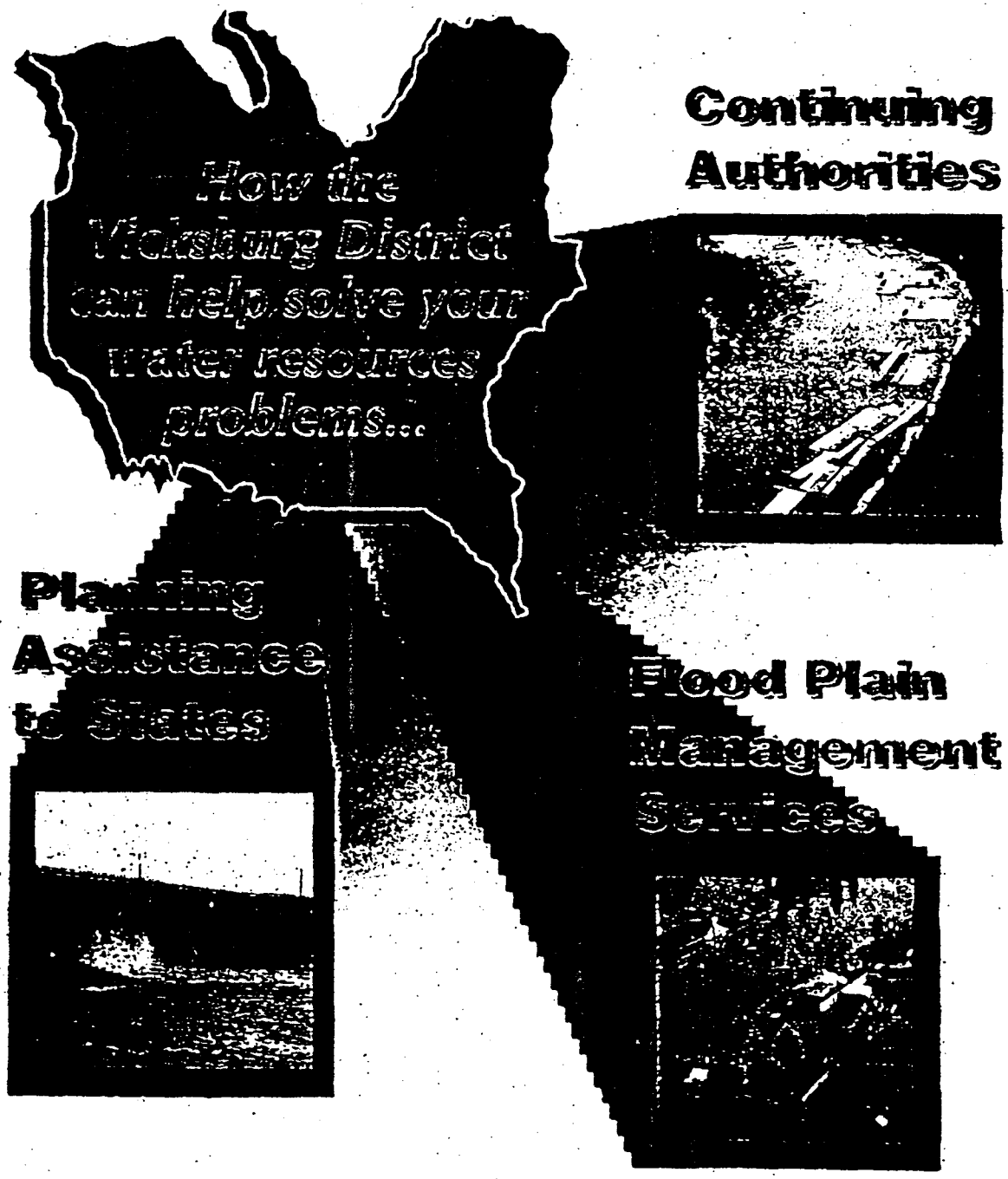
Sincerely,

T. Logan Russell, President

cc: Mr. John Hankinson, US EPA, Region IV, Atlanta GA
Mr. Marvin Moriarity, US FWS, SE Region, Atlanta GA
Mr. Allan Mueller, US FWS, Vicksburg MS

US Army Corps
of Engineers
Vicksburg District

CUSTOMERS' GUIDE



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P.O. BOX 637

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(601) 334-4813

(601) 332-6732

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RICK BOYD, ENGINEERING TECHNICIAN

November 21, 1997

John Meador
Vicksburg District Corps
4155 Clay
Vicksburg, MS 39180

RE: Big Sunflower Maintenance Project
Yazoo Backwater Reformulation

Dear John:

I just recently received a phone call from a Delta resident who is in the catfish business and had the opportunity to review the multi-volume documents on the Big Sunflower Maintenance Project. He was actually doing this as part of some of his individual review for the possibility of non-structural solutions to our problems.

He was very concerned that the only damages considered to the catfish industry resulted from over topping. He expressed the fact that there are many activities required in the catfish business that are damaged by high water even though over topping does not occur. Some of these damages would be the loss of access for daily monitoring and feeding; the inability to drain ponds for maintenance of levees; and also the inability to drain the ponds which is required as part of the fingerling activity in the catfish industry.

I am far from being an expert in the catfish business, but would like to ask that experts in the industry be consulted prior to completing the economics on the Yazoo Backwater Reformulation. We would request that the individuals involved in the economic data for the Big Sunflower Maintenance Project become more familiar with this data in the event of litigation.

BOARD OF MISSISSIPPI
LEVEE COMMISSIONERS

James E. Wanamaker, P.E.
Chief Engineer

JEW/gm
cc: Chip Morgan

DELTA LAND TRUST

February 19, 1998

PROGRAM SERVICES

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T. Logan Russell
Jackson, MS

Mr. Marty Garton, Project Manager
Yazoo Backwater Area Study
U.S. Army Corps of Engineers, Vicksburg District
4155 Clay Street
Vicksburg MS 39180

Dear Mr. Garton:

In reference to the "Response Document" I received from you during our meeting of November 13, 1997, please reference Corps' comments on page 8 and 9 regarding purported "agricultural intensification" benefits. Your reference to the *Delta Farm Press* likely indicates that you have already seen the enclosed articles from the February 6, 1998 edition of that publication. Nonetheless I wanted to bring these articles to your attention just the same.

Please note that 1995 Mississippi cotton plantings were 1.46 million acres, 1996 cotton planting acres were 1.2 million acres, 1997 cotton planting acres were 985,000 acres and 1998 cotton planting intentions are only 836,000 acres. At some point, even you must acknowledge that the Corps' statement, "There is not sufficient data to suggest that any long term changes in historical trends is developing, especially significant changes in cotton plantings"* is ludicrous. Likewise a reasonable man would admit that the Corps' comment, "The shifts that have occurred in crop distributions in the area are not significant enough to change the analysis as conducted"** is indefensible.

The facts are that American agriculture in general and Mid-South agriculture in particular are exhibiting the adjustments that are inherent in the transition from a government-controlled industry to a free-market industry. "Freedom to Farm" is about adjustment to real-world, market-oriented conditions and away from the government created artificial marketplace that dominated American agriculture for 60+ years. With long-time cotton program subsidies dwindling away, it only natural that cotton acreage is plummeting in the high-production cost Mid-South, while there is a definitive upward trend in cotton plantings in the low-production cost Southeast (Georgia, Carolinas, Virginia).

Cotton growers cut costs or turn to other crops

nbree Brandon
Farm Press Editorial Staff

FRED COOKE'S figures illustrate why many farmers won't be growing as much (or any) cotton this year. "The average cost to grow an acre of dryland cotton in the Mississippi Delta is $422.96, including variable costs and fixed machinery costs, but not ginning. That's based on solid cotton, eight-row, sandy soil.

"But, that's not the whole story," he told producers at the annual Delta Ag Expo at Cleveland, Miss., in a discussion tagged "The Mid-South Cotton Industry in Crisis." When $80 is added for land costs, $45 for farmer overhead, and $23 for management cost, the total becomes $570.96 per acre, not including ginning.

The National Cotton Council is forecasting a price of 63 cents per pound, or less, for cotton this year. To pay all the bills and break even with a 63-cent price will take 900 pounds of cotton.

Given that scenario, many are cutting back or getting out. But, long-term significant cutbacks in cotton acres can have a detrimental impact on the cotton infrastructure, on rural communities, and on a state's economy.

"We've proven over the last couple of years that we can grow alternate crops, s... as corn, and do it well. There have ...emendous breakthroughs in soy... ...chnology, using Group IV and ... V varieties, that are only a foretaste of things to come. But, the reality is that $7 to $8 soybeans aren't in your future for very long.

"Cotton creates more economic activity and tax revenues than any other crop. South Mississippi Delta counties that are facing dramatic decreases in cotton acres this year are also seeing a dramatic impact on suppliers, machinery dealers, and other businesses that generate employment and dollars in a community. All this can have a brutal impact on small towns."

Still, all isn't gloom and doom, Cooke said — if growers can reduce production costs.

"Many farmers say it can't be done, that they've cut everything they can out of their controllable production expenses. But, they need to look at these costs and ask themselves how much of their inputs involve a point of diminishing returns. Those who say they can't grow cotton for less than what they're presently spending had better learn to do it, or switch to corn or soybeans."

When plotting input costs versus returns on a curve, Cooke said, "you reach a point where increasing inputs no longer increases returns; you're spending money to no purpose, and to your economic detriment."

One method that can be used to cut ...e said, is to utilize the NAWF5 ...nodes above white flower 5 ...50 heat units) for terminating cotton insect control. "The system can cut an average of 2.1 insecticide applications, saving the grower $30 to $70 in total costs per acre. On 650,000 acres of cotton, that's $20 million Mississippi growers could save."

In 1995, Cooke said, there was a $62.72 spread between the lowest and highest per acre insect control expenditure. "Does it make sense to spend $60-plus to produce another $40 to $60 worth of cotton?"

Saying cotton production costs for many growers "are out of hand," he suggested some additional areas for investigation for trimming expenses:

- The relationship between nitrogen rates and insect infestations ("thus far, there is no documentation that such a relationship exists").
- The relationship between irrigation and insect problems ("a review of the literature shows no documentation of this").
- How much weed control is enough? ("We don't need perfect weed control.")
- What are the benefits of growth regulators? ("There's a raging controversy about this.")
- What are the advantages of various tillage systems?
- Are there verifiable benefits in ultra-narrow row production?

Even though growers need to look at ways they can reduce input costs in order to make cotton profitable, Cooke says, they need to be aware of the production curve and be sure they're getting the right ratio between inputs and yields.

"Reducing yields just to reduce costs is economic nonsense."

In National Cotton Council survey

Producers indicate large cutbacks in cotton

By Hembree Brandon
Farm Press Editorial Staff

KING COTTON'S already cock-eyed crown is going to tilt further askew this year as producers continue to turn to other crops. According to a National Cotton Council grower survey, U.S. cotton plantings will total only 12.1 million acres (upland and extra long staple). That's a 12.3 percent drop from last year's already low total.

The early-season survey, announced at the group's annual meeting at San Antonio, Texas, polled one of every two producers in cotton-growing states as to their planting intentions for 1998.

"I'm shocked," said Ron Rayner, Arizona producer and chairman of the council's Producer Steering Committee. "We all knew the estimate would probably be lower than the industry was expecting, but I didn't think it would be this low.

"I have to interpret this as the market telling us that it needs less cotton, and producers responding to that message."

"It was definitely a surprise," said Kent Lanclos, council economist who directed the survey. "We, along with the entire industry, were anticipating a decline — the only question was, how much? At current price relationships, many growers are finding that competing crops such as corn and soybeans offer greater profit potential than cotton, with less risk."

He noted that many growers, at the time of the survey in late December, "were expressing dissatisfaction with cotton cash and futures prices. Now, with prices even lower, there may be even further reassessment."

Based on the survey results, the largest decline is expected to occur in the Mid-South, where upland area is projected at 2.71 million acres, a decline of 21 percent from last year. Every state in the region shows an average decline of 15 percent or more, with a whopping 30 percent cutback expected in Louisiana, to 438,000 acres, followed by Tennessee, down 24 percent to 380,000 acres, Arkansas, down 17 percent to 787,000 acres, and Mississippi, down 15 percent to 836,000 acres.

Far West growers intend to plant 18 percent less upland cotton, with a survey total of 1.04 million acres. Arizona producers indicated a 28 percent decline, to 230,000 acres; California plantings are expected to be down 15 percent to 748,000 acres; and New Mexico plantings are projected to decline 8 percent to 65,000 acres.

Extra long staple (ELS) acreage is expected to see a slight increase in 1998, with California growers intending to plant 205,000 acres, up 10 percent. But reductions in ELS acres are indicated in Arizona, with 15,000 this year, compared to 22,000 in 1997; New Mexico, 11,000 this year, compared to 13,000 last year; and Texas, 30,000 acres, down from 32,000 in 1997. Total ELS acres is pegged at 261,000, up about 9,000 from last year.

Growers in the Southwest states intend to plant 5.2 million acres, a decrease of 9 percent from last year. In Texas, plantings are expected to be down about 9 percent to 4.98 million acres, with Oklahoma basically unchanged at 200,000 acres. One expansion is indicated — Kansas growers say they'll have a large increase, up 80 percent from last year, to 27,000 acres.

The smallest decline is expected in the Southeast, down 7 percent to 2.91 million acres. The biggest reduction is indicated in Alabama, 13 percent, to 465,000 acres, followed by North Carolina, a 9 percent reduction, to 609,000 acres. Georgia and Florida are both expected to see declines of slightly more than 6 percent, to 1.35 million acres and 93,000 acres, respectively. Survey results indicate a two-tenths percent decline in South Carolina, to 289,000 acres, while growers in Virginia plan a 3 percent increase, to 104,000 acres.

With expected abandonment, total upland and ELS harvested area would be about 11.52 million acres, Lanclos said. "With a per-acre yield of 670 pounds, production would be 16.1 million bales, with a range of 14.4 million to 17 million bales, allowing for moderate yield variations. Cottonseed production is projected to fall within an interval of 5.3 million tons to 7.0 million tons, with a mid-point estimate of 6.0 million tons.

"There's more uncertainty than in recent memory about the outlook fo cotton," Lanclos said. "The Freedo to Farm Act has given growers flex bility they haven't had since the 1930 and they're much more carefully con paring returns from cotton versu other crops.

"For example, the December '9 New York contract is about the sam place it was this same time a year ag but September '98 corn is 20 cent above where it was last year and soy bean prices are roughly the same a they were in November '97.

"Given the significant number c cotton acres switched last year t corn and soybeans, it wasn't any su prise that there was a further declir indicated for 1998. The surprise wa the magnitude of the decline."

JUST HOW accurate is the National Cotton Council early season plantings survey?

Much more than a lot of producers and industry people think, says Mark Lange, council economist, who recalls that after last year's pessimistic survey of 13.6 million acres was announced, "people were throwing brickbats at us from every direction."

So, how did things turn out? Surprisingly close, Lange notes.

USDA's final estimate was 13.8 million acres. "We missed by only 186,000 acres, less than 1.5 percent."

This is the 15th year of the annual survey. In the past 14 years, the NCC survey figure was over the actual planting eight times, under six times. "Our average error was 3.13 percent, compared to 3.35 percent for USDA.

"I think our survey has performed pretty well," Lange says.

In previous years, the survey polled one of every three cotton growers in each state; this year, "given the general dissatisfaction about cotton's prospects, we decided to increase that to one of every two growers.

Prospective 1998 U.S. Cotton Plantings

Crop and Area	1997 Actual (Thou.)	1998 Intended (Thou.)	Percent Change (%)
UPLAND			
Southeast	**3,136**	**2,912**	**-7.1**
Alabama	535	465	-13.0
Florida	100	93	-6.7
Georgia	1,440	1,351	-6.2
North Carolina	670	609	-9.2
South Carolina	290	289	-0.2
Virginia	101	104	3.2
MID-SOUTH	**3,445**	**2,707**	**-21.4**
Arkansas	950	787	-17.2
Louisiana	630	438	-30.4
Mississippi	985	836	-15.1
Missouri	380	266	-29.9
Tennessee	500	380	-24.0
SOUTHWEST	**5,715**	**5,202**	**-9.0**
Kansas	15	27	79.5
Oklahoma	200	200	-0.2
Texas	5,500	4,975	-9.5
WEST	**1,270**	**1,043**	**-17.9**
Arizona	320	230	-28.1
California	880	748	-15.0
New Mexico	70	65	-7.6
TOTAL UPLAND	**13,566**	**11,864**	**-12.5**
ELS	**252**	**261**	**3.6**
Arizona	22	15	-31.8
California	185	205	10.8
New Mexico	13	11	-15.4
Texas	32	30	-6.3
ALL COTTON	**13,818**	**12,125**	**-12.3**

1/NASS, USDA. 2/National Cotton Council.

Commonsense agriculture goal of Missouri conference

COMMONSENSE AGRICULTURE for a broader audience. That is the goal of a conference to be held March 5–7 at the University of Missouri–Columbia.

"Sustaining People Through Agriculture" is the theme of the statewide conference for people interested in Sustainable Agriculture, says John Ikerd, MU extension agricultural economist.

The meeting starts at 10 a.m., March 5, at the MU Memorial Union.

Ikerd says the program covers four major areas: Survival of small family farms, pasture–based farming systems, local and regional food systems, and on–farm research.

"Many people believe that if there is a hope for survival of small farms, it is with the concepts of sustainable agriculture," Ikerd says. Those concepts include, among others, the diversification of production and the reduction of input costs.

One panel of agricultural entrepreneurs will tell of niche markets for farm products.

Another group will tell about forming food that shorten the link in the food marketing cl tween farmers and consumers.

Registration fee for the three–day conference is $30, with a $10 additional fee for registration at the door.

For more information contact Debi Kelly, Missouri Alternative Center, 628 Clark Hall, MU, Columbia, Mo. 65211, or call 800–433–3704.

DELTA LAND TRUST

Your statements as referenced and the actions of the Vicksburg District in its civil works program in the Mississippi Delta are indicative of the dangers of relying on flood control project authorization that dates to the 1940s. Let me put that time period in perspective for you. Do you realize that these projects were authorized 25 years before man landed on the moon?

Accordingly, I encourage you to reassess the economic assumptions upon which your Backwater Area alternatives are based, rather than ignoring real world crop adjustments.

Sincerely,

T. Logan Russell, President

* Page 9 of the Vicksburg District response document
** Page 10 of the Vicksburg District response document

cc: Mr. John Hankinson, U.S. Environmental Protection Agency, Atlanta, GA

Dr. Len Shabman, Virginia Water Resources Research Center, Blacksburg, Virginia

Mr. Charles R. Smith, Assistant for Environment and Regulatory Affairs, Office of the Assistant Secretary of the Army (Civil Works) Washington, DC

Comment: Intensification Benefits. With current soybean prices at $8 per bushel and cotton prices at $.70-$.75 per pound, the suggested intensification benefits seem marginal at best. Additionally, due to unrelenting tobacco budworm and beet armyworm insect pressure, production costs for YBWA cotton acres has increased significantly in the 1990's. As a result, cotton plantings in the YBWA are declining, while cotton plantings worldwide are increasing. The outlook for cotton production in the YBWA is not bright.

From My Letter of 6/12/97 To Vicksburg District

Response: There is not sufficient data to suggest that any long term changes in historical trends is developing especially significant changes in cotton plantings. There were significant bollworm problems during the 1995 growing season in many parts of Mississippi. The most severe infestations occurred in the hill area of the state. However, the 1996 growing season did not see these extreme infestations. The current shift from cotton to corn is driven in part by relatively high corn prices and the fact that production costs of growing corn are less that those associated with cotton production. This in effect reduces the risk of loss. If lower corn prices return it is probable that some lands that are currently in corn will return to cotton. The analysis employed in

From 11/13/97 Vicksburg District Response Document

the Yazoo Backwater Study assumes that historic relationships between crops will continue over the life of the project. The shifts that have occurred in crop distributions in the area are not significant enough to substantially change the analysis as conducted.

Yazoo Backwater Meeting Agenda

July 7, 1998
EPA Regional Office, Atlanta

10:00 - 10:15	Introduction and meeting purpose	Principals
10:15 - 11:00	History of Project Project Alternatives	Meador
11:00 - 11:45	Fish and Wildlife Service Presentation "Nonstructural Approach to Flood Damage Reduction"	Marcy
11:45 - 12:00	EPA Overview of Economic Study, Mississippi Delta Activities, Water Quality Issues	EPA Staff
12:00 - 12:45	Lunch	
12:45 - 1:10	EPA Presentation (continued)	
1:10 - 2:00	Interactive Discussion among Participants Of Proposed Project (purpose, alternatives and solutions).	
2:00	Meeting adjourn	

FWS attendees:
Sam Hamilton, Regional Director
Larry Marcy, Vicksburg Field Office
Cherry Green, Ecological Services, Regional Office

EPA attendees:
John Hankinson, Regional Aadministrator
Stan Meiburg, Deputy Regional Administrator
Mike McGhee, Water Division Director
Tom Welborn, Wetlands Coastal Nonpoint Source Branch
Bill Cox, Wetlands Section Chief

Corps attendees:
Phil Anderson, Commander, MVD
Dusty Rhodes, Chief Planning Division, MVD
Roy Smith, Deputy for Project Management, Vicksburg District
John Meador, Project Manager

YAZOO BACKWATER MEETING AGENDA
7 JULY 1998
EPA BUILDING

10:00-10:15	INTRODUCTION AND MEETING PURPOSE	PRINCIPALS
10:15-10:45	HISTORY OF PROJECT Original project Facilitated Meetings Study schedule Political Environment ABC News Piece	MEADOR
10:45-11:15	DESCRIBE PROJECT ALTERNATIVES	MEADOR
11:15-11:45	DISCUSS ECONOMIC STUDIES BY VPI	EPA/MEADOR
11:45-12:30	LUNCH (Sandwiches or Cafeteria)	
12:30-1:00	MIGRATORY BIRD CORRIDOR	USF&W
1:00-1:30	WATER QUALITY	EPA
1:30-2:00	DEVELOP FEDERAL CONSENSUS POSITION Purpose of discussion is to develop a mutual understanding of each Agency's concerns and possible consensus solutions. Hopefully, the range of alternatives will be discussed and some will be identified that are acceptable to all parties. We must all recognize that the public will be involved in the decision on the final plan as is required by our planning process and NEPA.	ALL PARTIES
2:00	MEETING ADJOURN	

CORPS ATTENDEES:

MG PHIL ANDERSON (Commander, MVD)
MR DUSTY RHODES (Chief Planning Div, MVD)
MR ROY SMITH (Deputy for Project Management, Vicksburg Dist)
MR JOHN MEADOR (Project Manager)

YAZOO BACKWATER PROJECT
DRAFT MEETING AGENDA – CEMVD, CEMVK, EPA, USFWS
7 JULY 1998 – 10:30 (ATLANTA)

1. INTRODUCTIONS – EPA, USFWS, CORPS

2. YAZOO BACKWATER REFORMULATION

   - HISTORY
   - PUBLIC/AGENCY PARTICIPATION (FACILITATED MTGS)
   - STUDY SCHEDULE
   - ABC NEWS STORY (PUBLIC PERCEPTION)
   - FUTURE ROLES AND PROJECT SPECIFIC COOPERATION

3. BIG SUNFLOWER MAINTENANCE PROJECT

   - CHALLENGE TO STATE WATER QUALITY CERTIFICATION
   - AGENCY PARTICIPATION IN LEGAL ACTION BY SIERRA CLUB

4. GOALS FOR DELTA

5. MEETING CONCLUDES

NOTES: In a meeting held in Washington on March 10, 1998, the Chiefs of Staff of Senators Lott and Cochran met with Dr. Jamie Clark of USFWS and EPA representatives including Mr. Hankinson to discuss opposition to Delta projects by private environmental groups. The discussion included a request of the agencies' opinion as to whether the Corps has complied with NEPA requirements for the BSRMP. It also covered concern by the Senators of Federal Resource Agency opposition or non-support being "used" by the environmental groups to legally challenge projects that the Congress supports. There was also discussion of "a consensus Federal position" on the projects which may be an overly optimistic goal.

TRENT LOTT
MISSISSIPPI

MAJORITY LEADER

FINANCE

COMMERCE, SCIENCE, AND TRANSPORTATION

RULES

United States Senate

SUITE 487, RUSSELL SENATE OFFICE BUILDING
WASHINGTON, DC 20510-2403

245 EAST CAPITOL STREET
SUITE 226
JACKSON, MS 39201

3100 S. PASCAGOULA STREET
PASCAGOULA, MS 39567

#1 GOVERNMENT PLAZA
SUITE 428
GULFPORT, MS 39501

P.O. BOX 1474
OXFORD, MS 38655

200 E. WASHINGTON STREET
SUITE 145
GREENWOOD, MS 38930

August 5, 1998

Mr. Chip Morgan
Executive Vice President
Delta Council
Post Office Box 257
Stoneville, Mississippi 38776

Dear Chip:

Knowing of your interest in the Big Sunflower River dredging project, I wanted to pass along the attached letter from EPA Regional Administrator John H. Hankinson, Jr. Also attatched is a recent letter from Colonel Robert Crear, District Engineer for the Vicksburg Corps of Engineers. I am continuing to monitor this issue, both administratively and within the legislative process.

Of course, I will be back in contact with you as I learn further details. If you find that I can be of further help to you in the future, please do not hesitate to let me know.

Sincerely yours,

Trent Lott

Trent Lott

TL:mnw

Enclosure

DEPARTMENT OF THE ARMY
VICKSBURG DISTRICT, CORPS OF ENGINEERS
4155 CLAY STREET
VICKSBURG, MISSISSIPPI 39180-3435

REPLY TO
ATTENTION OF:

Executive Office

Honorable Trent Lott
Senate Majority Leader
United States Senate
Washington, DC 20501-2402

Dear Senator Lott:

This is in response to your letters dated June 24, 1998, and July 1, 1998, requesting a status report on the Big Sunflower River Maintenance Project.

The efforts of Flood Control interests in the Mississippi Delta on behalf of this project are acknowledged and appreciated. The City of Greenville, as always, is a valued member of the flood control team for the Vicksburg District. In an effort to provide you with the latest information concerning the Big Sunflower River Maintenance Project, I am relating to you the following information.

The Board of Commissioners of the Mississippi Department of Environmental Quality approved issuance of the Water Quality Permit for the Big Sunflower River Maintenance Project in March 1998. As a result of this Commission approval, the Mississippi Department of Environmental Quality issued the Water Quality Permit for the Big Sunflower River Maintenance Project on April 16, 1998. The Mississippi Sierra Club Incorporated and Mr. Green M. Baggett, a local landowner from Sharkey County, filed an appeal of this action.

This has placed into motion an appeals process that will consist of a special hearing in which the permit applicants and sponsors, the DEQ staff and the appellants may provide testimony regarding compliance with State regulations for permit issuance. Mr. George H. "Hugh" Penn of New Orleans, Louisiana, is representing both of the appellants. The Board of Commissioners of the Mississippi Department of Environmental Quality appointed retired Federal Judge Charles Clark as hearing officer for this permit appeal process. The actual hearing of the appeal of the Water Quality Permit will be on August 5, 1998.

The Forest Service Record of Decision for a Special Use Permit (SUP) for Item 3 was signed in June 1998 and is out for public comment for a period of 45 days. If there are objections or comments, an additional 45 days may be required to address those comments.

The Vicksburg District has completed the plans and specifications for Item 3 of the Big Sunflower River Maintenance. The advertisement process is underway pending the affirmation of the Water Quality Permit and completion of right-of-way. This item of work is scheduled for award in September 1998.

The Vicksburg District is preparing the plans and specifications for Item 2 of the Big Sunflower River Maintenance Project.

I trust that this information is useful in bringing you up to date on the status of the Big Sunflower River Maintenance Project and the efforts of the Vicksburg District to accomplish this maintenance as quickly as possible. Please let me know if we can provide you with additional information on this matter.

Sincerely,

Robert Crear

Robert Crear
Colonel, Corps of Engineers
District Engineer

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

JUL 1 4 1998

Honorable Trent Lott
United States Senate
Washington, D.C. 20510-2403

Dear Senator Lott:

Thank you for the information in your June 25, 1998, letter concerning the critique by economists at Mississippi State University (MSU) of studies addressing the feasibility of using flowage easements for flood control in the Big Sunflower watershed. I have requested that my staff evaluate the results and conclusions of this work as they pertain to this project and future similar activities in the Yazoo Basin. As soon as this analysis is completed, I will forward the results of our review for your use in responding to the Delta Council inquiry.

The MSU critique is timely since staff economists at Virginia Polytechnic Institute (VPI) are currently under contract to Region 4 to determine the feasibility of using flowage easements and other non-structural options for flood control in the proposed "Back Pumps" project. A copy of the MSU document will be sent to VPI to determine if the methodologies for this study need to be modified.

If I can be of any further assistance to you on this or any other environmental issues, please do not hesitate to contact me.

Sincerely,

John H. Hankinson, Jr.
Regional Administrator

YAZOO BACKWATER REFORMULATION PROJECT
RESOURCE AGENCY MEETING
AUGUST 31; 1:30 P.M.
EPA OFFICE, ATLANTA, GEORGIA

AGENDA

1. INTRODUCTION & BACKGROUND - JIM WANAMAKER

2. PRESENTATION OF CORPS ANALYSIS - JOHN MEADOR

3. IDENTIFICATION OF ISSUES

4. FORM ACTION PLAN

5. SCHEDULE NEXT MEETING

ATTENDEES:

EPA - Mike McGhee, Tom Welborn, Bill Cox, Jennifer Derby, Beverly Banizer

USFWS (Atlanta) - Steve Thompson, Cherry Green

USFWS (MS) - Larry Marcy, Tim Wilkins

MsDEQ - Jimmy Palmer, Charles Chisolm, Robert Seyfarth

MDWFP - Bill Quisenberry, Don Brazil

Ms Levee Bd. - Jim Wanamaker

YMD Levee Bd. - Ken Weiland

Levee Bd Consultant - Nick Chandler

USACE (MVK) - John Meador

Draft Yazoo Backwater Reformulation Meeting Agenda

September 4, 1998
USFWS Regional Office, Atlanta

10:00-10:15	Introduction and meeting purpose	Principals
10:15-12:00	Corps tentative recommended plan including Q&A	Meador *
12:00-12:45	Lunch	
12:45-13:30	EPA/VPI study progress report **	EPA Staff
13:30-14:00	Discussion of further agency cooperation in Yazoo Backwater Study and Yazoo Delta Strategy.	Principals
14:00	Meeting adjourns	

- *Recommend attendance by MVK representatives to address/respond to specific technical components of the recommended plan. (i.e. Formulation, Economics, Environmental, Water Quality)

- **Presentation of status of VPI analysis of USFWS Non-Structural Strategy. Also further discussion of additional efforts briefed at July 7 meeting (i.e. USGS, WES, EPA-Economics).

Yazoo Backwater Reformulation Meeting
USFWS Office - Atlanta, GA
21 SEP 1998

1:30 - Opening Remarks (Mr. Hamilton, Mr. Hankinson, MG Anderson, COL Crear)

1:40 - Corps Presentation of Economically Feasible Alternatives
(John Meador, Marty Garton, Stoney Burke, Gary Young)

2:15 - USFWS Presentation

2:45 - Open Discussion -Recommendations for study completion (ALL)

4:00 - Meeting Adjourns

Corps Attendees:

Mississippi Valley Division
MG Phillip Anderson – Division Commander
Dusty Rhodes - Program Execution Division
Stan McAlpin – Program Manager for Vicksburg District
Steve Cobb – Environmental Analysis Division
Vicksburg District
COL Robert Crear – District Commander
Roy Smith - Deputy PPPM
John Meador - Yazoo Basin PM
Marty Garton - Yazoo Backwater Reformulation Manager
Stoney Burke - Economics
Gary Young - Environmental

USFWS Attendees:

Sam Hamilton - Regional Director
Dale Hall - Deputy Regional Director
Steve Thompson - Geographic Asst. (Area 1)
Jim Brown - Acting Ecological Services Supervisor
Bob Bowker - Field Supervisor (Mississippi)
Larry Marcy - F&WL Biologist, Vicksburg

EPA Attendees

John Hankinson - Regional Administrator
Mike McGhee - C/Water Division
Tom Welborn - C/Wetlands, Coastal, Water Quality Branch
Bill Cox - C/Wetlands Section
Jennifer Derby - Wetlands Section
Chris Rigby

9 December 1998 Meeting with EPA and FWS
Atlanta, Georgia

MEETING AGENDA

1. Opening Remarks/Introductions by General Anderson, Colonel Crear, Mr. Hankinson, and Mr. Hamilton

2. Meeting Objective- General Anderson

3. Tentatively Recommended Plan

4. Study Schedule

5. General Discussion

MVD Attendees:
MG Phillip R. Anderson, Division Commander
George H. (Dusty) Rhodes, Program Execution Division Chief
Stephen Cobb, Environmental Analysis Division Chief
Wendell Wilkinson, Real Estate Division Chief

Vicksburg District Attendees:
Roy O. Smith
John Meador
Marty Garton
Stoney Burke
Gary Young

F&WLS Attendees:
Sam Hamilton, Regional Director
Dale Hall, Deputy Regional Director
Steve Thompson, Georgraphic Assistant Regional Director, Area 1
Larry Marcy, Senior Fish & Wildlife Biologist, Vicksburg Office
Charles Baxter, Lower MS Valley Joint Venture Coordinator

EPA Attendees:
John Hankinson, Regional Administrator

BOARD OF

MISSISSIPPI LEVEE COMMISSIONERS

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RICK BOYD, ENGINEERING TECHNICIAN

March 18, 1999

John Meador
Vicksburg District Corps
4155 Clay
Vicksburg, MS 39810

RE: Yazoo Backwater Reformulation

The Mississippi Levee Board initiated discussions with the resource agencies last fall in an effort to arrive at an alternative for the Backwater Project that would have the consensus of all parties involved. In subsequent conversations with members of the group, it was suggested that private environmental, business, and local interest be included as part of the process. Since the Levee Board has a very small staff and have been deeply involved in litigation on 2 fronts with the Big Sunflower Project and also with the Mainline River Levees, it has been difficult for us to find the necessary time to coordinate that effort. The Mississippi Levee Board has requested the Vicksburg District delay the Draft Report 3 - 6 months to allow time to coordinate this effort to gain consensus for an alternative that will provide flood protection to the South Delta and enhance the environmental resources of the area.

On behalf of the Mississippi Levee Board, I would like to extend an invitation for your participation in the initial meeting of this group at 10:00 a.m. on March 30, 1999 at the Mississippi Levee Board office . In the event you can not attend, it would be helpful if someone else would represent your organization.

At this time, the group will consist of:

Miss. Levee Board
Delta Council - Clifton Porter
South Delta Flood Control Committee - Ruby Johnson
U S Corps of Engineers - John Meador
Miss. Farm Bureau - David Waide
Miss. Dept. of Environmental Quality
Miss. Dept. of Wildlife, Fisheries, & Parks
Region IV EPA - Mike McGee/Tom Welborn
Region IV U S Fish & Wildlife Service - Steve Thompson
Ducks Unlimited - Ken Babcock

Sierra Club - Avery Rollins
Miss. Wildlife Federation - Marla Huffstatler
National Wildlife Federation - Susan Rieff
National Audobon Society - Jesse Grantham
NRCS
Delta National Forest - Larry Moore

At this time, the tentative agenda will consist of a presentation by Terry Lockamy, County Extension Director, San Benito, Texas, Charlie Baxter, U S Fish & Wildlife Service, and John Meador, Vicksburg District Corps of Engineers. We will arrange for lunch at our office.

BOARD OF MISSISSIPPI
LEVEE COMMISSIONERS

James E. Wanamaker, P.E.
Chief Engineer

JEW/gm

F:\WP60\FILES\MEM3-15

United States Department of the Interior

FISH AND WILDLIFE SERVICE
2524 South Frontage Road, Suite B
Vicksburg, Mississippi 39180-5269

IN REPLY REFER TO:

March 22, 1999

Mr. John Meador
U.S. Army Corps of Engineers
Vicksburg District
4155 Clay Street
Vicksburg, Mississippi 39180-3435

Dear Mr. Meador:

I am writing as a follow-up to our February 23 meeting on the Yazoo Backwater Project. My intent is to clarify and elaborate on issues raised during and subsequent to our briefing on the Service's proposed alternative and to identify key issues that need to be addressed in analyzing that alternative as part of your ongoing planning process.

A central point made in our February 23 briefing, and discussed again when we met on February 26 and on March 18, is that the Service does not view the the Corps' December 9, 1998, plan as being "a combined structural/non-structural plan." Instead we view the Corps plan as a structural plan with various environmental features added. In that a concensus seems to be emerging that any acceptable plan will require viable non-structural features, it is critical that our respective views on what constitutes non-structural flood control be clearly understood.

The FWS position is that an alternative is not a "combined structural/non-structural plan" until a non-structural feature exists as a "separable element" as defined in Section 103 (f) of the WRDA of 1986. According to ER 1105-2-100, "Section 103(f) of the WRDA of 1986 defines 'separable element' as a portion of a project which is physically separable from other portions of the project: and, which achieves hydrologic effects, or produces physical or economic benefits, which are separately identifiable from those produced by other portions of the project." The December 9, 1998, Corps plan does not meet this standard. Recognizing that the purpose of the project is flood damage reduction, the Corps plan contains only one separable flood damage reduction feature--a 14,000 cfs pumping plant. Associated with this structural feature are measures designed to avoid and compensate for adverse environmental impacts and measures appropriately described by the Corps and the local sponsor as environmental enhancements.

The "avoidance measure" is the operational feature that calls for the pumps to be turned on only when an 85-foot stage is reached at the Steele Bayou Control Structure. The Corps plan presumes that all affected agricultural landowners will opt for reforestation easements (based on a Service analysis of a flat-line 85 foot elevation, there are 8,279 acres of private agricultural land available for reforestation below 85 feet) and that as a consequence, no agricultural flood damages would occur below 85 feet (0.7-year-event). The Service does not view this as a separable non-structural flood damage reduction feature, but rather as an operational feature that serves to restrict the limits of structural flood control and avoid impacts that would otherwise

occur. The area below 85 feet would simply function as a sump storage area for a 14,000 cfs pumping plant - the project's only separable, flood damage reduction feature.

Assuming the 8,279 acres available for reforestation below 85 feet are in fact reforested, the remainder of the 40,100 acres proposed for reforestation (31,821acres) would, by definition, be occuring in areas targeted for structural flood control. It is our understanding that this 40,100 acres is essentially all cleared land within the one-year frequency event *below Highway 14* (a sloped 87 feet). Any reforested area above 85 feet would be interspersed with lands accruing agricultural drainage benefits and as such this "patchwork" reforestation would not meet the "separable element" test in terms of either hydrologic effects or physical or economic benefits. The pumping plant would be operating to reduce the extent, frequency, and duration of flooding on the reforested areas just as if they were agricultural sites. Accordingly, the reforestation would simply serve as compensation and enhancement in the context of the Fish and Wildlife Coordination Act, NEPA, and other federal mitigation policies.

The challenge before us is one of identifying a non-structural feature that meets the "separable element" test and determining whether it can be implemented within existing authorities. The Service believes that the approach laid out in our February 23 briefing meets the separable element test in that it calls for a flood storage area to be "designated" as a matter of policy or project purpose; a suite of easements designed to raise the damage-free elevation within the flood storage area; and policy changes that would eliminate federal disaster and crop insurance payments within the flood storage area. These three features in combination would result in the designated flood storage area being "dedicated" to that purpose. By implementing a suite of easements that raise the damage-free elevation within a spatially explicit zone defined on the basis of hydrologic parameters (the 329,137-acre area inundated by the 2-year frequency event), a separable project feature is created--one "which achieves hydrologic effects, or produces physical or economic benefits, which are separately identifiable from those produced by other portions of the project." A key point is that these "separately identifiable" effects are not simply environmental amenities; rather they constitute flood damage reduction benefits achieved through non-structural means.

It is appropriate here to clarify the distinction we draw between "designated" and "dedicated". We believe that an area would be "designated" for natural storage when the Corps plan for flood damage reduction states that as a matter of policy, project purpose, and project operation that the area in question is targeted for non-structural flood relief only and that no action will be taken to alter the reach and flow of waters in, over, upon, or through the designated area. As a practical manner, we believe the designation should be spatially explicit and based on hydologic parameters such that the flood storage area can be clearly characterized in terms of frequency, extent, and duration of flooding. We believe an area is "dedicated" when easements are acquired for the purpose and intent of raising the damage-free elevation within the area designated for flood storage **and** when federal disaster relief policies are modified to reflect that the area in question is intended to function as a natural flood storage area. Whereas "designation" is a statement of policy, purpose, and intent, "dedication" involves proactive measures designed to non-structurally reduce existing flood damages and avoid future flood damages. When these measures occur in tandem, designation and dedication, non-structural flood control exists as a

separable element.

The question then becomes what are the authorities of the Corps of Engineers in terms of designating a flood storage area and acquiring easements to raise the damage-free elevation? Clearly the Corps has the authority to prescribe the limits of structural flood control, e.g. no pumping below 85 feet, but does the Corps have a corollary authority to designate an area for flood storage as either a matter of policy or project purpose? Likewise, does the Corps have the authority to acquire easements for the purpose of raising the damage-free elevation? We assume the Corps has no authority to alter the terms and conditions of national disaster relief programs. We do believe, however, that the Corps has the responsibility to make such recommendations and coordinate with the administering agencies with the intent of achieving consistency between flood damage reduction programs and disaster relief programs.

In our most recent discussions, District personnel felt that only the area below the flat-line pumping elevation should be a natural flood storage area and that the Service was being inconsistent in saying that reforestation above the Corps 85-foot pumping elevation did not constitute non-structural flood control while reforestation above the 91-foot pumping elevation associated with the Service proposal did. The Service alternative is predicated on the position that the two-year event should be a dedicated natural flood storage area. If the Corps' evaluation of economic benefits were based on flat-line stage area relationships (as was the case during the 1982 reevaluation), we would be inclined to agree that only the area below the flat-line pumping elevation should be dedicated to natural flood storage. However, that is not the case. Project benefits are currently being computed based on sloped stage/area relationships. Thus, all of the sloped two-year event is within the zone of project impacts as defined by the Corps and we believe should be included in a natural flood storage area.

As to inconsistencies, the two plans are not directly comparable in that the Service plan calls for a dedicated flood storage area and the Corps plan does not. The two plans would be consistent in scope (although not extent) if the Corps plan called for the one-year event to be a dedicated natual flood storage area with pumping commencing at 87 feet. Under this scenerio, the Corps plan would have a separable, non-structural feature. We acknowledge that under the Service approach, that portion of the two-year event lying above a flat-line 91 feet N.G.V.D. would be affected by pump operation. However, significant portions of this area would remain within the two-year event and should be targeted for non-structural flood damage reduction.

We also had extensive discussions on the suite of easements that would be employed in raising the damage-free elevation within a designated flood storage area. We are inclined to agree with the Corps recommendation that a flood storage easement that allows continued cropping should not be included in the suite of easements. While such an easement would relieve the federal government of any responsibility for agricultural flood damages occuring within the flood storage area, damages would nonetheless continue to occur. Instead, two easements would be offered, a "cleared land restoration easement" and a "woodland flood storage easement" as described in our February 23 briefing. As to the provisions common to either easement, e.g. prohibitions against construction and maintenance of dwellings and structures, it is our understanding that your staff will provide specific easement provisions for further coordination.

We reserve the right to reconsider this position based on input from flood control/drainage and environmental interests as may be received during further coordination.

During our March 18 meeting, time prevented discussion of one other important point, that being Corps authority to make payments in lieu of taxes on easement areas. In keeping with a goal of economic and ecological sustainability, we believe this is a critical feature of any recommended plan.

I am providing below, a Service response to other questions identified but not discussed during our March 18 coordination meeting.

Why does the Service consider there is high risk and uncertainty of reforesting 40,100 acres from willing sellers given the Service's high projected participation (83,181 acres) in the voluntary WRP program?

It is as simple as future-with and without project conditions. Under the future-with project scenerio, the reforestation of 40,100 acres of frequently flooded cleared land is uncertain because it is based on the premise that there will be willing sellers within the area benefitted by the pumps. Under the future-without project scenerio, we expect current restoration trends to continue.

What is the basis for the statement "88% of Corps' proposed reforestation acreage would be benefited by the pumps"?

We incorrectly stated that 88% of the Corps' proposed reforestation would be benefitted by the pump. The correct figure is 79.4%. The Service used USGS digital elevation models and Corps' land use data to determine that there are 64,925 acres of land below an 85-foot flat line event. If permanent water bodies are deleted, then there are 53,596 acres of land; if existing forested land is deleted, then there are 21,677 acres of land; if conservation lands are deleted, then there are only 8,279 acres of cleared, privately owned land available for reforestation at or below 85 feet elevation. 40,100 - 8,279 = 31,821 or 79.4% of the proposed reforestation will be located above the 85-foot pump elevation and would receive flood damage reduction benefits.

What is the concern over reduced jurisdictional wetland acreage?

The Corps has acknowledged that FSA and CWA farmed wetland jurisdicitional acreage would be reduced. The Service agrees with this assessment. We think there are wooded wetlands that, under the with project scenerio, will no longer be inundated and may or may not meet the saturation criteria. These marginal or fringe wetlands may not be jurisdictional (i.e., have less than 13 days saturation during the growing season) and could be subject to conversion without CWA authorization.

A related issue is the loss of inundation hydrology which is of concern, especially for aquatic species dependent on this type of habitat.

Will the lower 2-year, with-project flood elevation, adversely impact landowners within the current 2-year frequency flood zone by triggering provisions of the Food Security Act?

The FSA letter you refer to correctly interprets the regulation that the levee board's action will not be a third party conversion. However, it is the Service's opinion that swamp buster provisions will be triggered because the regulation further explains that conversion of wetlands completed by a drainage district or similar entity **will** be attributable to the individual land owner assessed taxes by the entity. An individual's program benefits will be lost on all lands when a commodity crop is planted, or hay or forage crop is harvested by mechanical means on the converted area. Furthermore, we believe this issue needs written clarification from both FSA and NRCS at the National level.

Future without project WRP/CRP acreages will have to be established and documented as to location before alternate scenerio analyses can be conducted.

The Service agrees. A Planning Aid Report detailing FWOP conditions will be provided within the next two weeks.

If you have any questions or comments concerning issues express in this planning aid letter, please call me at (601) 629-6600.

Sincerely,

Charles K. Baxter
Team Leader Yazoo Pump Project

Copies Furnished:

General Phillip Anderson, Mississippi Valley Division Engineer, Vicksburg, MS.

Colonel Robert Creer, Vicksburg District Engineer, Vicksburg, MS.

Mr. Sam Hamilton, FWS Regional Director, Atlanta, GA.

Mr. John Hankinson, EPA Regional Administrator, Atlanta, GA.

Marty PP-D
KDM 4/26
JOHN M
MARTY

APR 26 1999

Planning, Programs, and
Project Management Division
Project Management Branch

Mr. Charles Baxter
Team Leader Yazoo Pump Project
U.S. Fish and Wildlife Service
2524 South Frontage Road, Suite B
Vicksburg, Mississippi 39180-5269

Dear Mr. Baxter:

I refer to your letter of March 22, 1999, regarding the recent meetings with members of my staff on the Yazoo Backwater Reformulation study.

I too believe that the U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service (FWS) must clearly understand the plans under consideration by both agencies. To that end, I would like to first discuss the features of the Corps plan briefed at the December 9, 1998, meeting in Atlanta before addressing specific statements in your letter.

As stated in Engineer Regulation 1105-2-100, Paragraph 1-2e., the Federal objective of water and related land resource project planning is to contribute to national economic development consistent with protecting the Nation's environment. To evaluate the effectiveness of meeting this objective, a range of alternative plans has been formulated.

The plan briefed on December 9, 1998, was formulated to provide flood damage reduction benefits for all properties within the project area (100-year frequency flood event). For properties above the pump operation elevation, a 14,000-cubic-foot-per-second (cfs) pump plant would be operated (when the drainage structures at Steele Bayou and Little Sunflower River are closed due to high stages on the Mississippi River) to reduce flood stages, thereby providing flood damage reduction benefits. An easement would be offered to reforest open agricultural lands for flood damage reduction below the pump operation elevation. Reforestation of these open lands would result in the elimination of the existing flood damages by converting to a land use more

compatible to frequent flooding. The flood damage reduction benefits from both the operation of the pump plant and reforestation of open lands are included in the benefits of the plan and considered in the evaluation of economic feasibility.

The term "separable element" as presented in Section 103(f) of the Water Resources Development Act (WRDA) of 1986 elaborates on the definition of the term as used in Section 103(e) "Applicability." The term is associated with project cost sharing as implemented in WRDA 86 and is not applicable to the formulation process or to designating an alternative as a "combined structural/nonstructural plan." "Separable element" as used in Sections 103(e) and (f) of WRDA 86 is also not applicable to our reformulation efforts because the authorized Backwater Project feature under reformulation meets the requirements of Section 103(e)(1), as amended, by Section 202(a)(2) of WRDA 96 and because the purpose and scope of the December 9 plan have not changed from the original authorization.

Measures to avoid and minimize environmental impacts must be considered in the formulation process. Pump operation elevations in association with flood-compatible land uses for the more frequently flooded lands were selected as a way to avoid and minimize environmental impacts. Evaluations were conducted to determine the reduction in flood damages, environmental impacts, and the tradeoffs between the alternative plans. Reforestation was used in conjunction with the pump plant to ensure flood damage reduction for the entire flood damage zone. The plan briefed on December 9 is not a 14,000-cfs pump plant with add-on features designed to avoid and compensate for adverse environmental impacts. It is a comprehensive plan that provides flood damage reduction benefits from elevations 80 feet to 100.3 feet, National Geodetic Vertical Datum; attempts to avoid/minimize environmental impacts; and ultimately would result in not only no compensatory mitigation requirements, but also a net positive contribution to the environment.

In evaluating the economic feasibility of the plan, it was assumed that all the owners of open agricultural lands within the area to be reforested would participate. This assumption was made to evaluate plan feasibility under the maximum cost. Since landowner participation is voluntary (as is the FWS plan), there is no way to predict the participation level. However, the criteria used to identify the reforestation area (maximum flood impact, minimum easement cost, and proximity to existing wooded lands) should maximize participation.

As you are aware, the stage-area curve used in the economic, as well as, environmental analyses was developed from observed flood events and best represents the range of baseline hydraulic conditions--backwater, headwater, etc.--and the flood damage reduction effects of a pump plant. The pump plant will not alleviate flooding on frequently flooded lands below the pump operation elevation as defined by the stage-area curve. The areas below the pump operation elevation designated for reforestation are not within the area targeted for "structural flood control." The Corps analyses do not include any pump-related economic benefits or environmental impacts for the lands below the pump operation elevation.

During the March 18, 1999, meeting, the flat-area delineation was only addressed by members of my staff because of a seeming inconsistency. The stated FWS position is that only the flat-area portion of the sloped stage-area curve below the pump operation elevation is true nonstructural flood control. The area designated for "dedication" in the FWS plan is based on the Corps sloped stage-area curve, and therefore, by the FWS definition, would also not be true nonstructural flood control. It is inappropriate to use a flat-area delineation in quantifying the economic and environmental effects of the pump plant.

Ponding or "sump" areas are needed for flood control structures to function. However, the area below the pump operation elevation is not a "sump" because the pump plant will not evacuate water from this area.

The questions raised by my staff regarding the "flood storage easement" feature of the FWS plan should not be taken as a Corps recommendation to exclude the easement from the FWS proposed suite of easements. It seemed inconsistent to encourage continued farming by providing owners of open agricultural land 50 percent of the agricultural value in an area the FWS proposes to dedicate to flood storage by (1) designating the area as a flood storage area, (2) removing permanent residences, and (3) eliminating Federal disaster and crop insurance payments in a effort to stop existing farming.

In the following paragraphs, I will be addressing these specific items: (1) payments in lieu of taxes on easement areas, (2) risk and uncertainty of reforestation, (3) reduced jurisdictional wetland acres, (4) triggering provisions of Food Security Act (FSA), and (5) future without project Wetlands Reserve Program (WRP)/Conservation Reserve Program (CRP) acres.

We continue to research the concept of payments in lieu of taxes as a project feature.

Our question regarding risk and uncertainty is why does the FWS consider the Corps reforestation feature uncertain when the Service in the February 23, 1999, briefing projected reforestation of over 83,000 acres in the South Delta under WRP. WRP is also a voluntary program, and currently enrolled lands are similar to the area we have delineated for reforestation.

The statement in your letter that 79.4 percent of the Corps proposed reforestation area would be benefited by the pump operation is incorrect. None of the pump plant flood damage reduction benefits included in the Corps analyses are below the pump operation elevation. If the logic used in calculating the 79.4 percent were applied to the FWS plan, then 82 percent of the FWS reforested open lands would be benefited by the pump plant in an area to be dedicated for natural flood storage.

Under with-project conditions, FSA jurisdictional wetlands acres would be reduced since the designation for farmed wetlands is 14 days of continuous flooding or ponding most years (50 percent) during the growing season. Likewise, Clean Water Act (CWA) jurisdiction would be reduced since the Corps defers to the Natural Resources Conservation Service for jurisdictional determinations in agricultural lands for CWA purposes under the provisions of a memorandum of agreement between the two agencies. Jurisdiction in wooded areas would be less likely to change since the Corps would use the procedures in the 1987 Wetland Delineation Manual which uses a three-parameter approach to wetland delineation requiring positive indicators of vegetation, soils, and hydrology. Unlike the FSA criteria, the hydrology criteria in the 1987 manual requires an area to be flooded, ponded, or <u>saturated</u> for 5 percent of the growing season most years (about 13 days) for the hydrology criterion to be met. These potential jurisdictional effects will be addressed in the reformulation report and the Environmental Impact Statement. In addition, a separate functional analysis on forested and farmed wetlands is being conducted and any unavoidable functional impacts will be fully compensated. Coordination is underway with the Farm Services Agency regarding triggering provisions of the FSA for landowners who are between the baseline 2-year frequency flood zone and the pump operation elevation. The reformulation report will be subject to review by the Department of Agriculture.

We look forward to receiving the Planning Aid Report on future without-project WRP/CRP acres. The Corps position to date has been to use the acres currently enrolled in the programs in our analyses. This position is based on the following factors (1) local governmental opposition to additional acres being enrolled given the acres already in the reserve programs in Sharkey and Issaquena Counties and the resulting impact on governmental revenues, (2) the uncertainty of future funds being available for the project area given the national demand for the limited program funds, and (3) the likelihood that future program lands would be below the pump operation elevation, and therefore, would not affect project economic benefits or environmental impacts.

As you are aware, the Corps must identify in its analyses the project that maximizes the net economic return to the Nation, the National Economic Development plan. The National Economic Development plan for the South Delta is a 14,000-cfs pump plant with a pump operation elevation of 80 feet at Steele Bayou and compensatory mitigation of the unavoidable environmental impacts. Recommendation of a different plan requires justification that it is the best plan in the overall public interest.

The FWS proposed features (dedicating the area below the pump operation elevation as a flood zone and eliminating existing Federal subsidy programs) are not necessary to achieve the Federal objective. An easement to preserve existing wooded lands below the pump operation elevation burdens the project with an additional cost without providing environmental or flood damage reduction benefits (given the assumption being used in our economic and environmental evaluations of no project-induced clearing of wooded lands during the 50-year project economic life). The no-project-induced-land-clearing assumption is most valid for the area the FWS has designated for "woodland flood storage easements."

The plan briefed on December 9 meets the Federal objective of contributing to national economic development consistent with protecting the Nation's environment. Flood damage reduction is provided for all properties in the project area. The reforestation easement raises the "damage-free" elevation by providing a land use more compatible with frequent flooding. The reforestation feature also provides the opportunity for a net positive contribution to the environment. The two plans have different features, but both provide the same project outputs.

No additional congressional authority is required to implement the plan briefed on December 9. The project features are in accordance with the authorized project purpose and scope. The solution to the current flood problem, evacuation of ponded rainfall during high stages on the Mississippi River, is separable from the completed features of the Yazoo Backwater Project. However, the different plan features are not separable elements.

We look forward to continuing to work with the FWS in the effort to reach consensus regarding the best plan for meeting the water resource needs of the South Delta.

Sincerely,

Robert Crear
Colonel, Corps of Engineers
District Engineer

JOHNSON
CEMVK-PP-D

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CEMVK-PP-P

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CEMVK-ED-H

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Mr. Jim Wanamaker
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CEMVD-DE
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United States Department of the Interior

FISH AND WILDLIFE SERVICE
2524 South Frontage Road, Suite B
Vicksburg, Mississippi 39180-5269

IN REPLY REFER TO:

March 22, 1999

Mr. John Meador
U.S. Army Corps of Engineers
Vicksburg District
4155 Clay Street
Vicksburg, Mississippi 39180-3435

Dear Mr. Meador:

I am writing as a follow-up to our February 23 meeting on the Yazoo Backwater Project. My intent is to clarify and elaborate on issues raised during and subsequent to our briefing on the Service's proposed alternative and to identify key issues that need to be addressed in analyzing that alternative as part of your ongoing planning process.

A central point made in our February 23 briefing, and discussed again when we met on February 26 and on March 18, is that the Service does not view the the Corps' December 9, 1998, plan as being "a combined structural/non-structural plan." Instead we view the Corps plan as a structural plan with various environmental features added. In that a concensus seems to be emerging that any acceptable plan will require viable non-structural features, it is critical that our respective views on what constitutes non-structural flood control be clearly understood.

The FWS position is that an alternative is not a "combined structural/non-structural plan" until a non-structural feature exists as a "separable element" as defined in Section 103 (f) of the WRDA of 1986. According to ER 1105-2-100, "Section 103(f) of the WRDA of 1986 defines 'separable element' as a portion of a project which is physically separable from other portions of the project: and, which achieves hydrologic effects, or produces physical or economic benefits, which are separately identifiable from those produced by other portions of the project." The December 9, 1998, Corps plan does not meet this standard. Recognizing that the purpose of the project is flood damage reduction, the Corps plan contains only one separable flood damage reduction feature--a 14,000 cfs pumping plant. Associated with this structural feature are measures designed to avoid and compensate for adverse environmental impacts and measures appropriately described by the Corps and the local sponsor as environmental enhancements.

The "avoidance measure" is the operational feature that calls for the pumps to be turned on only when an 85-foot stage is reached at the Steele Bayou Control Structure. The Corps plan presumes that all affected agricultural landowners will opt for reforestation easements (based on a Service analysis of a flat-line 85 foot elevation, there are 8,279 acres of private agricultural land available for reforestation below 85 feet) and that as a consequence, no agricultural flood damages would occur below 85 feet (0.7-year-event). The Service does not view this as a separable non-structural flood damage reduction feature, but rather as an operational feature that serves to restrict the limits of structural flood control and avoid impacts that would otherwise

occur. The area below 85 feet would simply function as a sump storage area for a 14,000 cfs pumping plant - the project's only separable, flood damage reduction feature.

Assuming the 8,279 acres available for reforestation below 85 feet are in fact reforested, the remainder of the 40,100 acres proposed for reforestation (31,821acres) would, by definition, be occuring in areas targeted for structural flood control. It is our understanding that this 40,100 acres is essentially all cleared land within the one-year frequency event *below Highway 14* (a sloped 87 feet). Any reforested area above 85 feet would be interspersed with lands accruing agricultural drainage benefits and as such this "patchwork" reforestation would not meet the "separable element" test in terms of either hydrologic effects or physical or economic benefits. The pumping plant would be operating to reduce the extent, frequency, and duration of flooding on the reforested areas just as if they were agricultural sites. Accordingly, the reforestation would simply serve as compensation and enhancement in the context of the Fish and Wildlife Coordination Act, NEPA, and other federal mitigation policies.

The challenge before us is one of identifying a non-structural feature that meets the "separable element" test and determining whether it can be implemented within existing authorities. The Service believes that the approach laid out in our February 23 briefing meets the separable element test in that it calls for a flood storage area to be "designated" as a matter of policy or project purpose; a suite of easements designed to raise the damage-free elevation within the flood storage area; and policy changes that would eliminate federal disaster and crop insurance payments within the flood storage area. These three features in combination would result in the designated flood storage area being "dedicated" to that purpose. By implementing a suite of easements that raise the damage-free elevation within a spatially explicit zone defined on the basis of hydrologic parameters (the 329,137-acre area inundated by the 2-year frequency event), a separable project feature is created--one "which achieves hydrologic effects, or produces physical or economic benefits, which are separately identifiable from those produced by other portions of the project." A key point is that these "separately identifiable" effects are not simply environmental amenities; rather they constitute flood damage reduction benefits achieved through non-structural means.

It is appropriate here to clarify the distinction we draw between "designated" and "dedicated". We believe that an area would be "designated" for natural storage when the Corps plan for flood damage reduction states that as a matter of policy, project purpose, and project operation that the area in question is targeted for non-structural flood relief only and that no action will be taken to alter the reach and flow of waters in, over, upon, or through the designated area. As a practical manner, we believe the designation should be spatially explicit and based on hydologic parameters such that the flood storage area can be clearly characterized in terms of frequency, extent, and duration of flooding. We believe an area is "dedicated" when easements are acquired for the purpose and intent of raising the damage-free elevation within the area designated for flood storage **and** when federal disaster relief policies are modified to reflect that the area in question is intended to function as a natural flood storage area. Whereas "designation" is a statement of policy, purpose, and intent, "dedication" involves proactive measures designed to non-structurally reduce existing flood damages and avoid future flood damages. When these measures occur in tandem, designation and dedication, non-structural flood control exists as a

separable element.

The question then becomes what are the authorities of the Corps of Engineers in terms of designating a flood storage area and acquiring easements to raise the damage-free elevation? Clearly the Corps has the authority to prescribe the limits of structural flood control, e.g. no pumping below 85 feet, but does the Corps have a corollary authority to designate an area for flood storage as either a matter of policy or project purpose? Likewise, does the Corps have the authority to acquire easements for the purpose of raising the damage-free elevation? We assume the Corps has no authority to alter the terms and conditions of national disaster relief programs. We do believe, however, that the Corps has the responsibility to make such recommendations and coordinate with the administering agencies with the intent of achieving consistency between flood damage reduction programs and disaster relief programs.

In our most recent discussions, District personnel felt that only the area below the flat-line pumping elevation should be a natural flood storage area and that the Service was being inconsistent in saying that reforestation above the Corps 85-foot pumping elevation did not constitute non-structural flood control while reforestation above the 91-foot pumping elevation associated with the Service proposal did. The Service alternative is predicated on the position that the two-year event should be a dedicated natural flood storage area. If the Corps' evaluation of economic benefits were based on flat-line stage area relationships (as was the case during the 1982 reevaluation), we would be inclined to agree that only the area below the flat-line pumping elevation should be dedicated to natural flood storage. However, that is not the case. Project benefits are currently being computed based on sloped stage/area relationships. Thus, all of the sloped two-year event is within the zone of project impacts as defined by the Corps and we believe should be included in a natural flood storage area.

As to inconsistencies, the two plans are not directly comparable in that the Service plan calls for a dedicated flood storage area and the Corps plan does not. The two plans would be consistent in scope (although not extent) if the Corps plan called for the one-year event to be a dedicated natual flood storage area with pumping commencing at 87 feet. Under this scenerio, the Corps plan would have a separable, non-structural feature. We acknowledge that under the Service approach, that portion of the two-year event lying above a flat-line 91 feet N.G.V.D. would be affected by pump operation. However, significant portions of this area would remain within the two-year event and should be targeted for non-structural flood damage reduction.

We also had extensive discussions on the suite of easements that would be employed in raising the damage-free elevation within a designated flood storage area. We are inclined to agree with the Corps recommendation that a flood storage easement that allows continued cropping should not be included in the suite of easements. While such an easement would relieve the federal government of any responsibility for agricultural flood damages occuring within the flood storage area, damages would nonetheless continue to occur. Instead, two easements would be offered, a "cleared land restoration easement" and a "woodland flood storage easement" as described in our February 23 briefing. As to the provisions common to either easement, e.g. prohibitions against construction and maintenance of dwellings and structures, it is our understanding that your staff will provide specific easement provisions for further coordination.

We reserve the right to reconsider this position based on input from flood control/drainage and environmental interests as may be received during further coordination.

During our March 18 meeting, time prevented discussion of one other important point, that being Corps authority to make payments in lieu of taxes on easement areas. In keeping with a goal of economic and ecological sustainability, we believe this is a critical feature of any recommended plan.

I am providing below, a Service response to other questions identified but not discussed during our March 18 coordination meeting.

Why does the Service consider there is high risk and uncertainty of reforesting 40,100 acres from willing sellers given the Service's high projected participation (83,181 acres) in the voluntary WRP program?

It is as simple as future-with and without project conditions. Under the future-with project scenerio, the reforestation of 40,100 acres of frequently flooded cleared land is uncertain because it is based on the premise that there will be willing sellers within the area benefitted by the pumps. Under the future-without project scenerio, we expect current restoration trends to continue.

What is the basis for the statement "88% of Corps' proposed reforestation acreage would be benefited by the pumps"?

We incorrectly stated that 88% of the Corps' proposed reforestation would be benefitted by the pump. The correct figure is 79.4%. The Service used USGS digital elevation models and Corps' land use data to determine that there are 64,925 acres of land below an 85-foot flat line event. If permanent water bodies are deleted, then there are 53,596 acres of land; if existing forested land is deleted, then there are 21,677 acres of land; if conservation lands are deleted, then there are only 8,279 acres of cleared, privately owned land available for reforestation at or below 85 feet elevation. 40,100 - 8,279 = 31,821 or 79.4% of the proposed reforestation will be located above the 85-foot pump elevation and would receive flood damage reduction benefits.

What is the concern over reduced jurisdictional wetland acreage?

The Corps has acknowledged that FSA and CWA farmed wetland jurisdicitional acreage would be reduced. The Service agrees with this assessment. We think there are wooded wetlands that, under the with project scenerio, will no longer be inundated and may or may not meet the saturation criteria. These marginal or fringe wetlands may not be jurisdictional (i.e., have less than 13 days saturation during the growing season) and could be subject to conversion without CWA authorization.

A related issue is the loss of inundation hydrology which is of concern, especially for aquatic species dependent on this type of habitat.

Will the lower 2-year, with-project flood elevation, adversely impact landowners within the current 2-year frequency flood zone by triggering provisions of the Food Security Act?

The FSA letter you refer to correctly interprets the regulation that the levee board's action will not be a third party conversion. However, it is the Service's opinion that swamp buster provisions will be triggered because the regulation further explains that conversion of wetlands completed by a drainage district or similar entity **will** be attributable to the individual land owner assessed taxes by the entity. An individual's program benefits will be lost on all lands when a commodity crop is planted, or hay or forage crop is harvested by mechanical means on the converted area. Furthermore, we believe this issue needs written clarification from both FSA and NRCS at the National level.

Future without project WRP/CRP acreages will have to be established and documented as to location before alternate scenerio analyses can be conducted.

The Service agrees. A Planning Aid Report detailing FWOP conditions will be provided within the next two weeks.

If you have any questions or comments concerning issues express in this planning aid letter, please call me at (601) 629-6600.

Sincerely,

Charles K. Baxter
Team Leader Yazoo Pump Project

Copies Furnished:

General Phillip Anderson, Mississippi Valley Division Engineer, Vicksburg, MS.

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EARTHJUSTICE LEGAL DEFENSE FUND
GULF RESTORATION NETWORK
SIERRA CLUB, MISSISSIPPI CHAPTER

July 20, 1999

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Re: July 20, 1999 Meeting, Vicksburg, Mississippi
South Delta Flooding & Environmental Issues

Gentlemen:

As you are aware, for many years we have been monitoring the proposed Yazoo Backwater Pumps Project. During that time, it has become readily apparent that this project raises myriad concerns for a significant number of stakeholders. As a consequence, on April 28, 1999, Earthjustice Legal Defense Fund, Sierra Club, National Wildlife Federation, Environmental Defense Fund, Izaak Walton League, and American Rivers forwarded a letter to President Clinton urging that an interagency review of the Yazoo Pumps project be completed. In light of the many outstanding concerns about the project this review must begin immediately.

Just as importantly, given the size of the project, the cost to the taxpayer, the complexity of the issues, and the diversity of stakeholder interests, prudence dictates that an appropriate process be put in place both to assist the federal agencies with the needed interagency review, and to afford an opportunity for all stakeholders to fully explore the ramifications of the proposed project. Such a process should:

1) include all stakeholders;

2) include the active participation of all relevant federal agencies (e.g., Army Corps of Engineers, Department of Interior, Environmental Protection Agency, Federal Emergency Management Agency, Fish and Wildlife Service, and Department of Agriculture);

3) be open to the public;

4) involve a neutral facilitator;

5) be convened under the imprimatur of the federal government; and,

6) most importantly, address all alternatives for reducing flood damage in the Delta, including significant restoration of the floodplain.

The Federal Advisory Committee Act appears to be the most appropriate mechanism for initiating such a process. In the long history of this proposed project, there has been no opportunity for full and adequate participation by all affected stakeholders. Although in recent months the proponents of the project have purported to sponsor a "consensus" process, in the opinion of the undersigned that process fails to meet any of the requirements set forth above.

Your refusal to provide Earthjustice Legal Defense Fund, the Gulf Restoration Network, and the Sierra Club with an opportunity to speak on the agenda of the above referenced July 20, 1999 meeting, further highlights the need for convening a Federal Advisory Committee. It would appear that in the absence of a Federal Advisory Committee, you will continue to refuse to listen to the concerns of all interested stakeholders. Accordingly, we request that a Federal Advisory Committee be established in the very near future.

Important issues that must be addressed through both the interagency review process and the Federal Advisory Committee Act process include the following:

1) To what extent will the project prevent flooding of homes and businesses, and whose homes and businesses would be so protected? For example, will the project prevent flooding in African American communities throughout the project area under the 2, 10, and 100-year flood event?

2) What is the likelihood that any proposed project mitigation will, in fact, be successfully implemented given the historic backlog of mitigation projects within the Vicksburg District (approximately 35,000 acres) and the purported absence of willing sellers in the Delta?

3) To what extent will the proposed Yazoo Pumps project drain wetlands, particularly wetlands that are managed for habitat purposes? In addition, to what extent does the economic analysis of the project consider drainage of wetlands a benefit of the project?

4) To what extent will increasing the rapidity with which floodwaters are drained from the project area exacerbate existing water quality problems? In addition, how could the Corps obtain an NPDES permit for the proposed pumps since they will be discharging nutrients and pesticides into the Yazoo River, which is already a § 303(d)-listed, impaired waterbody due to nutrients and pesticides? Further, as

a member of the Mississippi River/Gulf of Mexico Nutrient Reduction Task Force, how does the Corps justify the increased nutrient loading to the Mississippi River, in light of the well-documented Dead Zone that forms off the Louisiana coast each year as a consequence of such excessive nutrient loading?

5) How is this project consistent with Exec. Order No. 11,988, 42 Fed. Reg. 26,971 (1977) on Floodplain Management? For example, the proposed pumps project, contrary to the mandates of the Exec. Order, would increase drainage of and promote further development in floodplains throughout the Mississippi Delta without adequate consideration of alternatives to achieve flood damage reduction and minimize adverse impacts to the floodplain.

6) How is this project consistent with changing Federal Emergency Management Agency policies regarding flood damage reduction, as more fully discussed in Sharing the Challenge: Floodplain Management in the 21st Century, Report of the Interagency Floodplain Management Review Committee to the Administration Floodplain Management Task Force (1994)? For example, the proposed project fails to address comprehensively issues of floodplain management in the Mississippi Delta.

7) How is this project consistent with changing Department of Agriculture policies regarding conservation? For example, such policies seek to minimize the use of marginal farmlands and prior converted wetlands through programs such as the Wetlands Reserve Program and the Conservation Reserve Program, yet this project is intended to intensify farming in such areas.

8) How is this project consistent with the President's Clean Water Action Plan? For example, that Plan calls for a net gain of 100,000 acres of wetlands per year, yet the proposed project will result in a significant loss of wetlands.

9) What analyses have the Corps and other federal agencies completed in light of the recent report by the Commission on Geosciences, Environment, and Resources, entitled New Directions in Water Resources Planning for the U.S. Army Corps of Engineers (1999)? That Report found that the Corps' principles and guidelines, and particularly its emphasis on National Economic Development analyses, do not adequately reflect contemporary water resource planning principles and practices. For example, does the economic analysis of the proposed project take into account the economic costs associated with wetlands loss and the values associated with wetlands restoration and preservation?

We look forward to a response to our requests at your earliest possible convenience.

Very truly yours,

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Fish and Wildlife Coordination Act

Planning-Aid Report

on the

YAZOO BACKWATER AREA PROJECT

Yazoo Backwater Evaluation Team
Vicksburg Field Office
Vicksburg, Mississippi

United States Fish and Wildlife Service
Southeast Region
Atlanta Georgia

September 1999

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INTRODUCTION

This report contains planning information and recommendations from the U.S. Fish and Wildlife Service regarding the Vicksburg District, U.S. Army Corps of Engineers' (Corps) Yazoo Backwater Area Project, an authorized portion of the Mississippi River and Tributaries Project. The Corps is currently conducting a post-authorization re-evaluation of the Yazoo Backwater Area Project in response to the 1996 Water Resources Development Act, which authorized continued planning for the Yazoo Backwater Area Pumping Plant, and removed the local cost-sharing requirement for that project. The purpose of this planning-aid report (PAR) is to provide an alternative future without-project scenario for use in evaluating the impacts of the various alternative plans, including the Service's combined structural/non-structural alternative, being considered by the Corps.

This PAR is submitted in accordance with applicable provisions of the Fish and Wildlife Coordination Act (FWCA; 48 Stat. 401, as amended; 16 U.S.C. 661 et seq.), but neither constitutes the final report required by Section 2(b) of that Act, nor changes the official position (established in our June 11, 1982, FWCA report) of the Service and the Department of the Interior relative to the Yazoo Backwater Area Project–Yazoo Area Pump Study.

For purposes of feasibility evaluations of the Yazoo Backwater Pumping Plant alternative plans, the Vicksburg Corps District has forecasted that existing conditions will not change over the future without-project. In contrast, the Service believes that those conditions will change significantly over the 50-year period of evaluation. Because there is a high degree of uncertainty associated with the Corps projection, there is a substantial risk that project impacts will be underestimated. In dealing with questions of accuracy, risk, or uncertainty of future without-project forecasts, the U.S. Water Resources Council provided explicit guidance in their March 1983 *Economic and Environmental Principles and Guidelines for Water and Related Land Resources* to develop and utilize alternative forecasts as follows:

> Section 1.4.13(a) - "Plans and their effects should be examined to determine the uncertainty inherent in the data or assumptions of future economic, demographic, social, attitudinal, environmental and technological trends. A limited number of reasonable alternative forecasts that would, if realized, appreciably affect plan design should be considered."
>
> Supplement I, Section S2(f) - "A range of likely outcomes can then be described by using sensitivity analysis–the technique of varying assumptions as to alternative economic, demographic, environmental, and other factors, and examining the effects of these varying assumptions on outcomes of benefits and costs."

Thus, in cases where a great deal of uncertainty or disagreement exists, the use of alternative future forecasts may be the only method by which decision-makers can clearly be shown the

degree of risk and uncertainty associated with the feasibility (i.e., completeness, effectiveness, efficiency, and acceptability) of each project alternative. Accordingly, the Service's planning team has developed an alternative future without-project forecast, and requests that the Corps utilize and display it as a co-equal scenario in evaluating all project alternatives, including their tentatively selected plan.

Land use is, and will remain, the dominant influence upon the well-being and viability of fish and wildlife resources in the Yazoo Backwater Area, a portion of the Mississippi Alluvial Valley (Figure 1). The remainder of this report therefore identifies the key land-use trends that shaped existing conditions, defines reasonable assumptions about the factors that will most directly affect those trends during the 50-year, without-project future, and finally, describes the methodology and results of the Service's projection of land-use conditions over that period.

HISTORIC TRENDS AND CURRENT CONDITIONS

Land-use trends within the Yazoo Backwater Area have generally paralleled those of the Mississippi Alluvial Valley (MAV) as a whole. Figure 2 illustrates that the MAV itself has undergone an almost complete change since pre-settlement as approximately 75 percent of a landscape that once consisted of floodplain forest has been converted almost exclusively to agricultural production. Early settlements were typically restricted to natural levees associated with the Mississippi River and its primary meander belts. Because natural levees were the best drained and least flood-prone, settlers initially inhabited those lands. Forested lands at the highest elevations were cleared to produce food crops and silage for local consumption, and logging became an economic mainstay of the time. As settlement progressed, small-scale, local drainage and flood control projects were initiated. Simultaneously, Federal navigation improvements were constructed on the Mississippi River and numerous tributaries. As a result of those early infrastructure improvements, additional forested acreage was cleared to produce cotton and other commodity crops for export, rather than local consumption. However, up through the 1920's, agricultural expansion beyond the natural levees and terraces was limited by the direct effects of flooding, lack of drainage, and relatively poor production technology.

With the advent of Federal flood control and drainage in 1928, coupled with post-depression expansion of the national economy and increased mechanization, the stage was set for agricultural encroachment into the more poorly drained, frequently flooded portions of the MAV. Figure 3 depicts the relationship between forest cover and soil drainage characteristics as they existed in the Yazoo Backwater Area prior to the last major era of agricultural expansion. At that point in time (the early 1950's), agriculture was generally restricted to the higher, better drained soil associations. As a matter of record, the Yazoo Backwater Area was Federally recognized for its role in storing floodwaters and runoff from the upper Yazoo Delta.

The 1950's ushered in an era of major agricultural expansion into the poorly drained, frequently flooded portions of the MAV. Fueled by expanding world markets, inflating land prices, and federal flood control projects that claimed as benefits the conversion of over five million acres of

forested wetlands to cropland, agricultural expansion continued into the 1970's under highly favorable economic conditions and a 20-year period that saw no major flood on the Mississippi River. From 1947 to 1977, more than 3.5 million acres of forested wetlands were converted to agriculture in Arkansas, Louisiana, and Mississippi. During the period between 1957 and 1977, 317,115 acres of forested wetlands within a 6-county (Sharkey, Issaquena, Humphreys, Yazoo, Washington, and Warren) area were converted to agriculture (MacDonald et al. 1979). By the late 1970's, however, that era of agricultural expansion had run its course in the Yazoo Backwater Area. Figure 4 illustrates that land-use conditions had essentially become the reverse of those that had existed in the early 1950's; 65 to 75 percent of the most frequently flooded, poorly drained soil associations in the Yazoo Backwater Area had been cleared.

In the Yazoo Backwater Area (and the MAV as a whole), the late 1970's and the decade of the 1980's was a period of stable land use, but turbulent economic conditions within the agricultural community. The 1973 flood, which inundated nearly 15 million acres of the MAV including about 640,000 acres of the Yazoo Backwater Area, broke the 20-year dry spell; and a period of normal to above-normal rainfall produced significant flooding within the Backwater Area in 1974, 1975, 1979, 1982, 1983, and 1989. The implications of farming high-risk areas came to the forefront at a time when the condition of the agricultural economy was essentially the reverse of the expansion years. Delinquent loans and foreclosures became commonplace in the 1980's. The Federal Land Bank, the Farmers Home Administration (FmHA), insurance companies, and other private lending institutions became major landowners, holding an inventory most often represented by cleared wetlands.

The combination of economic and hydrologic conditions that had made marginal yields on high-risk lands profitable proved to be temporary and transient. Land use and land capability had become substantially misaligned, and "land that should never have been cleared" became part of the lexicon of the agricultural community. Thirty years of agricultural expansion had left a landscape that failed to meet the tests of either economic or ecological sustainability.

As the farm crisis in the early 1980's brought an almost immediate end to the long-standing trend of agricultural expansion and intensification in wetlands, the socio-political and socio-economic forces that had driven that trend also began to change. Passage of the 1985 Food Security Act (or "Farm Bill") marked a public recognition that the factors (discussed in greater detail below) underlying historic land-use trends, which had previously been treated as almost mutually exclusive, should be addressed in the context of their interdependency. Federal programs and policies to remove marginal agricultural lands from production; reduce damage-susceptible floodplain development and associated flood disaster payments; protect and restore wetlands; and provide for sustainable ecological and economic development have been steadily advanced since then. Such changes were given additional impetus by the1993 flood (and subsequent post-flood evaluations) on the upper Mississippi River.

During the 1980's, land use remained relatively constant. However, between 1990 and 1998, the historic wetland decline was replaced by a new land-use trend. More than 40,700 acres of cleared

agricultural lands were restored to wetland conservation uses, and an additional 16,664 acres of forested lands were protected during that 8-year period. As will be discussed in greater detail, our spatial analyses indicate that the majority (82 percent) of those wetland restoration and protection efforts occurred in the most frequently flooded portions of the project area.

Since 1985, private landowners within the Yazoo Backwater Area have declared intentions to enroll over 83,000 acres of prior-converted and farmed wetlands in the Wetland Reserve Program (WRP), of which, slightly more than 39,000 acres have been accepted. Easements have been recorded, and restoration is underway on more than 23,000 acres (Figure 5). Other programs involving public land acquisition, restoration of mitigation lands, and voluntary foreclosure/dept forgiveness have also resulted in wetland protection and restoration on a significant acreage. Taken together, it is apparent that a significant public demand for, and local willingness to participate in, such programs and efforts exists. In the absence of further federal flood control and drainage, that demand (as indicated below) can reasonably be expected to persist for the next several years.

FUTURE WITHOUT-PROJECT ASSUMPTIONS

The historic and current land-use trends described above resulted from a complex interplay of numerous causative factors which for the sake of discussion will be categorized as socio-political/institutional, socio-economic, and ecological. The socio-political/ institutional factors most strongly influencing land-use trends range from large-scale flood control/drainage projects to the myriad statutes, policies, and directives in support of both agricultural development and protection of the environment. The primary socio-economic factors include increasingly efficient production technologies, crop/timber prices, land values, agricultural and silvicultural subsidies, disaster payments, various incentive programs (including those that support sustainable development, wetland conservation, and restoration on marginal agricultural areas), and the economic capabilities and goals of individual landowners. Ecological factors of most significance include climate, hydrology (i.e., frequency, extent, and duration of flooding), soil drainage characteristics, and vegetation.

Over time, those causative factors described above have increased in both number and complexity, while becoming ever more dynamic and interdependent. Thus, changes in the status of one factor (or category of factors) catalyze or influence changes in the others. For example, as native Americans and settlers focused on development to meet their subsistence needs during the initial settlement period, ecological factors dominated land-use decisions, while economic factors played a lesser role. In contrast, technological advances relating to mechanized land clearing and agricultural production, acting in concert with federal policies and programs, as well as variations in foreign economies and world markets, have profoundly affected land-use trends since World War II. Ironically, the influence of ecological factors--which have remained relatively constant over the entire history of land-use development in the Yazoo Backwater Area--are increasingly acknowledged as key elements in today's efforts to define and attain economically and ecologically sustainable land-uses.

In considering land-use projections over the next 50 years, it is worth noting that the past half-century has seen 3 distinct trends in land use within the project area: a 30-year period of wetland clearing and conversion, followed by a 10-year period of stabilization, followed by a 10-year period of wetland restoration. Given that degree of trend variability alone, we do not believe that current land-use conditions will remain unchanged over the next 50 years, as predicted by the Corps. Significantly, independent reforestation projections tend to support our thesis that changes in land-use trends are inevitable. According to Stanturf et al. (1998), up to 449,000 acres of land (primarily in Mississippi, Louisiana, and Arkansas) subject to spring and early summer backwater flooding could be reforested *over the next decade* in the Lower Mississippi Alluvial Valley (LMAV). Of that total, he cites Natural Resources Conservation Service (NRCS) projections of an additional 118,000 acres expected to be enrolled in WRP by 2005. Those projections are also consistent with the policy goal of the President's Clean Water Action Plan to expand WRP enrollment up to 250,000 acres each year.

Although the future can never be predicted with absolute certainty, land-use trends and their underlying causative factors can be identified and assessed. Accordingly, the Service planning team has documented, by category, the following basic assumptions regarding changes in the above-described factors that can be expected to occur during the future-without project. Following each assumption, a short, italicized statement of its significance is also provided.

Socio-Political/Institutional Assumptions

The socio-political/institutional forces and factors considered most relevant to future land-use in an agriculturally dominated landscape situated within the Nation's largest floodplain are those related to:

Flood control, floodplain management, and flood hazard mitigation;

Agricultural support, expansion, or intensification; and

Environmental improvement or protection.

Assumption 1--Flood control. By definition, the Yazoo Backwater Pumping Plant will not be constructed. Local interests will, likewise, not construct the project independent of Federal involvement. Corps of Engineers projects under construction elsewhere within the watershed will be completed, however, and the existing federal flood control/drainage system will be maintained. Accordingly, the Yazoo Backwater Area will continue to receive and store drainage and floodwaters from those projects.

The ability to control or otherwise manage backwater flooding will not improve; and the effects of headwater drainage and flooding will continue and, in fact, increase commensurate with upstream drainage improvements. Thus, Assumption 1 tends to support the trend toward continued wetland restoration on poorly drained, frequently

flooded agricultural lands in the Yazoo Backwater Area.

Assumption 2--Floodplain management and flood hazard mitigation. The "sense of the Nation" encapsulated in the 1994 report of the Interagency Floodplain Management Review Committee, *Sharing the Challenge: Floodplain Management into the 21st Century*, will move traditional, structural-only approaches to flood control (as typified by the Mississippi and Rivers Tributaries Project) toward a more balanced approach of floodplain management and flood hazard mitigation that includes both non-structural flood control and the restoration and management of natural floodplain values.

Broad public support for laws, programs, and policies aimed at achieving greater consistency among hitherto divergent floodplain management efforts are not likely to abate, particularly at the Federal level. The Interagency Review Committee's 1994 report concludes that: "The division of responsibilities for floodplain management activities among and between...governments needs to be clearly defined. Within the Federal system, water resources in general and floodplain management in particular, need better coordination." Assumption 2 tends to support the current trend of wetland restoration on poorly drained, frequently flooded agricultural land within the Yazoo Backwater Area.

Assumption 3--Agricultural Policies Relating to Expansion or Intensification. Agricultural policies and institutional forces within the agricultural community will increasingly reflect goals and objectives associated with long-term sustainability rather than expansion of the agricultural land base.

This assumption likewise supports the trend of wetland restoration on poorly drained, frequently flooded agricultural land within the Yazoo Backwater Area. Programs such as the Conservation Reserve Program (CRP) and WRP that have emphasized retirement of environmentally sensitive lands are themselves a reflection of more fundamental policy objectives and concerns within the agricultural community. Those concerns, popularly described as "the search for sustainable agriculture," run counter to and have generally replaced the socio-political/institutional forces that drove the post-War expansion of the Nation's (and the MAV's) agricultural land base.

Assumption 4--Environmental Improvement and Protection. The social, political, and institutional forces supportive of wetland protection and restoration and water quality improvement (particularly improvements associated with non-point source agricultural run-off) are expected to continue and increase over the foreseeable future.

While we do not expect the national concern for wetland conservation to abate, we assume that state and national interest in water quality improvement and non-point source pollution abatement will in fact increase. As those two forces tend to reinforce one another on the issue of restoring high-risk agricultural lands to wetlands, we believe Assumption 4 supports a continuation of the current trend of wetland restoration on

poorly drained, frequently flooded agricultural land within the Yazoo Backwater Area.

Socio-Economic Assumptions

The socio-economic factors assumed to be of most relevance to future land-use within the Yazoo Backwater Area are those having a direct bearing on agricultural profitability and those affecting the profitability of alternative land-uses, in particular forest-based land uses.

Assumption 5--Agricultural Economic Outlook. While long-term demand for food and fiber will increase with an expanding human population; overproduction, surplus, and world market conditions will continue to adversely affect the farm economy over the next several years.

> The U.S. Department of Agriculture's *Agricultural Baseline Projections to 2008* states that, during the period of forecast: "...gains in farm income are less than inflation, so real farm income declines," and "...real prices are projected to continue to decline over the longer term, as productivity gains continue to outpace growth in demand."

Assumption 6--Agricultural Subsidies. The trend toward a gradual reduction of direct and indirect agricultural subsidies will continue for the foreseeable future. The current Federal budgetary emphasis seems to be on emergency appropriations to buffer the short-term impacts of a depressed agricultural economy rather than reestablishing long-term subsidies which run counter to international efforts to reduce trade barriers and establish more "open" markets. Likewise, conservation incentives are expected to increase over the long-term as the linkage between production programs and conservation programs that began with the 1985 Farm Bill gradually strengthens, particularly those incentives related to conserving environmentally sensitive lands and improving water quality.

Assumption 7--Incentives for Forest-Based Land Uses. The economic attractiveness of forest-based land uses will continue to increase for the foreseeable future, especially in areas where long-term agricultural sustainability is at risk. Rising stumpage prices; innovative and efficient reforestation techniques (e.g. softwood/hardwood inter-plantings) that produce an earlier economic return; increasing valuation of private recreational lands (particularly in the vicinity of public recreational lands); and development of carbon sequestration markets will synergistically produce a gradual increase in the economic position of forest-based land uses. Moreover, the economic values attached to wildlife oriented recreation are expected to increase over time. Hite (1998) estimated the current value of such activities in the Delta as $540-720 million annually.

Assumptions 5, 6, and 7 all support the current trend toward wetland restoration on poorly drained, frequently flooded agricultural land within the Yazoo Backwater Area. Moreover, they indicate a movement toward more balanced local and regional economies within the project area and the MAV as a whole. They point to a gradual realignment of land use and land capability and an increasingly sustainable agro-forestry land base.

Ecological Assumptions

Assumption 8--Hydrologic Conditions. Over time, the "wetness" of the project area will continue to increase in response to gradual increases in the flowline of the Mississippi River attributable to basin-wide development; increasing run-off from within the Steele Bayou/Big Sunflower watersheds; and continued sedimentation.

Assumption 9--Edaphic and Climatic Conditions. By their nature, edaphic conditions are not expected to change, and the natural drainage restrictions of the project area's alluvial soils will continue. Climatic factors will change only to the extent anthropogenic "global warming" becomes a reality. In this regard, most projections of global warming allude to increased precipitation rates within the southeastern United States.

Assumptions 8 and 9 tend to support a gradual and long-term movement away from agriculture to forest-based land uses within the poorly drained, frequently flooded portions of the Yazoo Backwater Area.

A final note regarding causative factors and assumptions--the conditions that made farming high-risk areas profitable during the 1960s and 1970s could reasonably be expected to recur sometime during the 50-year future without-project period of analysis. In accordance with the preceding discussion, however, such a recurrence will not take place in the immediate future, and certainly not before a significant acreage is restored to a forested land use. In contrast to the conditions at the beginning of the last major agricultural expansion, the significant and substantial socio-political and socio-economic forces currently in place will tend to deter rapid and immediate conversion (or re-conversion) of wetlands to agriculture. Stated in the vernacular, a return to $9-a-bushel soybeans 10 years from now should not be presumed to have the same effect it did 20 years ago. While such a price rebound would certainly affect the current and future trend toward gradual realignment of land use and land capability, it would not likely produce immediate and large-scale wetland conversion, as was the case during the last major agricultural expansion.

FUTURE WITHOUT-PROJECT FORECAST

Methodology

The Service's projection of future without-project conditions considers two potential land-use changes: the conversion of the existing forested land base to agriculture; and the restoration of previously cleared lands to forested wetlands. The Corps of Engineers has projected no further clearing and conversion of forested wetlands to agriculture in the future without-project, and the Service concurs with that projection. As indicated by the above discussion of assumptions, however, the Corps projection that current land uses will remain static does not address the very real and well-established trend toward wetland restoration of marginal agricultural land. Thus, our methodology (and the remainder of this section) is directed at assessing *wetland restoration* trends, and projecting the future rates of change in those trends.

Any projection of future without-project conditions in a major backwater system of the Mississippi River will in effect be a projection of the balance, or dynamic equilibrium, expected to exist between agriculture and wetlands. The Corps projection of "no change" is essentially one of static equilibrium--a steady-state is presumed to have been achieved, and that state is assumed to persist unchanged for the next half-century. On the other hand, the Service believes that the long-term balance between agriculture intensification and wetland restoration will reflect an underlying balance between land use and land capability as the latter (land capability) is affected by flood control and drainage. In that the project in question is proposed for the expressed purpose of affecting land capability, we believe that any projection (including the Corps') that does not explicitly take into consideration relationships between land use and land capability is flawed, since such a projection does not acknowledge or account for either the primary purpose or the impacts of the project. Accordingly, the Service's methodology involves applying geographic information system (GIS) technologies to assess the relationship of wetland restoration (i.e., land use) to flooding and soil drainage characteristics (i.e., land capability). Four basic steps are involved:

Assess, by flooding/drainage class, the spatial extent of restoration occurring during the period 1990-1998;

Compute annual rates of change;

Project future annual rates of change; and

Adjust projected restoration acreage on the basis of acreage available within each flooding/drainage class and programmatic constraints.

In assessing wetland restoration trends, the Service focused on the period 1990-1998 as being most reflective of landowner-driven decisions to restore previously cleared areas to wetlands. Although wetland protection and restoration efforts extend back at least to 1935 and the establishment of Delta National Forest, these sorts of land use decisions were initiated by conservation agencies and organizations rather than affected landowners and are more a reflection of national conservation programs than of local interest in realigning land use and land capability.

The Service defined "areas restored to wetlands" as lands enrolled in the WRP, FmHA inventory lands under wetland restoration easements, and cleared lands situated within state wildlife management areas and National Wildlife Refuges, recognizing that such lands may be in varying states of restoration. Geo-spatial data layers were created for each category, which allowed the acreage and location of such lands to be assessed with respect to flooding and drainage characteristics. Based on those data, the project area was divided into three "flood zones" and three soil drainage classes. The three flood zones are defined as follows:

Zone 1 – The area subject to inundation by a 2-year frequency flood event (50 percent chance of occurrence) lying *at or below* 91' NGVD (National Geodetic Vertical Datum).

Zone 2 – The area subject to inundation by a 2-year frequency flood event lying *above* 91' NGVD.

Zone 3 – That portion of the project area lying above and thus not inundated by the 2-year frequency flood event.

Zones 1 and 2 effectively divide the 2-year event into two segments in order to distinguish between backwater and headwater flooding, respectively. At the Steele Bayou Drainage Structure (the most downstream point in the project area), the elevation of the 2-year event is 91' NGVD. In that the Service defines a backwater flood as a flat-pool event, all land physically below 91' NGVD would be inundated by a 2-year *backwater* event. This is the area depicted as Zone 1. Conversely, all land within the 2-year event that physically lies *above* 91' NGVD is affected (at the 2-year frequency) by headwater flooding only and has been designated as Zone 2. Although both Zones 1 and 2 are inundated by a 2-year frequency event, the nature of backwater flooding is such that a 2-year event in Zone 1 will typically be of longer duration than a 2-year event in Zone 2, thus the distinction. The remainder of the project area, that portion lying above the 2-year event, is defined as Zone 3. Figure 6 depicts the location of all three zones.

One primary and two secondary geo-spatial data layers were then used to divide the project area into three soil drainage classes. Figure 7 depicts the location of those soil drainage classes, which are defined as follows:

P-VP – Areas that consist predominately of soils classified by NRCS as "poorly drained" to "very poorly drained."

SP-P – Areas that consist predominately of soils classified as "somewhat poorly drained" to "poorly drained."

MW-SP – Areas that consist predominately of soils classified as "moderately well drained" to "somewhat poorly drained."

The primary data layer used was USDA's STATSGO soils data base; the secondary layers were geomorphology (Saucier 1994) and USGS Digital Elevation Models (DEMs). STATSGO allows soils to be mapped at the association level. In addition, it provides tabular descriptions of the soil series within each association and their relative proportion, as well as the drainage classification of each series. Saucier's geomorphology data and DEMs were used to distinguish natural levees from point bar formations in those soil associations containing both. This distinction was considered necessary because natural levees uniformly and consistently contain the better drained soils. The detailed descriptions of soil associations contained in County Soil Surveys were then utilized to determine those soil series most likely to be associated with either natural levees or

point bar formations.

Overlaying flood zones with soil drainage classes produced nine spatially distinct analytical units (Figure 8). The aforementioned wetland restoration data layers were then overlain on these nine analytical units to assess the extent of wetland restoration within each of the flooding/soil drainage classes.

At this point in the analysis, annual rates of change and projected restoration could have been computed. However, the Service methodology was further refined to consider two specific constraints--the acreage actually available within each flooding/soil drainage class, and the potentiality that "program caps" associated with WRP and CRP could limit restoration within the near term. Although the Service did not assume that all future restoration would be solely associated with those USDA programs (indeed, carbon sequestration has a potentially greater impact), their potential constraints were specifically taken into account, which required additional analyses.

Current USDA rules and regulations provide that no more than 25 percent of the agricultural acreage within any given county can be enrolled in WRP/CRP with the proviso that local county committees have the prerogative of raising the cap to 30 percent. In that the caps operate on a county-by-county basis, the nine analytical units were further subdivided by county. Overlaying the boundaries of six counties on nine flooding/soil drainage classes produced 54 analytical units. The restoration occurring from 1990 through 1998 was then computed for each of the 54 units, along with the remaining acreage available within each unit. Only at this point was the observed rate of change (OROC) computed (by flood zone, by soil drainage class, and by county).

In arriving at a projected rate of change (PROC), the Service did not consider it appropriate to simply extend the 1990-1998 OROC into the future. The OROC associated with the WRP was considered to be most reflective of *landowner-driven* realignments of land use and land capability. Accordingly, the Service's PROC is primarily an extension of that portion of the 1990-1998 OROC attributable to the WRP. Only one other factor entered into the computations, that being public land acquisition previously identified and planned by the Service in Washington County. As a result, the Service's PROC is smaller than or equal to the current rate of change in 50 of the 54 analytical units.

The PROC was then applied over the 50-year period of analysis to compute a projected wetland restoration acreage for each of the 54 analytical units. If at any point during the period of analysis, the projected acreage exceeded that physically available, the PROC was reduced to zero and no further restoration was projected for that unit. Projections were then summed by county and compared to the WRP/CRP program caps to determine if further reductions were appropriate. In that 4 of the 6 counties extend beyond the project area, program caps for those counties were proportionately adjusted to reflect the 1998 county-wide distribution of WRP lands.

Results

The results of the first phase of analysis, the relationship between wetland restoration and flooding/soil drainage characteristics, is displayed in Table 1. Those data are reflective of the pressure that land capability can exert on long-term land use. Indicative of the impact of flooding is the fact that 82 percent of the restoration has occurred within the 2-year event. Looking at soil drainage alone, 94 percent of the restoration acreage is situated in the two most poorly drained drainage classes, P-VP and SP-P. But perhaps most telling is the fact that 74.4 percent of the wetland restoration that occurred between 1990 and 1998 is situated in only two of the nine flooding/drainage classes–those considered by the Service to be the "wettest", Zone 1-- P-VP and SP-P. These data are even more significant considering that none of the three programs responsible for the restoration explicitly pro-rates restoration on the basis of flooding/soil drainage criteria. Considering that practically all of the restoration sites were cleared during the last major era of agricultural expansion, the data in Table 1 support the Service's conclusion that *ongoing restoration reflects a realignment of land use and land capability that will continue into the future, absent major hydrologic and hydraulic intervention.*

Table 1.
Distribution by Flooding/Drainage Class of
Wetland Restoration Occurring Within the Yazoo Backwater Area
1990-1998.

	Flooding Class			
Soil Drainage Class	Zone 1	Zone 2	Zone 3	Total
MW-SP	1,698	129	589	2,416
SP-P	12,885	938	5,479	19,302
P-VP	17,427	452	1,134	19,013
Total	32,010	1,519	7,202	40,731

Table 2 summarizes the *projected* restoration acreage within each of the nine flooding/soil drainage classes. **The Service projects that approximately 43,432 acres of cleared agricultural lands would be restored to wetlands under future without-project conditions.** Most of the restoration (83 percent) would occur within the area inundated by the 2-year frequency event (i.e., Zones 1 and 2). Moreover, 70 percent (30,300 acres) is projected to occur within Zone 1, the area affected by backwater flooding at the 2-year frequency event. This projection, considered accumulatively with existing restoration (32,010 acres), means that 86% of Zone 1 would be restored to wetlands under future without-project conditions.

Table 2.
Distribution by Flooding/ Drainage Class of
Wetland Restoration Projected to Occur Within the Yazoo Backwater Area
1999-2048.

	Flooding Class			
Soil Drainage Class	Zone 1	Zone 2	Zone 3	Total
MW-SP	2,078	11	586	2,675
SP-P	15,380	2,850	3,892	22,122
P-VP	12,835	2,750	3,050	18,635
Total	30,293	5,611	7,528	43,432

Tables 3a through 3c display the existing and projected wetland restoration within each of the 54 county-specific analytical units. Each table also displays the 1990 to 1998 OROC, the acreage potentially available for restoration, and the PROC. As indicated in the previous discussion of methodology, if the projected acreage exceeded the acreage available, the former was reduced to coincide with the latter. That situation occurred in 5 of the 54 analytical units, all of which were within Zone 1 (the area having the highest OROC and PROC). Because of the constraints imposed by available acreage, the WRP/CRP program cap limited the projected acreage in only one county, Warren.

Discussion and Conclusions

Viewed from a landscape perspective, the Service's projections indicate that most (86%) of that area previously characterized by the Corps as the "lower and upper sumps" (Zone 1) would be restored to a forested wetland land-use in the future without-project (indeed 44% of this restoration has already occurred); and an additional 13,100 acres would be restored to wetlands on frequently flooded and/or poorly drained soils elsewhere within the project area. This projection is consistent with the Service's assessment that agriculture within the most frequently flooded, poorly drained segment of the Yazoo Basin cannot be sustained indefinitely absent further and extensive hydrologic modifications. Several factors combine to make the Service projection conservative:

- The projected rate of change in wetland restoration is less than that which occurred from 1990 to 1998.

As indicated previously, the PROC was based primarily on the acreage enrolled in only one program, WRP. While the OROC associated with WRP is considered to be most reflective of *landowner-driven* realignments of land use and land capability, future programs and markets such as carbon sequestration could substantially increase the future rate of change.

- The effects of CRP were not factored into the Service analysis due to a lack of available geo-spatial data.

  Tabular data indicates that as much as 9,700 acres of cleared agricultural land may have been enrolled in CRP wetland restoration practices within the project area. Factoring in these landowner-driven land-use changes would substantially increase the PROC.

- The demand for reforestation was not transferred from one flooding/drainage unit to another once the available land within that unit was restored.

  The high rate of change associated with Zone 1 results in nearly all available land within that zone being taken up in approximately fifteen years. This demand was not transferred to other flooding/drainage units.

- No consideration was given to the likelihood that the "wetness" of the project area will increase over time in response to gradual increases in the flowline of the Mississippi River; increasing run-off from the Steele Bayou/Big Sunflower watersheds; or continued sedimentation.

The Service concludes that land-use and land capability within the Yazoo Backwater Area have become substantially misaligned and that ongoing restoration reflects a realignment that will continue in the absence of major hydrologic intervention. The Service projection of future without project conditions is predicated on the notion that fundamental relationships exist between land use and land capability. While societal attitudes, values, mores, and judgements can override and obscure such relationships, the natural constraints imposed by flooding and drainage within the alluvial valley of the Mississippi River have long been recognized socially, politically, and culturally. Since its inception, the Mississippi River and Tributaries Project has been directed at altering those constraints. Project-induced clearing and agricultural intensification have been central to its economic justification; and its impacts upon wetland conversion have been documented at the highest levels (Department of the Interior, 1988). The Service does not believe it reasonable to assume that now, in the most flood-prone, poorly drained portion of the Yazoo Basin, those relationships no longer exist or that a static equilibrium has been achieved. Accordingly we believe that any projection that considers, explicitly yet conservatively, the relationship between land-use and land capability is preferable and considerably more appropriate than one that assumes no relationship and no change (Figure 9). We therefore recommend that the Service projection of future without project conditions contained herein be considered in any

further analysis of the Yazoo Backwater Area Project.

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Table 3a. Distribution of wetland restoration within Zone 1 (within 2-yr floodplain ≤91') by soil drainage and county.

Soil drainage[a]	County	Restoration				
		Observed 1990-1998		Total Available 1999	Projected 1999-2049	
		Acres	OROC[b]		PROC[b]	Acres
MW-SP	Humphreys	0	0	42	0	0
	Issaquena	152	17	1,937	17	850
	Sharkey	148	16	1,902	15	750
	Warren[c]	424	47	787	31	478
	Washington	0	0	0	0	0
	Yazoo	974	108	3,960	0	0
	Subtotal	1,698	188	8,628	63	2,078
SP-P	Humphreys	14	2	175	0	0
	Issaquena	6,809	757	12,561	392	12,561
	Sharkey	146	16	1,214	16	800
	Warren[c]	1,496	166	2,697	126	1,969
	Washington[d]	1	<1	85	1	50
	Yazoo	4,419	491	1,705	0	0
	Subtotal	12,885	1,433	18,437	535	15,380
P-VP	Humphreys	7	1	6	0	0
	Issaquena	5,012	557	2,257	222	2,257
	Sharkey	12,408	1,379	10,576	1,333	10,576
	Warren[c]	0	0	1	0	0
	Washington[d]	0	0	55	<1	2
	Yazoo	0	0	438	0	0
	subtotal	17,427	1,937	13,333	1,556	12,835
	Total	32,010	3,558	40,398	2,154	30,293

[a] VP-very poorly, P - poorly, SP - somewhat poorly, MW - moderately well.
[b] Observed (OROC) and projected (PROC) annual rate of change.
[c] Projected acreage was adjusted to prevent exceeding 25% WRP/CRP program caps within county.
[d] Fish and Wildlife Service's acquisition boundaries resulted in increased PROC.

Table 3b. Distribution of wetland restoration within Zone 2 (within 2-yr >91') by soil drainage and county.

Soil drainage[a]	County	Restoration				
		Observed 1990-1998		Available 1999	Projected 1999-2049	
		Acres	OROC[b]		PROC[b]	Acres
MW-SP	Humphreys	1	0	1,188	0	0
	Issaquena	0	0	1,283	0	0
	Sharkey	52	6	3,188	0	0
	Warren[c]	11	1	114	1	11
	Washington	0	0	232	0	0
	Yazoo	65	7	1,034	0	0
	Subtotal	129	14	7,039	1	11
SP-P	Humphreys	2	0	12,692	0	0
	Issaquena	74	8	3,993	6	300
	Sharkey	459	51	10,612	16	800
	Warren	11	1	496	0	0
	Washington[d]	148	16	5,578	35	1,750
	Yazoo	244	27	166	0	0
	Subtotal	938	103	33,537	57	2,850
P-VP	Humphreys	17	2	57	0	0
	Issaquena	222	25	4,575	25	1,250
	Sharkey	206	23	10,659	14	700
	Warren	0	0	0	0	0
	Washington[d]	7	<1	7,118	16	800
	Yazoo	0	0	438	0	0
	subtotal	452	51	22,847	55	2,750
	Total	1,519	168	63,423	113	5,611

[a] VP-very poorly, P - poorly, SP - somewhat poorly, MW - moderately well.
[b] Observed (OROC) and projected (PROC) annual rate of change.
[c] Projected acreage was adjusted to prevent exceeding 25% WRP/CRP program caps within county.
[d] Fish and Wildlife Service's acquisition boundaries resulted in increased PROC.

Table 3c. Distribution of wetland restoration within Zone 3 (outside 2-yr floodplain) by soil drainage and county.

Soil drainage[a]	County	Restoration				
		Observed 1990-1998		Available 1999	Projected 1999-2049	
		Acres	OROC[b]		PROC[b]	Acres
MW-SP	Humphreys	1	0	12,245	0	0
	Issaquena	0	0	6,632	0	0
	Sharkey	138	15	26,684	0	0
	Warren[c]	100	11	1,392	2	36
	Washington[d]	0	0	688	11	550
	Yazoo	350	39	16,294	0	0
	Subtotal	589	65	63,935	13	586
SP-P	Humphreys	1,177	131	18,508	69	3,450
	Issaquena	64	7	31,953	3	150
	Sharkey	706	78	16,989	2	100
	Warren[c]	55	6	4,930	3	42
	Washington	40	4	10,843	3	150
	Yazoo	3,437	382	243	0	0
	Subtotal	5,479	608	83,466	80	3,892
P-VP	Humphreys	309	34	2,811	0	0
	Issaquena	122	14	13,779	12	600
	Sharkey	701	78	30,937	40	2,000
	Warren	0	0	5	0	0
	Washington[d]	2	<1	2,749	9	450
	Yazoo	0	0	6,212	0	0
	subtotal	1,134	127	56,493	61	3,050
	Total	7,202	800	203,894	154	7,528

[a] VP-very poorly, P - poorly, SP - somewhat poorly, MW - moderately well.
[b] Observed (OROC) and projected (PROC) annual rate of change.
[c] Projected acreage was adjusted to prevent exceeding 25% WRP/CRP program caps within county.
[d] Fish and Wildlife Service's acquisition boundaries resulted in increased PROC.

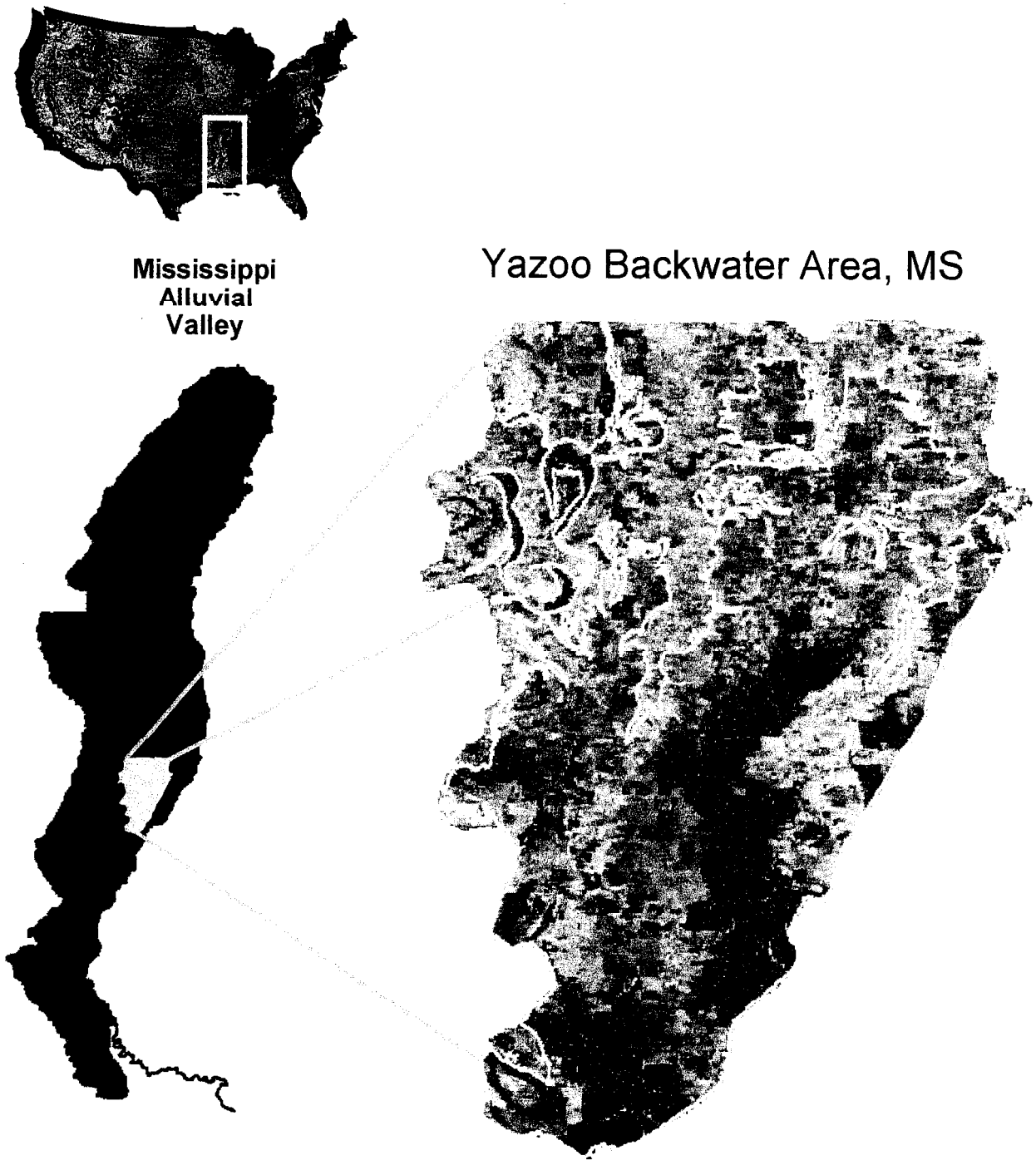

Figure 1. Location of the study area within the Mississippi Alluvial Valley.

Forest Cover in the MAV

Figure 2. Change in forest cover from pre-settlement to 1992. Approximately 75 percent of the original pre-settlement floodplain forest has been converted to agricultural production.

Soil Drainage / 1950's Forest Cover

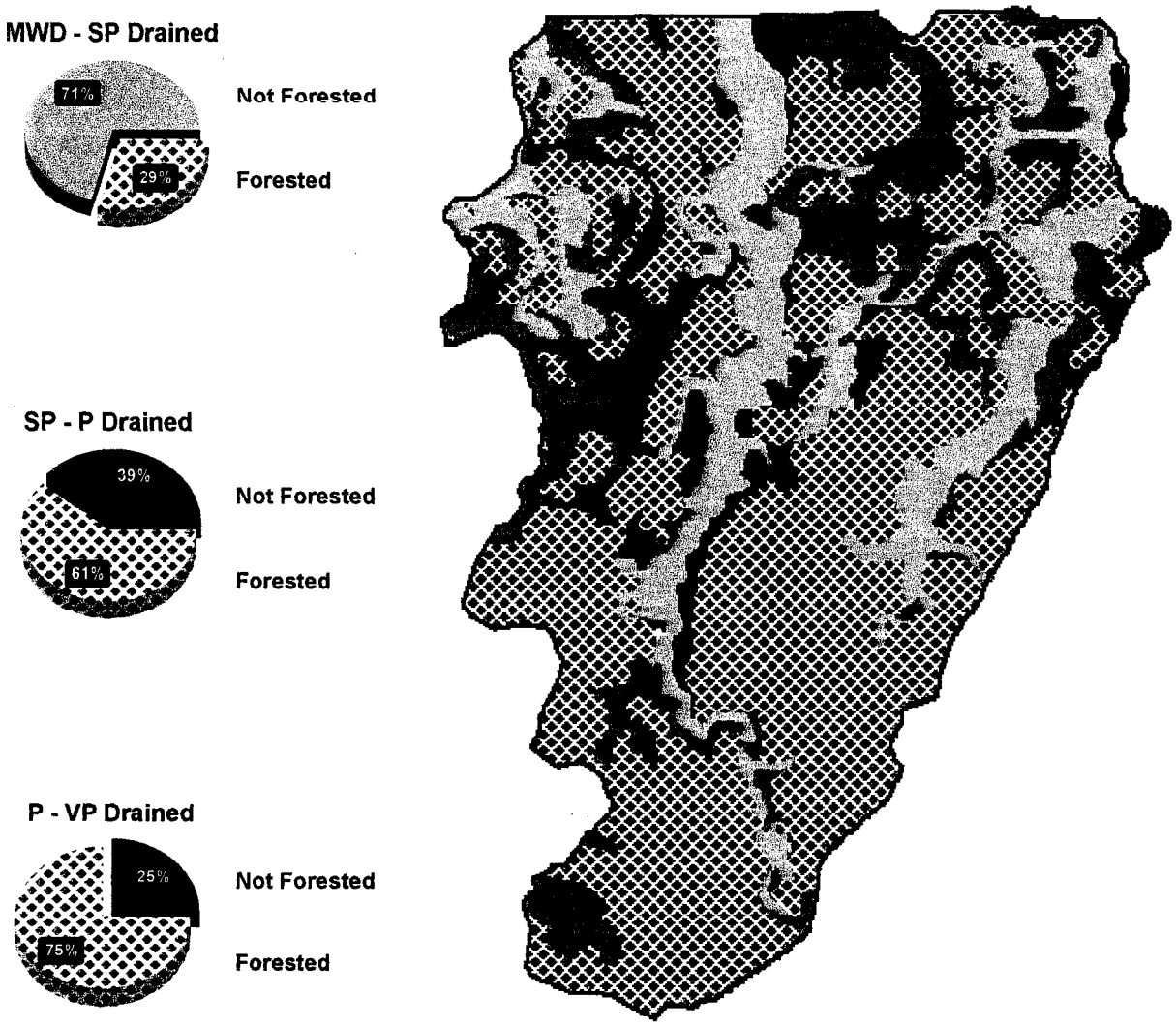

Figure 3. Relationship between forest cover and soil drainage characteristics as they existed in the Yazoo Backwater Area prior to the last major era of agricultural expansion.

Soil Drainage / 1990's Forest Cover

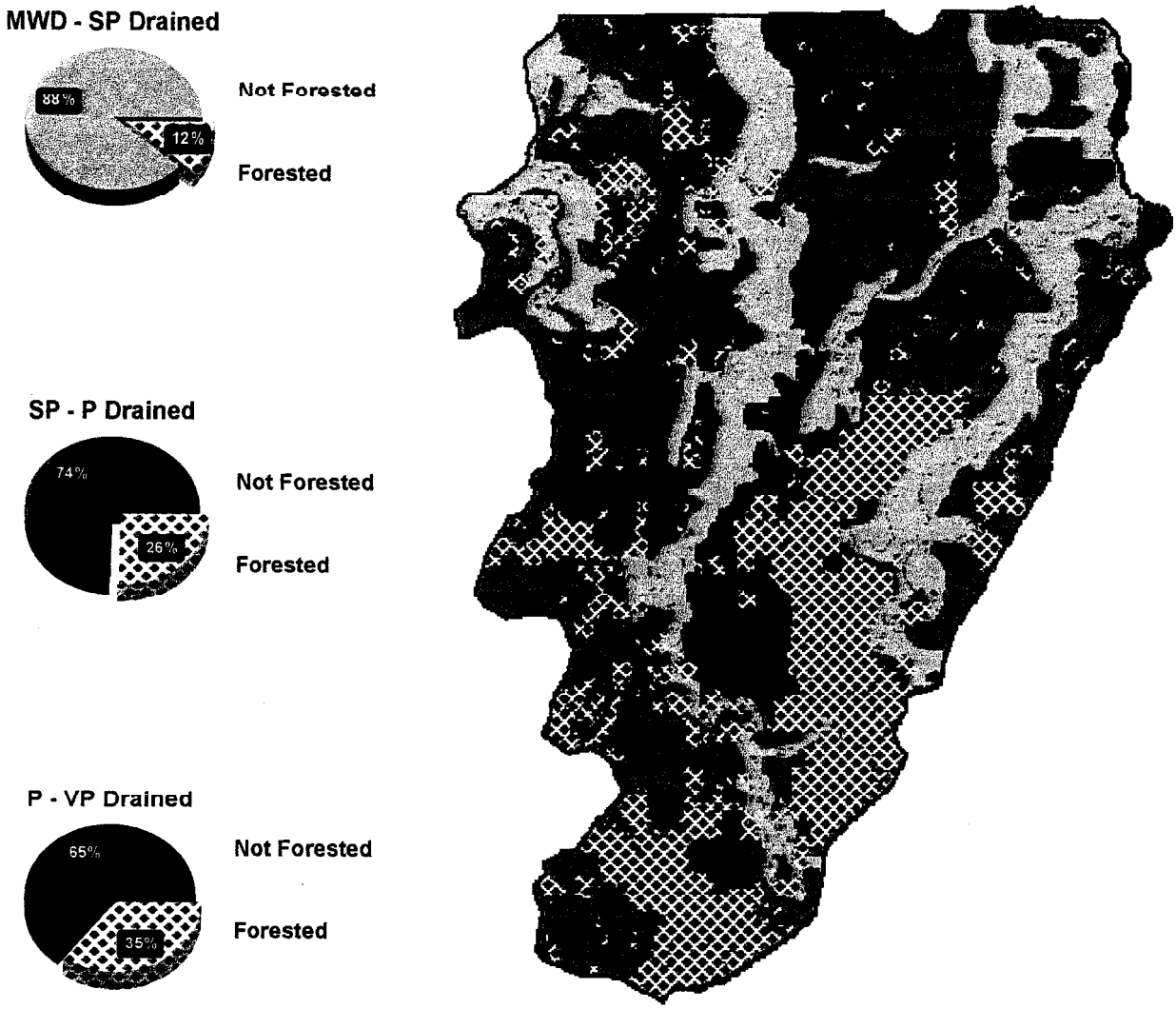

Figure 4. Relationship between forest cover and soil drainage characteristics as they existed in the Yazoo Backwater Area after the last major era of agricultural expansion.

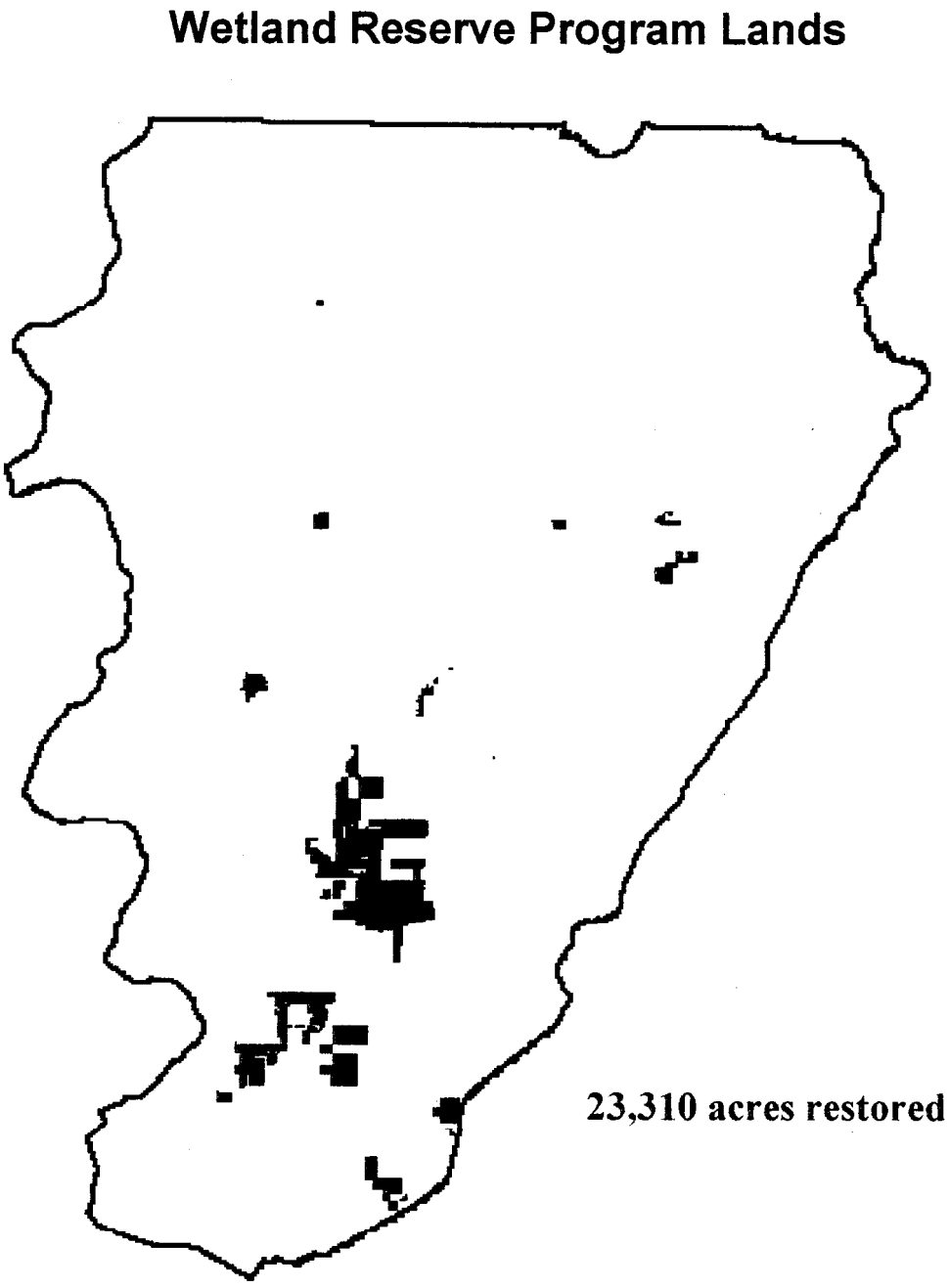

Figure 5. Cleared acres restored in the Wetland Reserve Program during the period 1990-1998.

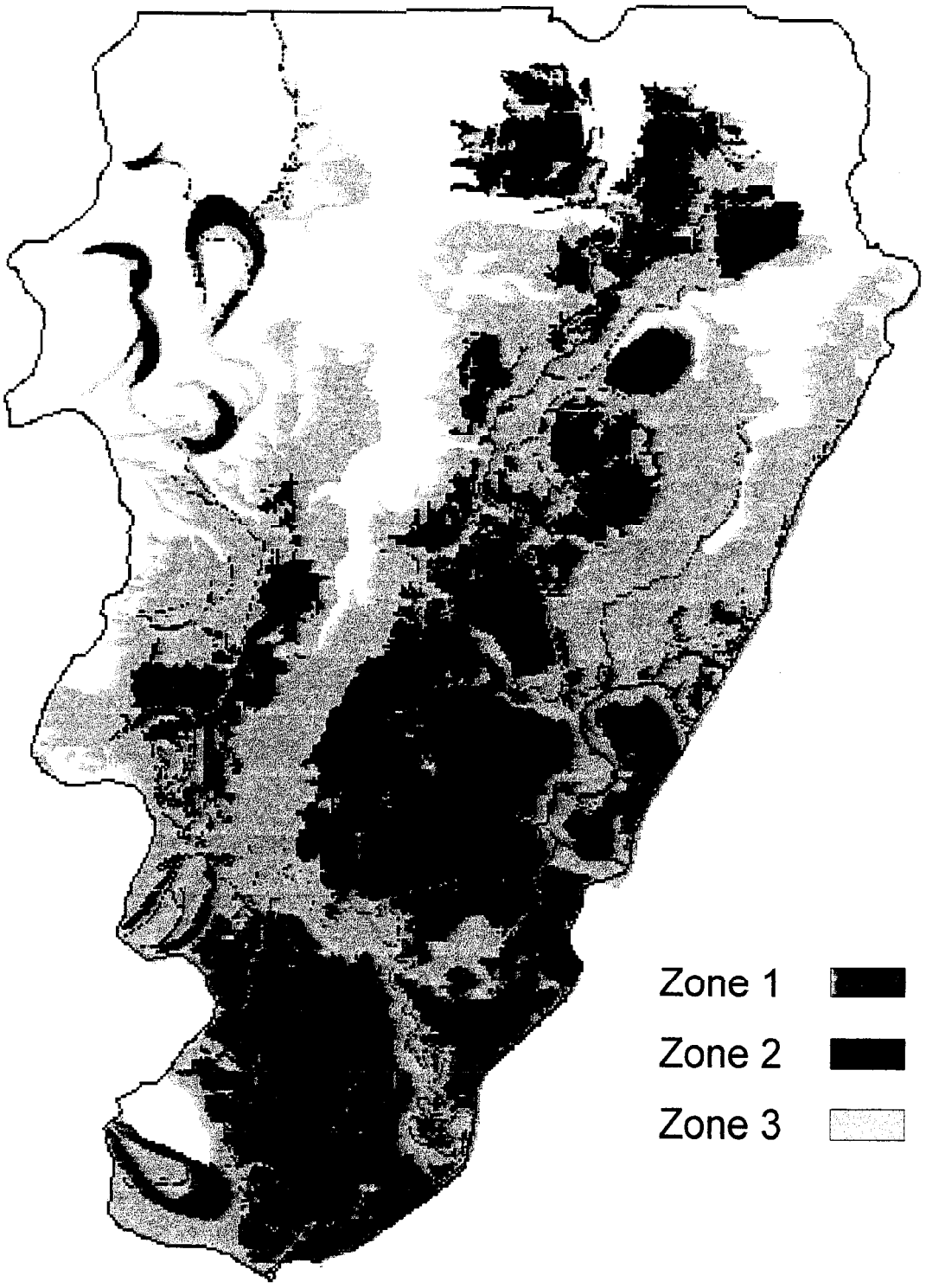

Figure 6. Three flood zones of the Yazoo Backwater Area -- Zone 1 = the area ≤91 ' inundated by the 2-year frequency event, Zone 2 = the area >91' inundated by t he 2-year frequency event, and Zone 3 = the area inundated at > 2-year event .

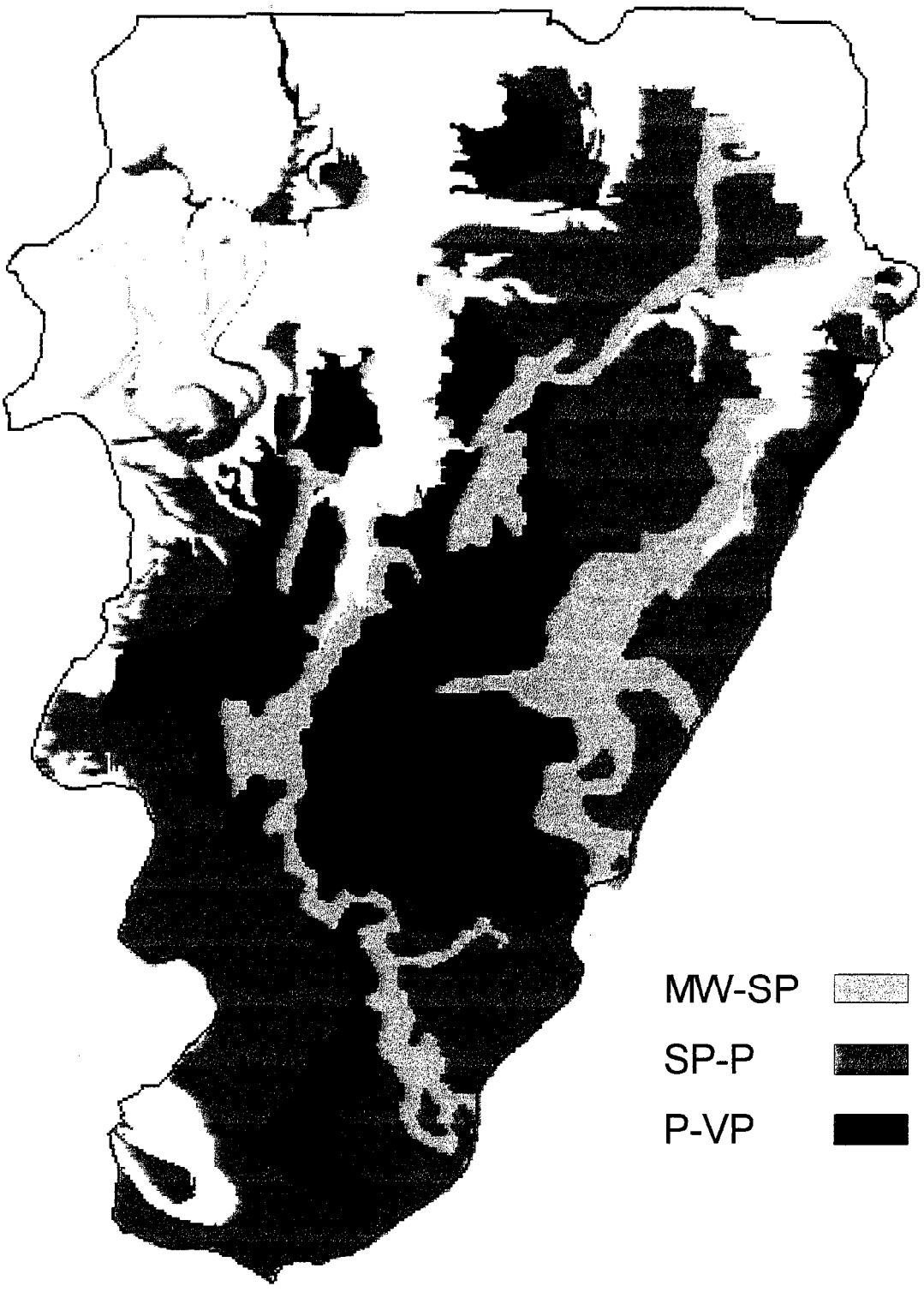

Figure 7. Three soil drainge classes of the Yazoo Backwater Area - - MW-SP = Moderately Well to Somewhat Poorly drained soils, SP-P = Somewhat Poorly to Poorly drained soils, and P-VP = Poorly to Very Poorly drained soils.

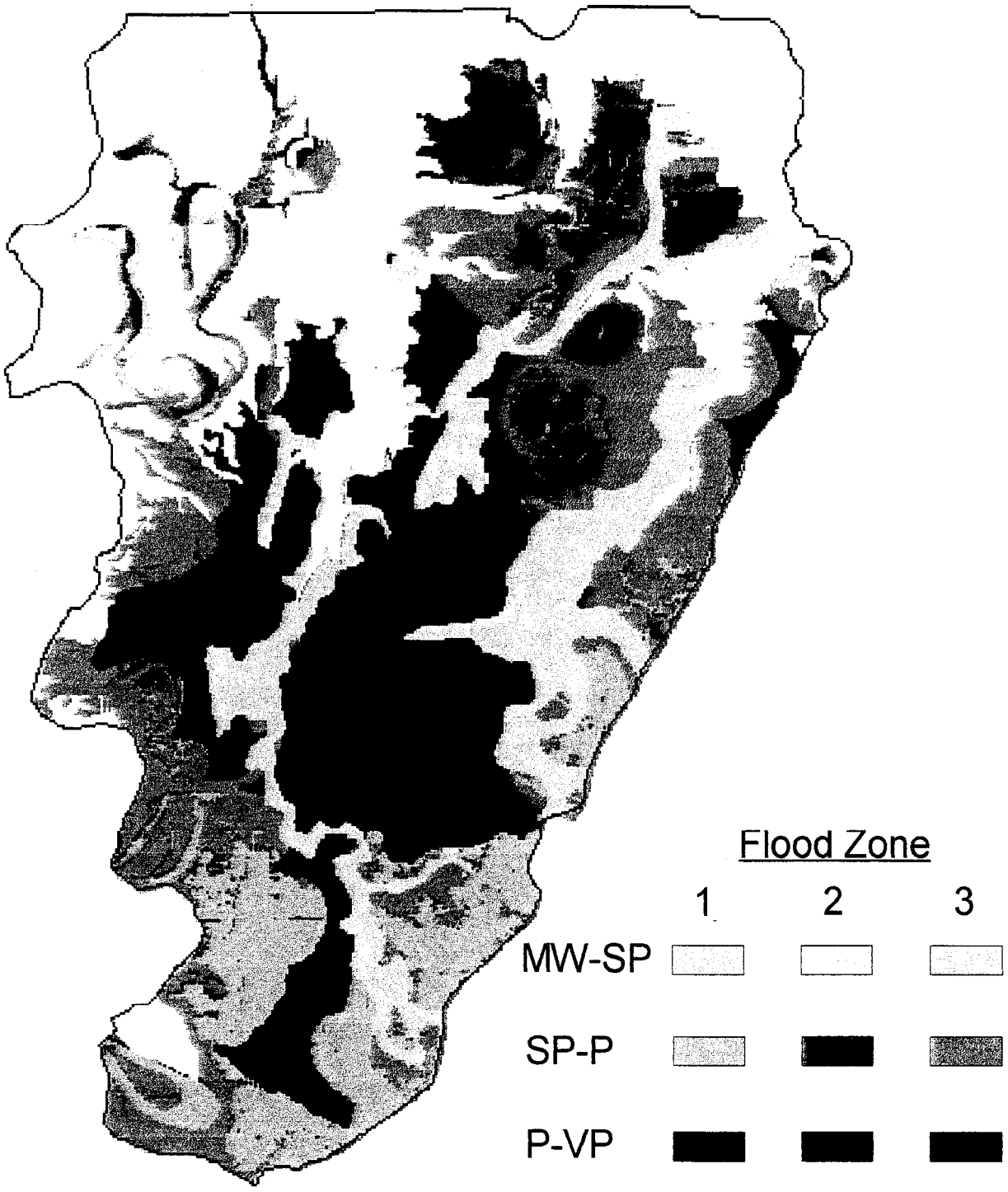

Figure 8. Restoration trends (1990-1998) were spatially analyzed within the intersection of 3 flood zones and 3 soil drainage classes.

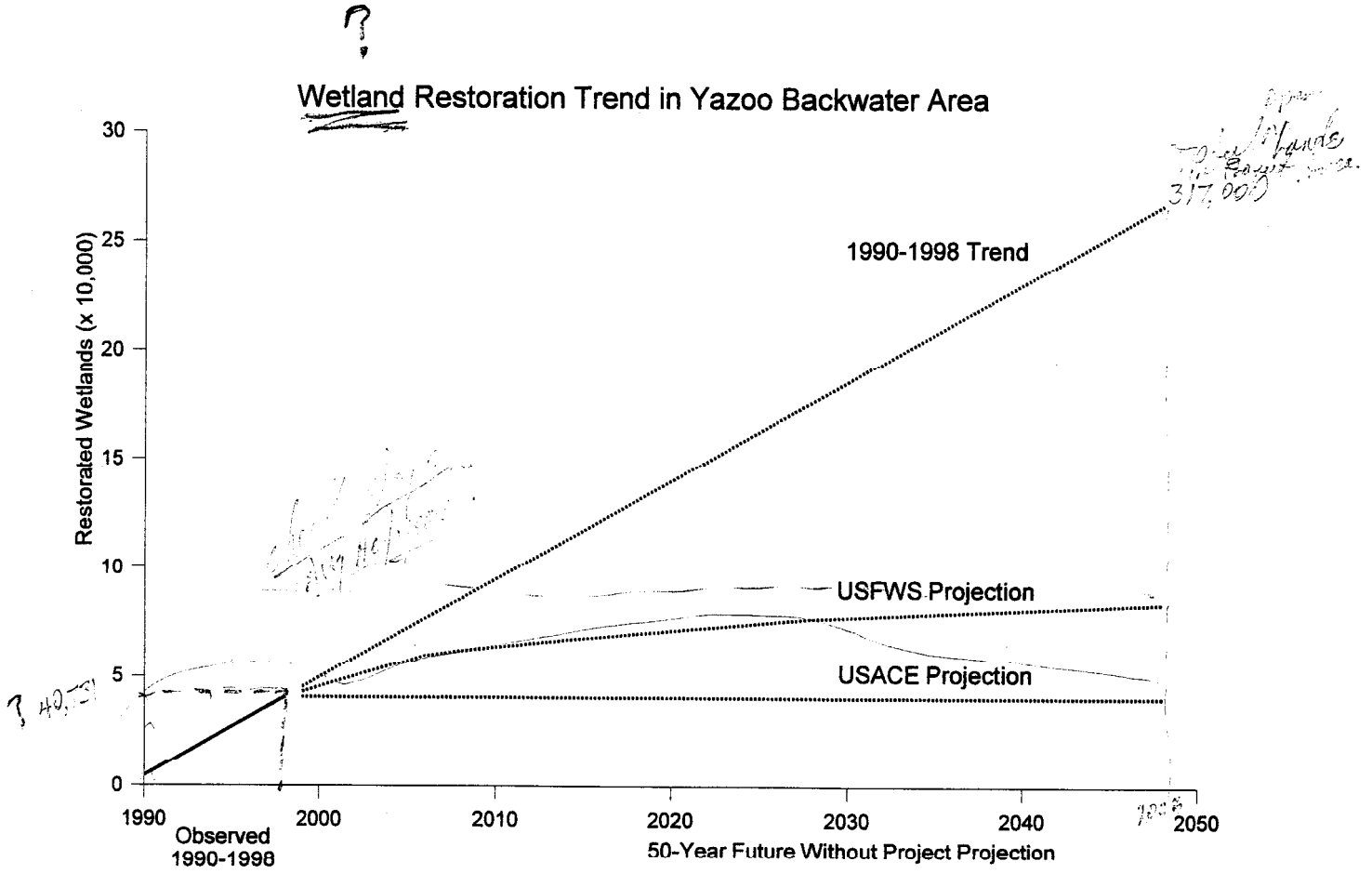

Figure 9. Wetland restoration trend beginning 1990-1998 and future without project projections 1999-2048 in Yazoo Backwater Area.

U.S. FISH AND WILDLIFE SERVICE
YAZOO BACKWATER EVALUATION TEAM

Charles K. Baxter	Lower Mississippi Valley Joint Venture Coordinator, Vicksburg, Mississippi
Russell C. Watson	Assistant Field Supervisor, Lafayette Field Office, Louisiana
William B. Uihlein, III	Lower Mississippi Valley Joint Venture Office, Vicksburg, Mississippi
Timothy M. Wilkins	Yazoo National Wildlife Refuge Complex Manager, Hollandale, Mississippi
James R. Nassar	Lower Mississippi River Fisheries Coordinator, Vicksburg, Mississippi
Larry E. Marcy	Vicksburg Field Office, Vicksburg, Mississippi

DEPARTMENT OF THE ARMY
U.S. Army Corps of Engineers
WASHINGTON, D.C. 20314-1000

REPLY TO
ATTENTION OF:

CECW-PC

JAN 4 2000

MEMORANDUM FOR Commander, Mississippi Valley Division

SUBJECT: Yazoo Backwater Project, Mississippi - Nonstructural Measures

1. This memorandum responds to your 9 August 1999 request for help resolving the following issues pertinent to reformulating the subject project: (a) use of nonstructural flood damage reduction measures, (b) authority to implement a plan other than the NED plan, and (c) the application of new National Economic Development (NED) benefit categories.

2. Use of Nonstructural Flood Damage Reduction Measures. The NED plan is the plan that reasonably maximizes net NED benefits and is consistent with the Federal objective of protecting the Nation's environment. Adding the proposed conservation easements and reforestation to the pump station plans would achieve more comprehensive flood damage reduction, and better meet the Federal objective, as well as increase the likelihood that the proposed plan would meet the Principles and Guidelines tests for completeness and acceptability. Although conservation easements with reforestation would produce wetland and habitat benefits, we note that these benefits would be incidental to the flood damage reduction. If these proposed nonstructural measures become part of the recommended plan or are needed for mitigation, they may be implemented under existing authority. Otherwise, they may become a local sponsor cost or may require additional ecosystem restoration authority.

3. Authority to Implement a Plan other than the NED Plan. If necessary, requests for approval to deviate from the NED plan should use the standard procedures that are described in paragraph 5-16c of ER 1105-2-100. The draft report should also address the authority needed to deviate from the authorized plan and provide the supporting information required by Chapter 2, Section III, ER 1105-2-100.

4. The Application of New NED Benefit Categories. The proposed benefit categories for sequestered carbon and nitrogen reduction are not approved at this time due to the following concerns:

a. The supporting methodologies and assumptions must be presented to establish that the benefits are quantifiable and valid.

b. These benefit analyses should be applied equally to the with- and without-project conditions and show net benefits.

CECW-PC
SUBJECT: Yazoo Backwater Project, Mississippi - Non-Traditional Nonstructural Measures

c. Economic markets for sequestered carbon and nitrogen reduction must currently exist before such benefits can be used for project justification. Such markets appear to be based on legislation, Federal rules, and/or treaty accords that have not yet been implemented.

d. The proposed timber production must compete successfully in the economic markets with alternative sources of sequestered carbon and nitrogen reduction.

FOR THE COMMANDER:

HANS A. VAN WINKLE
Major General, USA
Deputy Commander for
Civil Works

Memorandum for the Record
August 25, 2000

1. The Consensus Building Group for the Yazoo Backwater Project met at the Eagle Ridge Conference Center in Raymond, MS on March 21, 2000. The list of attendees is enclosed (encl. 1). The preparation of this memorandum was delayed pending the Corps' approval to release the Final Draft Report on the project.

2. The meeting was called to review and discuss the Shabman report that had just been released by EPA Region IV. Dr. Leonard Shabman participated in the first session of the meeting via telephone. Through a speaker phone arrangement, Dr. Shabman presented the highlights of his report which basically concluded that his non-structural scenario could be justified by application of NED Guidelines and the Corps internal guidelines on ecosystem restoration.

3. A question and answer session followed Dr. Shabman's presentation. Points of significant disagreement centered on the unreconciled differences between Dr. Shabman's and the Corps' Agriculture analysis, whether or not reforestation would be accomplished without new programs that go far beyond the existing WRP and CRP, and the cost per acre Federal outlay that would be required to entice landowners to reforest their lands. No consensus was reached on any of these issues.

4. In the second session, Chip Morgan briefed the group on the status of the Mississippi Legislature's actions to protect the county tax base in the event of large-scale reforestation of lands currently taxed as agricultural land. Senate Bill 2158 and House Bill 1350 had been introduced to provide for an assessment to be paid to the counties, by the landowner, that would be equal to the difference between the ad valorem taxes reflected in the change in use from agriculture to forest land. EPA, the USF&WS, and Ducks Unlimited had

expressed concern that there positions on this pending legislation had been misrepresented in correspondence from the Delta Council and the Levee Board to the Legislature. Every one acknowledged that they were aware of the effort to secure such Legislation, but did not agree that consensus had been reached on this solution to the tax base problem. There was much discussion of PILT funds; but in the end, no better workable solution could be identified to replace the current legislative proposals.

5. In the third session, the Corps briefed the group on the seven alternatives that would be presented in the draft Final Report on the project. The Corps representatives could not recommend one of the alternatives, at that time, because the report had not been reviewed and approved by their Headquarters. A summary of the features of the seven alternatives is enclosed (encl. 2).

6. The group decided that the next meeting would not be scheduled until the Corps released the Final Report for Agency review, and the meeting was adjourned.

E. Gaylan McGregor

2 Encl. (as)

E. Gaylan McGregor
Consultant
Board of Mississippi Levee
Commissioners

List of Attendees
March 21, 2000 meeting at
Eagle Ridge Conference Center

Name	Affiliation
1. Larry Marcy	USF&WS
2. Charles Baxter	USF&WS
3. Jim Luckett	Delta Wildlife & Forestry
4. Clifton Porter	Delta Council
5. Larry Moore	U.S. Forest Service
6. Lon Strong	NRCS
7. Jennifer Derby	EPA
8. Mike McGhee	EPA
9. Larry Banks	Vicksburg District COE
10. Charles Chisolm	MS DEQ
11. Kent Parrish	Vicksburg District COE
12. Dan Johnson	Vicksburg District COE
13. Ross Melinchuk	Ducks Unlimited
14. Jim Wanamaker	Board of MS Levee Commissioners
15. Gaylan McGregor	Board of MS Levee Commissioners
16. Chip Morgan	Delta Council
17. Lawrence Carter	Board of MS Levee Commissioners
18. Ruby Johnson	S. Delta Flood Control Committee
19. Curtis Green	MDWF&P
20. Scott Baker	MDWF&P

Encl 1

Corps of Engineers
Summary of Alternatives
Presented March 21, 2000

1. No Action

2. Non-structural/ 100.3
   231,000 Ag lands
   107,000 reforested below 2-year event (elevation 91.0 NGVD)
   Elevation 70 to 73 Low Flow

3. 14,000 cfs pumps
   Pump to elevation 80.0 NGVD during crop season
   Hold to elevation 85.0 NGVD during waterfowl season
   Elevation 70 to 73 low flow
   27,400 acres compensatory mitigation

4. 14,000 cfs pumps
   Elevation 85.0 NGVD pump on
   40,600 acres reforestation
   Elevation 70 to 73 low flow

5. 14,000 cfs pumps
   Elevation 87.0 NGVD pump on
   62,500 acres of reforestation
   Elevation 70 to 73 low flow

6. 14,000 cfs pumps
   Elevation 88.5 NGVD pump on
   77,300 acres reforestation
   Reintroduce Mississippi River water up to Elevation 87.0 NGVD
   Elevation 70 to 73 low flow

7. 14,000 cfs pumps
   Elevation 91.0 pump on
   107,000 acres of reforestation

Encl 2

Mississippi Legislature

2000 Regular Session

Senate Bill 2158

Bill Status Menu | Instructions

Bill Text | History of Actions | Amendments | Background | Title

Description: Property assessment; assess owners of certain land who sell reforestation easements in South Delta Pump project area.

Bill Text: [Introduced] [Passed Senate] [Sent to Governor]

History of Actions:

1	01/13/00	(S)	Referred To Finance
2	02/17/00	(S)	Title Suff Do Pass
3	03/14/00	(S)	Amended
4	03/14/00	(S)	Passed As Amended
5	03/17/00	(S)	Transmitted To House
6	03/20/00	(H)	Referred To Ways and Means
7	04/11/00	(H)	Title Suff Do Pass As Amended
8	04/11/00	(H)	Amended
9	04/11/00	(H)	Passed As Amended
10	04/11/00	(H)	Returned For Concurrence
11	04/12/00	(S)	Decline to Concur/Invite Conf
12	04/13/00	(S)	Conferees Named Minor,Nunnelee,Chamberlin
13	04/14/00	(H)	Conferees Named McCoy,Moak,Eaton
14	04/19/00	(H)	Conference Report Filed
15	04/20/00	(S)	Conference Report Filed
16	04/20/00	(S)	Conference Report Adopted
17	04/21/00	(H)	Conference Report Adopted
18	04/25/00	(S)	Enrolled Bill Signed
19	04/26/00	(H)	Enrolled Bill Signed
20	05/01/00		Approved by Governor

Amendments/Conference Report:

Adopted [S] Amendment No 1
Adopted [H] Amendment No 1

Conference Report

Background Information:

Effective date	Passage
Disposition	Law
Deadline	General Bill/Constitutional Amendment
Revenue	No
3/5ths vote required	Yes
Chapter number	528

Senate Committee:

- Finance

House Committee:

- Ways and Means

Principal Author: Carlton

Title: AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF ANY COUNTY IN THE YAZOO BASIN, YAZOO BACKWATER, MISSISSIPPI, PROJECT AREA, TO REQUIRE LANDOWNERS WHO SELL REFORESTATION EASEMENTS IN SUCH PROJECT AREA TO ANNUALLY PAY A FEE ON EACH ACRE OF PROPERTY FOR WHICH A LANDOWNER SOLD SUCH AN EASEMENT FOR PURPOSES SPECIFICALLY RELATED TO THE PROJECT; TO LIMIT THE AMOUNT OF SUCH FEE; TO PROVIDE THAT THE PROCEEDS OF THE FEE SHALL BE USED BY THE BOARD OF SUPERVISORS TO PROVIDE SERVICES SUCH AS ROAD MAINTENANCE, FIRE PROTECTION AND POLICE PROTECTION AND OTHER SERVICES NECESSARY FOR THE MAINTENANCE AND PROTECTION OF REFORESTATION EASEMENTS IN THE PROJECT AREA; AND FOR RELATED PURPOSES.

Information pertaining to this measure was last updated on 05/02/00 at 00:01.

End Of Document

MISSISSIPPI LEGISLATURE

2000 Regular Session

To: Finance

By: Senator(s) Carlton

Senate Bill 2158

(As Sent to Governor)

AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF ANY COUNTY IN THE YAZOO BASIN, YAZOO BACKWATER, MISSISSIPPI, PROJECT AREA, TO REQUIRE LANDOWNERS WHO SELL REFORESTATION EASEMENTS IN SUCH PROJECT AREA TO ANNUALLY PAY A FEE ON EACH ACRE OF PROPERTY FOR WHICH A LANDOWNER SOLD SUCH AN EASEMENT FOR PURPOSES SPECIFICALLY RELATED TO THE PROJECT; TO LIMIT THE AMOUNT OF SUCH FEE; TO PROVIDE THAT THE PROCEEDS OF THE FEE SHALL BE USED BY THE BOARD OF SUPERVISORS TO PROVIDE SERVICES SUCH AS ROAD MAINTENANCE, FIRE PROTECTION AND POLICE PROTECTION AND OTHER SERVICES NECESSARY FOR THE MAINTENANCE AND PROTECTION OF REFORESTATION EASEMENTS IN THE PROJECT AREA; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. (1) As used in this section:

(a) "Project" means the Yazoo Basin, Yazoo Backwater, Mississippi, Project authorized by the Flood Control Act of 18 August 1941 and the Water Resources Development Act of 1986.

(b) "Project area" means land in Humphreys, Issaquena, Sharkey, Warren, Washington and Yazoo Counties located at or below the one hundred-year frequency flood elevation.

(c) "Reforestation easement" means an easement on open agricultural land located in the project area that restricts the future use of the property to woodlands that is purchased from a landowner by the Corps of Engineers or other governmental entity for purposes specifically related to the project.

(2) The board of supervisors of any county in the project area may, in its discretion, require all landowners in the county who sell reforestation easements in the project area for purposes specifically related to the project to annually pay a fee in an amount not to exceed Four Dollars ($4.00) per acre, on each acre of property for which a landowner sold such an easement. The proceeds of the fee shall be used by the board of supervisors to provide services such as road maintenance, fire protection and police protection, and other services necessary for the maintenance and

protection of reforestation easements in the project area. If the federal government provides funds to counties in the project area which may be used by the counties to provide such services necessary for the maintenance and protection of reforestation easements in the project area, the board of supervisors of a county receiving such federal funds shall reduce any fee imposed under this section by a proportionate amount based on the ratio that the amount of federal funds received by the county bears to the cost of providing such services.

SECTION 2. This act shall take effect and be in force from and after its passage.

SOUTH DELTA RESIDENTS
PROPERTY OWNERS MEETING

ROLLING FORK, MS

MARCH 28, 2000

SOUTH DELTA RESIDENTS/PROPERTY OWNERS MEETING
NATIONAL GUARD ARMORY
ROLLING FORK, MISSISSIPPI
MARCH 28, 2000
7 p.m.

PRESENT:

MISSISSIPPI LEVEE BOARD:

Mr. Murry Alexander, 1200 Kirk Circle, Greenville, Mississippi 38701
Mr. Fred Ballard, President, Route 1, Box 19, Leland, Mississippi 38756
Mr. Rick Boyd, Route 1, Box 439, Rolling Fork, Mississippi 39159
Mr. Laurance Carter, P.O. Box 458, Rolling Fork, Mississippi 39159
Mr. Gaylan McGregor, 404 Ridgewood Drive, Vicksburg, Mississippi 39180
Mr. Roy Nichols, P.O. Box 637, Greenville, Mississippi 38702
Mr. Peter Nimrod, P.O. Box 637, Greenville, Mississippi 38702
Mr. Kenny Rodgers, P.O. Box 637, Greenville, Mississippi 38702
Mr. Jim Wanamaker, Chief Engineer, P.O. Box 637, Greenville, Mississippi 38702
Mr. Nott Wheeler, Jr., P.O. Box 637, Greenville, Mississippi 38702

TECHNICAL ASSISTANTS:

Ms. Myra Dean
Ms. Jeannine Beatty

ALSO PRESENT:

Mr. Mark Armstrong, Vicksburg Post, P.O. Box 821668, Vicksburg, Mississippi 39182
Mr. Tim Barnette, Route 2, Box 264-A, Rolling Fork, Mississippi 39159
Mr. George Berry, YMD Water Management District, 106 Peninsula Leland, Mississippi 38756
Mr. Jeremiah Blackwell, F.D.P., General Delivery, Mayersville, Mississippi 39113
Mr. Robert Braxton, P.O. Box 284, Valley Park, Mississippi 39177

Mr. Rod Brown, Route 1, Box 357, Rolling Fork, Mississippi 39159
Mr. Tracy Brown, Sharkey County Tax Collector and Assessor, Route 1, Box 357, Rolling Fork, Mississippi 39159
Mr. Willie F. Brown, Supervisor, Route 4, Box 234, Yazoo City, Mississippi 39194
Mr. Arvell Bullock, Supervisor, Route 1, Box 313, Louise, Mississippi 39097
Mr. Willie Bunton, Supervisor, P.O. Box 161, Mayersville, Mississippi 39113

Ms. Maria Burnham, Delta Democrat Times, 988 Broadway, Greenville, Mississippi 38701
Ms. Dorothy Butts, 16124 Highway 465, Vicksburg, Mississippi 39183
Honorable Tom Cameron, Mississippi House of Representatives, P.O. Box 543, Greenville, Mississippi 38702
Mr. Gip Carter, P.O. Box 458, Rolling Fork, Mississippi 39159
Mr. Jimmie Dick Carter, Delta Council, P.O. Box 458, Rolling Fork, Mississippi 39159

Ms. Joyce Carter, 807 N. 1st, Rolling Fork, Mississippi 39159
Mr. M. W. Catledge, Route 2, Box 248, Rolling Fork, Mississippi 39159
Mr. O. W. Catledge, Route 2, Box 248, Rolling Fork, Mississippi 39159
Honorable Mike Chaney, Mississippi State Senate, 528 Inglewood Drive, Vicksburg, Mississippi 39180
Mr. Neal Clinkscales, 113 Laural Street, Anguilla, Mississippi 38721

Mr. W. H. Clinkscales, P.O. Box 180, Delta City, Mississippi 39061
Mr. W. H. Bill Crawford, Route 2, Box 200, Rolling Fork, Mississippi 39159
Mr. Burt Darden, C & B Farms, Route 2, Box 219, Rolling Fork, Mississippi 39159
Mr. Charlie Darden, C & B Farms, Route 2, Box 219-A, Rolling Fork, Mississippi 39159
Mr. James Lee Davis, Sharkey County District 4, Anguilla, Mississippi 38721

Mr. Tim Evans, Anderson-Tully Company, P.O. Box 38, Vicksburg, Mississippi 39181
Mr. Milton Ewing, P.O. Box 191, Anguilla, Mississippi 38721
Mr. Erline Fortner, Chancery/Circuit Clerk, Issaquena Courthouse, Mayersville, Mississippi 39113
Mr. Gene Fulton, Route 2, Rolling Fork, Mississippi 39159
Ms. Marilyn Hansell, Congressman Bennie Thompson's Office, 910 Courthouse Lane, Greenville, Mississippi 38701

Mr. Paul Hargrove, P.O. Box 204, Anguilla, Mississippi 38721
Mr. Lewis Hatcher, Issaquena County Supervisor, Route 2, Box 350-A, Rolling Fork, Mississippi 39159
Mr. J. T. Hite, P.O. Box 36, Mayersville, Mississippi 39113
Mr. Gene Hodnett, Shorhum Farms, Inc., Route 1, Box 173, Anguilla, Mississippi 38721
Mr. Frank Howell, Delta Council, P.O. Box 257, Stoneville, Mississippi 38776

Ms. Ruby L. Johnson, South Delta Flood Control Committee, P.O. Box 387, Cary, Mississippi 39054
Mr. Joe King, Sharkey County Supervisor, Route 1, Box 134E, Anguilla, Mississippi 38721
Mr. Gordon D. Markle, Jr., Delta Land & Farm Management Company, Inc., P.O. Box 259, Mer Rouge, Louisiana 71261
Mr. H. E. Martin, P.O. Box 27, Cary, Mississippi 39054
Mr. Robert Martin, MSU-ES, P.O. Box 129, Mayersville, Mississippi 39113

Mr. Raymond B. May, P.O. Box 821568, Vicksburg, Mississippi 39182
Mr. Michael Mayfield, Sr., Warren County Board of Supervisors, 913 Jackson Street, Vicksburg, Mississippi 39180
Mr. Mark Monroe, Anderson-Tully Company, P.O. Box 38, Vicksburg, Mississippi 39180
Mr. Chip Morgan, Delta Council, Stoneville, Mississippi 38776
Mr. Ray Mosby, Deer Creek Pilot, Rolling Fork, Mississippi 39159

Mr. William W. Moore II, Moore Company, P.O. Box 336, Cary, Mississippi 39054
Mr. Jonah Myrick, NRCS, 408 Highway 61 North, Rolling Fork, Mississippi 39159
Mr. Buddie Newman, Valley Park, Mississippi 39177
Mr. Horace Newman, P.O. Box 234, Valley Park, Mississippi 39177
Mr. Jim Newman, Boll Planting Company, Inc., Route 1, Box 66, Rolling Fork, Mississippi 39159

Mr. Bill Newsom, Sharkey County Supervisor, 309 Southern Avenue, Rolling Fork, Mississippi 39159
Ms. Melba Parker, 21533 Highway 465, Vicksburg, Mississippi 39183
Mr. Lannie B. Philley, Delta Land and Farm Management Company, P.O. Box 259, Mer Rouge, Louisiana 71261
Mr. Clifton Porter, Route 2, Box 384, Rolling Fork, Mississippi 39159
Mr. W. Paul Stewart, 219 E. Jefferson Street, Yazoo City, Mississippi 39194

Mr. Frank Stuart, P.O. Box 150, Cary, Mississippi 39054
Mr. Walter Ward, C.R.I., 520 Walnut Street, Rolling Fork, Mississippi 39159
Mr. Charles Weissinger, Jr., Sharkey County Attorney, P.O. Box 215, Rolling Fork, Mississippi 39159
Mr. Tim Wilkins, U.S. Fish and Wildlife Service, Route 1, Box 286, Hollandale, Mississippi 38748

MR. FRED BALLARD: If you will take your seats, we will get started. If you will all be seated, we will call the meeting to order.

I am Fred Ballard, currently serving as President of the Board of Mississippi Levee Commissioners. I would like to begin the meeting by welcoming and thanking each one of you for taking the time out of your busy schedule and coming to this important meeting.

At this time, I would like each member of the audience to stand and introduce themselves, starting with the left side of the room. (Each individual introduced himself/herself.)

MR. BALLARD: Again, thank you for coming.

As most of you know, the Mississippi Levee Board has been working diligently to see construction restarted on the pump project. Although many hurdles remain to be crossed, the Corps of Engineers is moving forward toward a complete study and a recommended plan for the project.

We are here today to brief you on the status of the project and get input from you local residents and property owners, those who will benefit most from the project. After the briefing, we would like to hear your comments, suggestions, or questions. We will be here as long as it takes to answer the questions.

At this time I will turn the program over to Jim Wanamaker who is Chief Engineer of the Mississippi Levee Board.

MR. JIM WANAMAKER: Thank you, Mr. Ballard. I want to thank Ms. Hansell from Congressman Thompson's office; two members of the Legislature, Mr. Chaney and Mr. Cameron; and, also, Mr. Speaker, thank you for coming out tonight.

Any time that we find ourselves trying to talk about flood control in the Mississippi Delta, it is apparent that we point out to everyone the national significance of providing this protection to the area. If you will look on the map, you will see that 41 percent of the Continental United States comes down the Mississippi River and passes by Vicksburg, Mississippi. This is the drainage that comes from 31 states and 2 provinces of Canada.

Following the devastating 1927 flood, the Federal Government realized at that time the national significance of the problem and passed the Flood Control Act of 1928. This Act provides for a comprehensive plan for flood control along the lower Mississippi River and set forth the Federal responsibility to the basin.

The approved plan included the construction of levees and recognized that the completion of these levees would raise the water level in the river. The comprehensive plan also included floodways that would divert away from the Mississippi River, including the Eudora Floodway that passes across the States of Arkansas and Louisiana, which through these studies would reduce stages at the mouth of the Yazoo River by up to 6 feet.

This plan also included a series of cutoffs along the Mississippi River that would shorten its length by several hundred miles. It was estimated that these cutoffs would reduce stages at the mouth of the Yazoo River by approximately 10 feet, for a total reduction in stages through the project, through these features, by up to 16 feet at the mouth of the Yazoo River.

The Flood Control Act of 1936, passed by the Congress, also acknowledged the Federal responsibility to the river basins that feed into the Mississippi River. This work included work on the Yazoo River Basin here in the Mississippi Delta.

The Flood Control Act of 1941 was very significant to the lower basin. Since passage of the 1928 Act, farmlands across the States of Arkansas and Louisiana had increased in value and the residents of those states no longer wanted the notch in their levee up near the mouth of the Arkansas River that would take Mississippi River water down through the floodway.

The Arkansas Congressional Delegation with the 1941 Act removed Eudora Floodway from the comprehensive plan, and at the same time, the Mississippi Delegation stated that if 6 feet of protection that we have at the mouth of the Yazoo River was going to be taken away, we need something that will offset those losses. They also included the Yazoo Backwater Project in that Act, which consisted of levees, gates, and pumps to protect this area from the higher stages.

At the same time, work was continuing on the Mississippi River toward the completion of the cutoffs, and it was not until the 1960's that construction actually started on the Backwater Project.

In 1973, the Mississippi River Valley experienced a major high water on the Mississippi River. It had been 23 years since high water had occurred in the Valley. The levees on the backwater were not complete, and over 1,000,000 acres were flooded for more than 30 days in the Mississippi Delta.

While the Corps of Engineers was reviewing this flood on the Mississippi River, the stages and discharges in particular, they discovered that the system of cutoffs along the river were not functioning as efficiently as they anticipated. This resulted in raising the elevation of the project design flood (PDF) which is the flood that they use to design all our flood control projects by along the Mississippi.

As many of you are aware, over at Mayersville, the same action resulted in us having to raise the levees at Mayersville by approximately 8 feet. We have work ongoing over there.

This loss in efficiency resulted in a loss at the mouth of the Yazoo River by approximately 4 to 6 feet. This result is the potential increase in stages at the mouth of the Yazoo River in the range of 10 to 12 feet over the closing of the floodway and the loss of the capacity on the cutoffs.

In 1977, the gaps in the Backwater levee were closed, making that portion of the project fully functional. With the levee complete, the Levee Board and residents of the Mississippi Delta began to move and press the Corps of Engineers to begin construction of the pumping plant, the last feature of the Yazoo Backwater Project.

In March 1986, the first contract was awarded for construction on the Backwater Pumping Plant. At almost the same time, Congress was considering legislation, the Water Resources Development Act of 1986, that would involve cost sharing of Federally construction projects. The United States Senate passed its version of the Act in March of that year with an effective date upon passage which eventually turned out to be October 26, 1986.

On May 5, 1986, the contractor on this item of work actually began moving dirt on the pump site. When the United States House of Representatives passed its version of the Water Resources Development Act, the effective date for the purpose of applying cost sharing was May 15, 1986. In October of that same year in the House and Senate Conference, an agreement was passed and the effective date that affected cost sharing was moved back outside the window of the two Bills to April 30, 1986.

During that same year, language had been inserted into the record that said that construction on the project starts when the environment changes or when you move dirt. The change of that effective date affected one project in the Lower Mississippi Valley on which construction had started, and that is the Yazoo Backwater Pump Project.

From that date on, the Board of Mississippi Levee Commissioners and others in the Delta worked with the Mississippi Congressional Delegation in an attempt to remove this cost sharing from the project. Finally, in 1996, through the efforts of Senator Cochran, language was included in the Water Resources Development Act defining the start of construction as the date that the contract was awarded. Since the contact for the pumps was awarded in March 1986, prior to April 30, the Federal responsibility for the completion of the Yazoo Backwater Pumps was restored.

Since 1996, the Corps of Engineers has continued toward completing the Reformulation Report for the remaining features for the Yazoo Backwater Pump Project, primarily the pumping plant. This Reformulation Report will include an Environmental Impact Statement and a recommended plan for providing flood protection to the south Delta.

In an effort to secure more environmental input into the project, in 1997 the Corps of Engineers employed a facilitator to hold meetings and bring together the flood control and environmental interests in an attempt to reach an agreement for a project that would balance economic and environmental interests. The facilitation resulted in a wide range of alternatives to be considered for the project by the Corps of Engineers, including several pump sizes, a fully nonstructural alternative, and several combinations of pumps and nonstructural measures that would be further advanced by the Corps of Engineers.

At the same time, the Levee Board, working with local public officials and Delta Council, initiated a program to bring public officials and opinion makers to the south Delta area. Many of you here had the opportunity to meet some of these people when they made some of the stops through the Delta. These visits were coordinated with our county supervisors, some of the residents, the South Delta Flood Control Committee that Ruby is heading, and others to allow these visitors to have the opportunity to hear the concerns of the people of the area.

During these visits, we made a tour of the area starting at the Steele Bayou structure where we provided these visitors with the chronology that I just went through from the 1928 Act up through the present. We then moved up the Mahanna Wildlife Refuge where Scott Baker with the Department of Wildlife, Fisheries and Parks briefed the individuals. He reviewed his operation at this management area, where part of that area is protected by previously constructed levees and allowed the management of water. You could definitely see the difference in the size of the trees, and their game harvest indicated far better conditions on the area where they could manage water than on those areas where it was subject to the annual flooding from the backwater.

We then took the group up to the Delta Wildlife and Forestry, Inc., which is a large private forestry area out from Cary. The forester and the owners of that facility took time to take our visitors through that area and show them how the backwater affected their timber harvest and, also, the effects it had on wildlife.

We then finished up at Catledge Brothers' shop where we met with groups of landowners and residents from the area that came with them and explained to them what flooding does to them and how it affects their daily and routine livelihood during periods of high water.

Since passage of the 1996 Act, Congress has annually appropriated funds for working toward the design and completion of developing plans for this project. There is no doubt that we have support from Congress for providing you with the protection that has been promised since 1941.

This chart shows the status of 12 pumping plants along the Mississippi River that are currently being constructed or have been completed at 100 percent Federal funding. This chart also includes at the top, the Yazoo Backwater Pumping Plant with an estimated completion date of 2007. There are many statistics about the pumping plants, the size of the pumping plants, how many acres that it protects, and the location. All of the boards will be placed along the wall if later tonight you want to look at those.

In February 1999, the Vicksburg District had narrowed the range of alternatives being considered as part of the Reformulation Report down to two pumps, both of which would require fee simple acquisition of mitigation lands if they were the selected alternative.

Another alternative that is being considered was levees up the Big Sunflower River. They also had a full nonstructural plan that was being considered that involved no pumps, strictly a combination of easement acquisitions only. They had 25 combinations that were being considered that involved pumps and some mixture of easements.

In the Corps report, when they refer to reforestation easement, it is proposed that the Corps would pay the landowner, a person that owns cropland, for an easement to plant trees on that property and it would be restricted so that you could never put it back into cropland. The landowner would be allowed to conduct normal forestry practices as part of that operation.

Conservation easements are easements whereby a landowner or a person that owns existing woods would be paid for an easement on that land on those woods that would restrict them from ever converting to cropland. This is being considered to alleviate the fears of many of the environmentalists that some day that crops would get up high in market value and the pumps would be built and everybody would go to clearing up woods again.

Flowage easements were involved because some of the alternatives involve the intentional elevation of waters by closing Steele Bayou gates for winter waterfowl and flooding some of the land. So they would have to pay for that loss or that damage that was done to the land.

During the fall of 1998, the Levee Board met with various resource agencies, including the Environmental Protection Agency, U.S. Fish and Wildlife Service, Mississippi Department of Environmental Quality, and Mississippi Department of Wildlife, Fisheries and Parks, to discuss the potential of trying to find a middle ground for this project that could lead to an agreement between the agencies to provide a balance between economic and environmental benefits to the area.

Following that meeting, Steve Thompson with the U.S. Fish and Wildlife Service suggested that the Levee Board broaden the group to include private and environmental groups. Mr. Thompson had been involved in a dispute between farmers on an endangered species issue in Texas and had successfully gone through this consensus-building process out there and believed the process would have some merit to be utilized involving this project.

In March of last year, the Levee Board hosted the first consensus meeting at our office and included all the resource agencies, some private landowners, and environmental groups. During the meeting, many of those in attendance really felt that some progress had been made. There was very open dialog between the individuals participating. Shortly after that, the five private environmental groups shown here at the bottom withdrew from the process. Ducks Unlimited is the only private environmental group that has continued to meet with us and participate in the effort.

We have continued to invite these individuals to each and every meeting that has been held by the group. We continue to send them the minutes following our meeting, informing them of what we had done. I will say that members of the U.S. Fish and Wildlife Service and the Environmental Protection Agency made a very strong effort to bring these people back into the meetings with us without success.

At the March meeting with this group, we expressed the desire to find a functional solution to provide flood control benefits to the south Delta. During subsequent meetings of the group, extensive discussion took place on pumping plants with various start-stop elevations and the possibility of operating Steele Bayou structure for providing environmental benefits and managing water levels for the south Delta.

Also, the environmental agencies express a desire to reforest the lands in the 2-year flood plain, those are the lands that are below 91 feet. Through that effort, there was a general agreement that any of these easements would have to come from willing sellers and that there was a need to protect the local tax base. We also discussed various mechanisms on how we might restore the wetland functions in the 2-year flood plain.

Early on in our meetings, we found that the Environmental Protection Agency had awarded a contract to Virginia Tech to review a fully nonstructural alternative for the Backwater area. The consensus group was briefed by Dr. Shabman on at least two occasions regarding his study, with the final briefing coming just a few weeks ago where he reviewed his final report with the group.

I would like to point out that Dr. Shabman's plan does not include a pump and there was no change in the operation of the Steele Bayou structures of any of the gates from the way it is currently being operated, resulting in no changes in flood stages in the south Delta. During that recent briefing, Dr. Shabman pointed out that his plan includes buying reforestation easements on 88,000 acres in the 2-year flood plain.

Now, the Corps of Engineers and the U.S. Fish and Wildlife Service, through their procedures, have identified the 2-year flood plain as being 91 feet. It contains 107,000 acres of cleared, developed land. Dr. Shabman used some method provided by the U.S. Geological Survey, and they are claiming that there is 121,000 acres in the 2-year flood plain. The primary thing here is that under Dr. Shabman's plan, the reforestation easements will come from willing sellers, but he made no provisions in his plan to deal with the 33,000 acres remaining in the 2-year flood plain that would not have reforestation easements offered.

When I questioned him about this matter, he concluded that he had not dealt with that 33,000 acres and that there would have to be some mechanism set up somewhere to provide some feature for those 33,000 acres.

His plan includes that structures located inside the 2-year flood plain, below 91 feet, would be moved up or moved out of the area. Cropland above the 2-year flood plain would be offered crop insurance through the Federal Government, and homeowners above 91 feet would be offered flood insurance on their dwellings.

This is a pretty busy board here. At this time, the Corps of Engineers, as they are moving into their final phase of the Reformulation Report, has narrowed down the alternatives being considered by them to seven plans. They are also going to have to include Dr. Shabman's plan as part of their report to avoid having, what they termed, a flawed Environmental Impact Statement.

The first plan that you will always see in an array of plans by the Corps of Engineers is "no action." Their policy and guidelines require them to consider a no-action plan to establish base conditions for the project area. Early on the Corps was aware that they would have to thoroughly evaluate a fully nonstructural flood control alternative for the south Delta, no pump.

They are looking at a full range of easements throughout the entire project area of the 100-year flood plain on all properties that would have benefited with the construction of a pump, not just those properties below the 2-year flood plain.

The remainder of the five plans all include the construction of a 14,000-cubic-foot-per-second (cfs) pumping plant. This is a pumping plant that is approximately 40 percent larger than the one that was started under construction in 1986.

Plan 3 very closely mirrors the operating plan that was proposed with the 1986 pumping plant. The proposal is that the pumps will be started when the backwater gets to 80 feet, between March 1 and December 1. Through the winter months, December 1 to March 1, the pumps would not be turned on until the backwater reaches 85 feet. This plan would require the fee purchase of mitigation lands in the project area.

All the remaining plans include another feature being considered by the Corps. Currently, the Steele Bayou structure, during low water, is managed to hold the water in the backwater between the elevation of 68.5 and 70.0 feet. They are proposing to let that low water raise up to a range of between 70.0 and 73.0 feet, which is still well within the banks of the channels down in that area.

Plan 4 involves the construction of a 14,000-cfs pumping plant. On a year-round basis, the pumps would not be started until the water gets to 85.0 feet, and they would be turned off when it gets back down to 85.0 feet. The Corps, on this item, has proposed the acquisition of reforestation easements on 40,600 acres of cleared lands. This is the cleared land that was below 85.0 feet that would receive no benefits from the pumping plant under this plan. In discussing reforestation easements with the Corps, they have informed us that they are estimating that their easements would be acquired to 65 to 80 percent of the fee value of the land involved, and the plans will include the initial planting of trees by the Corps as a project feature, with replanting until a 70 percent survival is achieved. Again, the Corps plans to maintain the low water at 70.0 to 73.0 feet in the area.

Plan 5, again, includes the 14,000-cfs pumping plant. The major difference here is that the pump would not be started and it would be turned off at elevation 87.0 feet. Eight-seven feet has some significance in that that is the elevation of the 1-year frequency flood in the Backwater area. The environmental community has expressed a desire--they feel like anything to help reforest that area would be beneficial to meet their goals. As a result, the Corps will offer reforestation easements under the same terms as we outlined above on the 62,500 acres below 87.0 feet that would not receive any benefits from the pump. Again, it will maintain low water at 70.0 to 73.0 feet.

Plan 6 evolved through some discussions and questions about the jurisdictional wetlands in the south Delta. This land would require a Section 404 permit if you were going to do anything out there. The Hydraulics Branch of the Vicksburg District determined that the stage of 88.5 feet would be the stage that would meet the criteria as a jurisdictional wetland. So the Corps has expanded Plan 6. You will have a 14,000-cfs pumping plant, but they are proposing to not turn it on until the water gets to 88.5 feet and turn it off at 88.5 feet. In doing this, you have 77,300 acres of developed land that would be offered reforestation easements as part of the project. These are lands that would receive no benefits from the project.

Now, I will say that these lands won't have any change from what they are today, they just won't get any benefit from the project. But for that reason, the Corps is proposing to offer the landowner the opportunity to reforest those lands on these different plans.

Again, the Corps is planning low water at 70.0 to 73.0 feet. The U.S. Fish and Wildlife Service had asked the Corps to look at another potential feature to restore the hydrology to the area. They proposed and asked the Corps to evaluate what would happen if you left the Steele Bayou structure open and let the Mississippi River reestablish its natural habitat until the water got to 87.0 feet, the 1-year frequency flood. So this plan, through the evaluation will consider and evaluate that feature as part of Plan 6.

Plan 7 being looked at by the Corps includes the 14,000-cfs pumping plant, but they are proposing or evaluating not turning the pump on until the 2-year flood elevation of 91.0 feet is met. Under this plan, a feature would be to have reforestation easements on that 2-year flood plain of 107,000 acres, which is the lands that would receive no protection from the pump.

Another new feature that we talked about over there a little earlier that is also being put into this alternative is conservation easements. This is where they would buy an easement on existing woods of 91,600 acres that are in the 2-year flood plain. Again, this plan would maintain the low water at 70.0 to 73.0 feet. They are also evaluating, as part of this plan, the feature of leaving the gates open until the backwater reaches 87.0 feet, restoring the Mississippi River hydrology to the 1-year flood plain.

As the Levee Board moves through this process, we have talked with some of the people participating, and we have tried to ensure that all the alternatives considered will provide a positive outcome to the question, "Who does it help?" It is our goal to see that all homes and property owners in the 100-year flood plain receive benefits from this Congressionally authorized project. The various plans offer reforestation easements to willing sellers on lands below the pumping elevation.

A functional solution must ensure that all public services, police, fire, health, school buses, etc., can operate safely during periods of high water, and the productivity of land resources in the south Delta must achieve the best and highest economic return.

The participants from the south Delta in a consensus effort are working to ensure that the only parties hurt in our effort are those organizations who advocate the status quo of the south Delta and are opposed to flood protection.

This chart provides information on flood events, 1973, 1975, 1983, and 1987. I point out that the 1973 and 1975 flood elevations have been adjusted to take into account and assume that the levees and the Steele Bayou and Sunflower structure were in place. So those of you from the area know that the backwater got up to 101.5 in 1973. If the levees and gates had been there, we would have been looking at 100.1.

In this column, you have the number of acres flooded and an evaluation of how many acres would have been flooded if the pumps had been there. You can see in these different events, there are 10's of thousands of acres that would have been protected with the pumping plant.

We have also looked at the duration, without the pumps and the duration above 91 feet with the pumps. In 1973, the duration would have been reduced by 9 days. For the 1975, 1983, and 1987 events, with the pumps in place, flooding above 91 feet would have been zero days.

As we stand here today, the timetable of milestones for the project includes some significant events. At this time, the Vicksburg District, Corps of Engineers plans to distribute the draft Reformulation Report for this project on June 30 of this year. That report will include their recommendation for a project to provide flood protection to the south Delta. This will be followed by a comment period with a goal by the Corps to have the final report on September 30, as an approved document, allowing them the opportunity to move forward with the construction of this project.

With this in mind, we all know that some time in February 2001, we are going to be going to Washington to talk to the Mississippi Congressional Delegation about getting appropriations to move this project forward in the timeframe contained in the report.

At this time, I would like to take a few minutes to comment on an issue I am sure many of you read about in the local paper and in The Clarion Ledger and other papers, involving legislation requested by the Levee Board in an attempt to protect the local tax base. If you will look back at the seven alternatives being considered by the Corps of Engineers and Dr. Shabman's Virginia Tech plan, all but two of these plans involve large acreages to be converted from cropland to forest.

Throughout the consensus process, all of the participants agreed that the protection of the local tax base is an issue that must be considered. Without a mechanism in place, taxes on the reforested lands would be reduced, requiring the remaining homeowners and property owners to make up that reduction.

There was considerable discussions by the consensus group over finding a Federal program to accomplish this goal. None of the agencies could guarantee that a Federal program could be authorized, would be authorized, or would receive adequate funding into the future. The Levee Board and others met with the Mississippi Tax Commission to discuss with them a possible remedy to this problem. The Tax Commission suggested that legislation be introduced to allow the counties the authority to adopt an assessment on these reforested lands to offset the difference.

These reforestation easements will be from willing sellers only. So if the legislation passes, the landowners participating in the project reforestation program would be able to ensure that they were adequately compensated up front for the easement prior to executing the document.

Opposition to this legislation from the environmental community has surfaced on the theory that this could affect the existing programs such as WRP and CRP. In a hearing before the Mississippi House of Representatives Ways and Means Committee, we informed these groups that the Levee Board has been advised that these programs will not be affected, but the Board has no objection to inserting language in the Bill that would ensure that these programs are excluded.

There are other groups that are opposing the legislation solely because it affects the Yazoo Backwater Project, and if it involves the Yazoo Backwater Project, they are against it.

That completes the briefing that I have. I would like to call on Clifton Porter, who is a property owner in the area that has participated in the consensus effort from the initial meeting a year ago, to see if he could provide you with any comments on his behalf.

I would also say, as we move into the comment period, we are making a transcript of the meeting. If anybody wishes to make a comment or ask a question, we ask that you go to one of the microphones. Give us your name so that we can include that in the transcript.

At this time, Clifton, would you come forward?

MR. CLIFTON PORTER: I have been involved in this flood control effort since 1973. There are two reasons I have been involved in it. One is that I got my feet wet, and the other one is that I had to move my mother out of her house and watch water get in her house. She had to stay out about 6 to 8 months trying to get it repaired. I have spent a lot of time and put in a lot of effort on this flood control since that time.

Like Jim said, I was part of the consensus-building process from the very beginning. Of course, in all these years of Buddy's and our efforts to get the pumps, we have always assumed that when we got the pumps, we would start with a pumping elevation of 80.0 feet and about 18,000 to 20,000 acres of mitigation lands to take care of any damage that was done to the wetlands.

When we started this consensus-building process, we realized that for us to come up with any kind of agreement, there was going to have to be some compromise. Like Jim said, the first two things we really agreed on was willing sellers only and to protect the local counties' tax base. When we went into this consensus-building process, we tried to find some common ground in trying to come up with an alternative or some type proposal that folks would be satisfied with on both sides.

It was not too long before we found out that most of the environmental organizations were not interested in any plan that included a pump, which meant to us that as time went on and we ever came up with a proposal, the Corps of Engineers had a recommended plan, it was probably going to be challenged in court.

So our plan has been and our effort has been in trying to find a plan, a pumping plant plan, that would be a fair compromise. One that we possibly could be successful with in court. We tried to protect our local people as best we could.

This past year, we met with most of our local affected landowners and further south over at Tallulah at our voting house. We have determined, at least we felt like, that this Plan 5 was about as far as we could go, that we could ask the local people to go and maybe have a chance in court, if it wound up there. Our landowners that were present that day were, I would say, reluctant to agree to such a plan, but they did.

Now, when you see these other plans on the board, of course, some people would rather have Plan 6 and a lot of people would rather have Plan 7. At this point, we don't feel like we have the authority to go any further on any type plan other than what we have already agreed to on this Plan 5.

If you study this thing and you have other recommendations, then we would love to hear them. One thing we have to realize is, particularly after a dry summer and a dry winter, that we may get an agreement on a plan right now, but once it was implemented, most of you would be looking for somebody to hang. We don't want to be in that position. So we earnestly solicit your recommendation, your questions, and your suggestions to help us know what to try to do in this short period of time we have left.

Like Jim said, by June 30, we will have these plans presented by the Corps and they will have a recommended plan. Then the final plan will be by September 30. So we don't have much time, now. Let me tell you, in my opinion, this is our last chance on the pumps. We either get them or we don't. It is just that simple.

This room should be full tonight. We should have more people interested in what is going on and what we do. This thing involves a lot of people in the Delta, particularly in the south Delta. If you are not involved by land that is low enough to be reforested, then you need to be concerned about the tax situation. The further north you go, the more the taxes are going to impact you if we don't get this legislation passed.

If for some reason the tax issues does not pass in our State Legislature, then we are going to have to review and look at these plans again. I am not sure without that legislation, we could even support Plan 5. So it is real critical that we get this passed and get it passed now, in this session of the legislature.

As you can see by these plans coming out when they are, we cannot wait a year to see what the tax plan is going to do. We have to know what is going to happen to taxes before we are able to determine what plan we support, Tom.

I want to thank Tom Cameron and Mike Chaney for helping us with this legislation. They have been a big help to us.

It has passed the Senate by a good margin. It is in the House of Representatives. Any influence that you might have to help with it, we would appreciate it. If you have any questions about it, Jim will be glad to answer them for you.

MS. RUBY JOHNSON: I want to say something to you all before we start asking questions. I am Ruby Johnson, and I am Chairman of the South Delta Flood Committee, which is all of you in here just about. Clifton Porter is Vice Chairman. We have Mr. Hite who is Treasurer. We have Mr. Laurance Carter who is Sergeant at Arms. We have Mr. Lewis Hatcher who is Sergeant at Arms. Ms. Reola Washington is not here tonight, but she is Secretary.

When we were asked to form this committee for us here, and I call it the mid-south Delta because mid-south Delta is just all of the south Delta. So I say mid-south, from Vicksburg including Greenville.

I use the word fight a lot. You cannot go home and give up. So if you don't have your questions tonight ready for Mr. Wanamaker, call him and ask him. You might have to have another meeting for him to go over this again.

A lot of people don't have the confidence that we are going to get the pumps. What I say is that we are going to get the pumps and whatever nonstructural to go with them to keep the water off of us.

Many of you have lived through floods for many years just like I have. So please don't give up.

Remember Mr. Wanamaker of the Levee Board, the Corps of Engineers, and Delta Council which consists of member of farmers like us, are the ones that we asked to help us here. So we owe them. We are not engineers in any form or fashion. Some of you might be, but I know I am not. So if you have any questions, don't hesitate to ask. Don't go out the door without asking your questions. If they are not answered tonight, they will be answered another day or night.

I always say, and I hope I don't insult anyone, God is the head of my life. I truly believe without Him, we won't be able to do anything. I really believe that, but we have to keep our hearts open with love and care and work together to get what we need for our community and our area.

Thank you.

MR. WANAMAKER: At this time, I would like to ask Ms. Hansell with Congressman Thompson's office if she would like to make a few comments.

MS. MARILYN HANSELL: Good evening. I am Marilyn Hansell, the Special Projects Director for Congressman Bennie Thompson. I certainly bring sincerest apologies to you in the audience today because the Congressman was not able to be a part of this public hearing. He is in Congress, and he wants you, the residents of the south Delta area, to know his concerns about the pumps.

As many of you all know, Congressman Thompson strongly supports the design and construction of the Yazoo Basin, Yazoo Backwater Pumps Projects. However, he recognizes that provisions must be made to protect local communities so that they are not devastated when thousands of acres of flood plain land near the pumps are set aside in the Federal reforestation easement projects. You heard Mr. Wanamaker in his presentation tonight talk about these various acres of land that will be put into the reforestation easements.

The reforestation land, as he has indicated, is taxed at a lower rate than the land where you plant your cotton and your soybeans. This means that this will greatly affect the local tax base. It will mean that there will be some services that the county won't be able to provide because of the fact that you will have a lower tax base.

What the Congressman is proposing to do, because of his concern for the economies of the struggling communities in this area, is to do what he can to protect the local economies. Tomorrow, Wednesday, March 29, the Congressman is planning to introduce the Yazoo Tax Base Protection Act in the United State House of Congress. This Act requires the Federal Government to make annual payments to counties in the areas where the pumps will be. You all know what those counties are--Humphreys, Sharkey, Issaquena, Washington, Yazoo, and Warren Counties.

This Yazoo Tax Base Protection Act will require the Federal Government to make annual payments to compensate for any reduction in local tax revenues due to the land being placed in Federal reforestation easements. The Yazoo Tax Base Protection Act will compensate counties for the complete difference between the counties' ad valorem tax revenue prior to the land sold for the Federal reforestation easements and the lower tax rate once the land is sold. Under this Bill, the Secretary of the Army will make annual payments to the counties for the life of the pumps.

Congressman Thompson does not have a position on several bills that are currently in the Mississippi State Legislature, and these bills, as Mr. Wanamaker has indicated, will require farmers who sell their lands for Federal reforestation easement to pay a special fee to prevent local tax bases from losing revenue. However, he feels that the pumps are largely the responsibility of the Federal Government. The pumps are a Federal project; this is a Federal initiative, and he feels the Federal Government should be responsible for protecting the local tax bases, regardless of what separate effort the Mississippi State Legislature is currently involved.

What I would like to say to you is that if you are concerned and you want to see this effort, this initiative, go forth, we would like for you to contact our United States Senator and President Clinton and ask that they support the Yazoo Tax Base Protection Act.

Mr. Wanamaker, you mentioned early on that in your search of functional solutions, you were concerned about protecting the local tax base. What the Congressman is proposing is an initiative, a mechanism, which would provide payments back to the counties that lose their revenues as a result of the lands being placed in the reforestation easement projects.

I have copies of the Yazoo Tax Base Protection Act. I would love to share it with folks if you will allow me to. If you have any questions, we have a contact person you may call. You may call my local office in Greenville, my telephone number is 335-9003, or you may call the Legislative Director's office. His number is on this handout that I will give each one of you.

That concludes the comments that I would like to make.

MR. WANAMAKER: Ms. Hansell, we thank you. We appreciate the effort being made by the Congressman. I feel that what we have expressed to the Legislature is that time is critical, and I think that we will have to pursue that effort. At the same time, I think we need to continue with parallel goals in an effort to assure that within the timeframe we have, that there will be some mechanism in place. I would anticipate that if the Federal Government is going to pay this difference, then there would be no difference to be assessed to the property owner if the State legislation passes. But we do appreciate it.

Yes, sir.

MR. PORTER: Marilyn, we would really like to see the Federal Government pay that difference. I know there are some other suggested plans that I have read about lately. One is that the U.S. Fish and Wildlife Service supposedly has been involved in making up the difference, having the Federal Government pay the difference or $10.00 and acre, whichever is greater. Well as of last Sunday, Steve Thompson in Atlanta with the U.S. Fish and Wildlife Service did not seem to be of aware of that plan so evidently it has not made it far enough yet.

What we would like to ask the Congressman to do is that we need help to get this passed. If we can get a payment from the Federal Government, we will be glad to set it aside when that time comes.

There is one thing that I am concerned about, and I have thought about this a good bit. When this land is reforested, the reforest easement is going to be forever. We are going to have to count on the U.S. Congress to appropriate the money for that easement every year.

My proposal is to put a little leverage on the Federal Government, that if any time the Federal Government ceases to make that payment, then that reforestation easement would be cancelled. I think that would give the Government some incentive to continue to make that payment, and if they chose not to, then that land would no longer be under reforestation easement. I think that would generate some help from our environmental organizations, environmental agencies, and everybody involved to be sure that those payments are made. Who knows what a future Congress is going to in an Appropriations Bill.

Another thing, particularly on this suggestion on the difference or $10.00 an acre whichever is greater, I think that if that ever comes to be, it ought to be determined on an annual basis. For all we know, in future years, forest land taxes may go up. If this is a one-time decision, then maybe at some time the taxes will outrun the $10.00. So the counties could still be in a mess. I think that even if we get that, and if we can, we would rather have it in our legislation. We are going to continue to pass our legislation, and we will be glad to set it aside if we can get an agreement that we are comfortable with that the Government will pay these taxes.

One other thing I meant to say a while ago is that we have learned a lot in this consensus-building process. All of you that belong to any organization, you need to find out where your organization stands as far as our pump project. If you are a member of Delta Council, you ought to know where Delta Council stands. If you are a member of the Farm Bureau, you ought to know where Farm Bureau stands. If you are a member of any other organization, you need to know where it stands. The way to that is to call your president or chairman or whoever it is and tell him to send you a signed, written letter as to where they stand on this pump project. I think you need to know. A lot of people are paying funds into these organizations, and a lot of time they are opposing what we are trying to do. So you need to know where these organizations that you send your money to stand.

MS. JOHNSON: . . . they may ask for someone to come and explain it to them.

MR. WANAMAKER: Okay, again, the floor is now open for questions or comments from the audience. I would ask that you come to one of the microphones, identify yourself, and then we will go from there. Thank you.

MR. BUDDY NEWMAN: You have been hearing from me for a long. First, I want to tell you I appreciate all the help and support you have given me over the years.

I have been involved in compromises all my life. I say to our leadership, Jim, Clifton, other members of the Levee Board, the Delta Council, get what you can. Remember you might get exactly what you want on the front end, but you can always amend something after you get it.

I believe you mentioned Plan 5. I can support Plan 5. I believe we discussed it a little at the meetings, is that right, Clifton? So if you can get it and think you can win in the courts, I would go along with it. Mr. Morgan, you agree with me?

MR. CHIP MORGAN: I always have.

MR. NEWMAN: Also, while I am up here, Ms. Butts, I want to tell Clifton and all the other people that have been involved recently in the efforts to get adequate flood control--and as I stand, Jimmie Dick, I remember the many hours you had and Kuhn Wade and many other people put in this project throughout the ages. We have been working too long and too hard for all these years to give up now.

I agree with the Chairman over here on what she said a while ago. Don't give up; hang in there. If we continue to support our leaders here in this effort, I think we will prevail.

Thank you.

MR. WANAMAKER: Mr. Blackwell?

MR. JEREMIAH BLACKWELL: I have a question, but before I ask the question, I would like to hear from the representatives from Issaquena County and the State of Mississippi and the State Legislature. I don't know which Houses you were talking about, the United States House, the Mississippi House, or what. I got kind of confused on that. But before I say anything, I would like to hear from the representatives from Issaquena County and the State Legislature.

HONORABLE TOM CAMERON: Since I have not been there quite as long as Mr. Newman, my name is Tom Cameron. I am the Representative for Issaquena County. I'll take the microphone in the back rather than the front. I have to work my way up there.

I won't speak to the project. Certainly, it has been going on since long before I was born. I am glad to hear that Congressman Thompson is leading this effort. Certainly, he had been very helpful.

I have a strong mistrust of the Federal Government, or these pumps would have been built before I was born because it was started then. I can't tell you what the state government will do next year. I wish I could tell you to trust them.

This plan was developed and the legislation was developed--Marilyn, I noticed you said that the people would be forced to sell their land, but the legislation guarantees that is willing sellers only. You would volunteer to do it. If you don't want to do it, you don't participate and your land is not touched.

The services of the county still have to continue to this area. You still have to have roads, you still have to have garbage pickup, and you still have to have school buses. If you drop this tax base, then you spread it not only on other farmers, but you spread it on people that live in Issaquena County. This is one of the highest unemployment counties in the state. You have mothers that are living there on welfare with a lot of children and can't afford more taxes. This would put more taxes on them. We don't want to increase the taxes on anyone else in the County if possible.

Here, we have a plan looking at coming in and mitigating an easement. Now, we have assessments on property. Not taxes but assessments in existence for levee tax, for garbage tax, for fire protection, and for a number of different things. So this bill is designed for an assessment to be placed on this property that is approximately $3.00 in taxes a year. It is not a major assessment, but it means a lot to the County.

This assessment, if known prior to June, prior to the plan being accepted, would be taken into consideration. The Federal Government would take that assessment into consideration and pay more mitigation which could be put into a trust fund to continue paying this assessment from now on. Now, we have the money up front, we have it in hand, and we can pay it from now on.

I want to thank this consensus group because they came up with the idea. They put it together, and they have done a lot of work. Senator Chaney and Senator Carlton put it through the Senate very quickly over there. It just so happened that the environmental groups dug their heals in when it got to the House.

I thank all of you for coming to the hearing. The hearing, I have no doubt, has made all the difference in the world. Too many members in there said their barometer went from up here to your side after hearing both sides at the hearing. I appreciate the support you have given.

I feel very optimistic that this legislation has a good chance. I have heard no real sound arguments against the legislation. They only argument I hear is that it could establish some kind of priority. Well, it is designed strictly to this area. It establishes no other priority in other parts of the state. It could never spread to the hills because their croplands and woodlands are valued at almost the same amount. So this is a unique problem to the south Delta, and I certainly think it would benefit everyone.

I would be glad to answer any questions, if anyone has any.

MR. WANAMAKER: Mr. Blackwell, you want to ask your question now?

MR. BLACKWELL: I would like to know from the south Delta, you are the spokesman, what happens to the tenant? I know we have only talked about the landowner. What about the person that is leasing this land as a tenant for maybe 10 or 20 or 30 years? What happens to him if he or she has to move right now? I am just putting that question in there because they are talking about the landowners, they are not talking about the tenant or the lessor. That is my question.

MR. WANAMAKER: There is really no provision to deal with the tenant issue. Normally, the tenants live in the basin. They have to pay taxes in the basin. So, with the reforestation of these lands, it would stand to reason that the protection of the tax base would not only benefit the owner, but somewhere it would reflect down to the tenant in what he had to pay in land rent or other features. If the land is lower and is reforested, those are decisions the landowner has to make. Each landowner would have to evaluate his own situation as far as rent he is drawing off the land and what he felt like he could benefit from the reforestation. But the lands that we are talking about are the lower lands that are subject to flooding, even at the highest elevation that we are looking at. We are talking about reforestation of lands that are going to flood on an average of once every 2 years.

In the plan that Mr. Porter talked about, at 87 feet, this is land that on an average annual basis is going to flood annually; and every other year, it is going to flood for 13 days during the crop season because it is below the 88.5 feet which is your jurisdictional wetland elevation.

In looking at these issues, we feel like we are trying to evaluate all these things. This is what we want to hear. That is a question we need to look at and maybe need to consider about the tenants. That is the purpose of this meeting. But at the same time, we are trying to look at providing the maximum protection to the area with a sound project to try to balance environmental and economic issues. Like I said, I feel like your question is a good one that will have to be looked at as we move through this process.

MR. WILLIE BROWN: You talked about the taxes. Would this be a one-time thing or every year when regular taxes are due?

MR. WANAMAKER: Under the proposal, it would be each year. As long as there was a difference in the county tax base between the assessment for the use prior to the reforestation easement and the assessment after the reforestation easement, the landowner would be required to pay that assessment. It would be a county option. Each county would have to evaluate their own situation. The legislation does not require a county to adopt this bill.

The significance is that if the bill passes, the landowner will know up front that he is going to be required to pay this additional assessment. Since it is from willing sellers, then this gives him a leg up on ensuring that he is being compensated adequately to allow him to continue to pay that tax.

MR. BROWN: Okay, once you get the easement, will that mean that the landowner will have no more control?

MR. WANAMAKER: No, sir. The only thing the easement will do is that it will restrict the landowner. . .

MR. BROWN: I understand how an easement works.

MR. WANAMAKER: This easement will restrict the landowner from ever putting the land back to crops. He can manage good forestry practices on the land. Trees are cut and he gets the revenue, hunting leases, trespass would all remain in private ownership. That is one of the big features of the reforestation easements over mitigation, where mitigation requires the fee acquisition and ownership by the Federal Government.

MR. BROWN: You will buy the land through the easement, whatever he agrees on, then you turn around and plant it in forest. You can sell the trees, sell the timber, and get the money from the timber. Then he can turn right back around and lease it out to a hunting club if he desires to, is that right?

MR. WANAMAKER: That is correct.

MR. BROWN: All that will go to the farmer, right?

MR. WANAMAKER: That is correct.

MR. BROWN: Thank you.

MS. DOROTHY BUTTS: I am Dorothy Butts, and I just have a question about the difference in Plan 4 and Plan 5. There is a lot of open farmland in that acreage that you are saying will be put back in timber. When you put in that much timber--for instance, down at Eagle Lake, we have what will turn into a forest. How does that affect the entire community? The Gin might not have enough cotton to even operate. Those things, I think, should be considered.

After all, the original plan of this pump was to get the floodwater off the land. We are turning it into a forestry program and a conservation program which was not, I don't believe, the original purpose of this. I know that is because of these groups that have come in and caused all of this. I am wondering why you chose to support Plan 5 instead of Plan 4, that is really my question.

I am sure Clifton mentioned it a while ago, but I really don't know the answer.

MR. WANAMAKER: Okay, at this time, the Levee Board has not chosen Plan 5 over Plan 4. I think Clifton was expressing some of the feelings of the people that participated through the consensus effort and on the environmental considerations that are different in the two projects. There is some feeling that it would help strengthen the case when the lawsuits are filed because we are not fooling ourselves. We have no thoughts that we will build this pumping plant without going through litigation. In fact, I have heard this project as being termed "the poster child" for the environmental community. No matter what plan is selected, I think everybody involved in the process feels like litigation will be filed. It is our attempt to try to take your concerns that we are hearing tonight and other concerns.

I have all but one of my Levee Commissioners here. One of them developed an eye infection this morning and could not make it. They are here to hear your comments. The purpose of the meeting is to hear your comments. In the not too distant future, the Levee Board is going to be faced with making a decision with the Corps on saying, we like this better than that. So the reason for the meeting is to hear these comments.

Any other comments?

MS. JOHNSON: Most of you know that some of the agencies met with us in one meeting. Some stated to the Levee Board, the Corps of Engineers, and Delta Council that they would come back to the meetings. In fact, they asked for a meeting and told them this in a meeting that we were not in. They said they would come back if Clifton Porter and I were not at the meetings. Well, Delta Council, the Levee Board, and the Corps of Engineers stated that they are the people that need to help and they are the people that are living through this for generation after generation.

But the problem with some organizations is that they look at the facts and figures, but they don't want to hear the human side of what a person loses. What the loss is personal to you as a human being and what you lose with your homes being flooded out. That was one of the major problems, they don't want to hear that side of it. But that is the most important side of it. We live in it. We have been living in it since back in the 1800's, and we are still living in it.

So, we need to explain all of that. We have the Levee Board who can explain the engineering part, and the Corps of Engineers. We have other organizations that help get our representatives down here. Because we wrote letters and we called, but sometimes it takes someone with a bit of a title to help you get people down. I can't say anyone that didn't answer us or at least when they didn't come, send two or three representatives that would be at one meeting from that office. I have to say that because Senator Lott would have that amount of people, and, of course, Senator Cochran. He always had two to three people at our meetings, which says to us that he is behind us 100 percent.

Like I said, you are not asking a lot of questions tonight. But I hope you think of more to ask because our door is still open for suggestions and recommendations. Don't think this is put in brick. We have stated this in any meeting we have been to. We stated it to our representatives in Jackson. We are still open for suggestions and ideas. So, I want you to know we are not perfect people, but right now we have the best that we know what to do and how to do it and with the people that have working with us. So please ask your questions or write them down, and call Jim and ask him in the morning.

MR. WANAMAKER: Yes, sir?

MR. MURRY ALEXANDER: Jim, I don't think it has been made quite clear who will pay for the reforestation.

MR. WANAMAKER: Okay, under the alternatives being considered by the Corps, the reforestation easement will be purchased by the Corps from willing sellers. It is estimated that the easement will be paid for at approximately 65 to 80 percent of the fee value of a particular acre of land. The project will also include funds for the Corps of Engineers to make the initial planting on that land as part of the project. Also, as part of the project, they will ensure that you have a 70 percent survival rate. If it involves replanting, they will replant until there is a 70 percent survival rate on those acres.

Are there any other comments?

UNIDENTIFIED: Has there been anything done or considered as far as tax consequences for somebody with a zero basis on some of this land? He is fixing to get paid 65-75 percent for it.

MR. WANAMAKER: Okay, I am not a farmer and you are getting into basis. Let me explain where we are on our state legislation. In the Mississippi Delta when you convert cropland to trees--we are talking about from willing sellers, so a landowner would make his own decision what to do on his land--then the ad valorem tax on that land would go from somewhere in the neighborhood of $6.00 to $2.50 or $3.00. It would be reduced approximately $3.50 per acre. Under the Bill in the Legislature, on a county option, the counties could assess that acre of land the difference, that $3.50 an acre. The difference in land-use tax to hold the tax base steady. If they don't do this, they maintain a constant budget, that $3.50 that is reduced on that acre of land has to be passed on to the remaining homes, car tags, land taxes, etc., through the remainder of the county by an increase in the ad valorem millage.

I don't know how it would affect your basis or the farm programs. I cannot answer that.

UNIDENTIFIED: Well, if they come in and I have 1,000 acres that goes in and I have a $50.00 an acre basis in the land, if they end up with 65 percent of $1,000 which is $650.00, I have $600.00 in capital gains here that I am going to be looking at.

MR. PORTER: I brought that up. He's talking about income tax.

MR. WANAMAKER: Oh, okay.

UNIDENTIFIED: Normal easements that we have looked at whether it be the Rocky Mountain Elk Foundation or DU or whatever, you are getting tax credit. You are fixing to get paid something for this property, and I just wondered if anybody had addressed what you are going to do. What is going to be your position? How much taxes are you going to have to pay?

MR. WANAMAKER: Again, this will be a willing-seller program and the Corps would make an appraisal of the land and make the offer. I am sure on each individual acre of land, the tax situation is different. It is something that each landowner would have to evaluate.

If the easements are not purchased as part of this project, they are not affected by the legislation. It is very specific in the legislation that the legislation only applies to reforestation easements that are required as part of this project.

UNIDENTIFIED: Well, some legislation to address that issue might be advantageous in getting this passed and acceptable to a lot of people, you know what I am talking about?

MR. WANAMAKER: Yes, sir.

MR. PORTER: It sounds like you have had some experience in that area.

UNIDENTIFIED: You are not talking about ad valorem taxes, are you?

MR. WANAMAKER: No, ma'am. He is talking about income taxes. Yes, sir, I understand.

Any other questions or comments? Yes, sir. Give them your name, too, Mr. Stewart.

MR. PAUL STEWART: I moved here from Illinois in 1958. When I did, I had faith in my Government that they were going to do what they said they would do. They said they were going to build a flood control project to protect the land in the Mississippi Delta.

They had already spent $246.00 an acre for every acre in the Mississippi Delta for protection. The program was in progress. The end thing was that there were going to be levees in place. All the water from Tennessee, north Mississippi, Missouri, Minnesota, and everything was coming down this river and was going to flood the lower Delta. There was going to be a levee down here with a structure in it that could be shut off to protect the Delta, and there would be pumps to pump the water that came into the Delta from normal rainfall over into the Mississippi River and let it go on to New Orleans.

I purchased land down here below Cary at Blanton. I have been fighting it for 40 years, waiting for this day to happen. It has never happened. Unless the Government, the Corps of Engineers, and all these organizations that are wanting to get a piece of the pie comes together and puts these pumps in, they have broken faith with everybody in the Mississippi Delta that has supported these projects for 40 and 50 years.

MR. WANAMAKER: That was Mr. Paul Stewart from Yazoo City. Mr. Stewart, I need you to call me at the office tomorrow. I need to set up a meeting with you.

MR. STEWART: Okay.

MR. WANAMAKER: Any other comments or questions?

UNIDENTIFIED: Why don't you put that stuff, those proposals up there, in writing somewhere and put it in a package and mail it to everybody so they can study it?

MR. WANAMAKER: All right, sir.

UNIDENTIFIED: Did you ever think about that?

MR. WANAMAKER: I don't see a problem with that. We have them reduced down already on 8.5 X 11 paper, and I think we can do that. If you filled out a card at the door, we have your name and address and we will do that.

MR. GENE HODNETT: My name is Gene Hodnett. I agree with what Mr. Stewart said. I will reminisce just a little.

My dad was here in 1927 during that flood. He was a young fellow about 15 at that time. He passed on last year. He had fought that scoundrel for that many years, hoping that this project would be completed in his lifetime. I am 53 now, and I am wondering if it is going to be completed in my lifetime.

I think everyone in the Delta here is involved in this to some degree or another. It is going to affect everyone in this Delta. We can stick our head in the sand and say it won't, but it is. If we can get the project completed, hopefully, it will help us benefit from it. If we don't get it completed, I am scared it is going to go the other direction. We are going to go down in the south Delta.

Most everybody is concentrating right on the south end of the south Delta. If the south end goes under, it is going to gradually move on up. It will go from Vicksburg to Memphis if it lasts enough years.

I hate that there are not more people here because everyone in this is needed to have been here. We are involved in it and it affects everyone of us.

Thank you.

MR. WANAMAKER: Mr. Hodnett, I appreciate your comments. I would point out that some of the people that we have been dealing with would like to see exactly what you said. They would like to see the levees come down and the Mississippi River alluvial valley restored back to what it was before man came to the Mississippi Delta. I don't think that is a realistic outlook on things.

When I went to work for the Mississippi Levee Board in 1989, one of the first things they told me was, some way we have to build those pumps. That Board has done everything that they know to do to try to bring that project to completion. I think I can speak for them, they have pledged to do whatever is necessary to bring that project to completion.

Ruby, did you have some other comments you wanted to make?

MS. JOHNSON: No, thank you.

MR. WANAMAKER: Okay. Any other comments or questions?

We are making a transcript of this meeting. I would like to let you know that we are going to keep the record open until April 17, 2000.

I would like to also thank Sergeant Anderson with the National Guard for making this facility available. I would like to thank these two ladies, Myra and Jeannine, with the Vicksburg District. The Vicksburg District agreed to provide the sound equipment and transcript of this testimony at this meeting for us. I do appreciate it.

I want to thank each and everyone of you for coming out tonight. I know everybody has busy agendas. It is very difficult to do. This is, what I consider, a major decision-making time for what would prove to be probably the future of the south Delta area. It is a very major concern of the Levee Board. We want to do what is best to try to bring this project to completion.

As we get ready to leave, I will tell you that the Vicksburg District has provided some charts. They are very detailed. It is not something that you can review with a large group. They have taken the full period of record on the Yazoo Backwater, 1943 to 1997, and compiled two sets of charts. One dealing with flood control and the other dealing with hydrologic restoration. On each of these charts, the full 12 months of each year is laid out, and there is a base flood elevation for each month for that entire period of record. That base flood elevation has been adjusted as though the levee and gates are in place. So, when you look at 1943, they are telling you what would have happened here in 1943 had the levees and gates been in place.

Then each of the five plans, 3 through 7, that involve a pump is evaluated. There is a number out there that normally has a negative or minus sign by it. You subtract that number from the base flood, and under that particular plan, that is what that base flood elevation would have been had that plan been in operation at that time.

Also, there is a cover sheet that outlines these seven alternatives that the Corps of Engineers looked at on top of that. I would invite you to take these charts home with you, and look over them. There are a lot of people here and there is a lot of information, but if you call my office, I will try to set up a time and place where we can meet and review the information that is in those charts, if you have any questions.

The door to the Levee Board is always open. We had a lot of criticism in our state legislation from organizations that never picked up the phone to call us and ask us what we were trying to do or why. We could have possibly made some input at an earlier date had there been more communication. We have tried desperately to keep an open-door policy at the Mississippi Levee Board.

If you call, I cannot always come right then. There are a lot of people in this room that I have dealt with on a regular basis, and I assure you that there will be a time and place when we can get together and discuss these issues.

At this time if there are no other comments or questions. . . Clifton?

MR. PORTER: You don't have to mail that out if you have a copy in that package.

MR. WANAMAKER: The only thing we have in that package is that one board and the sheets that the Corps provided. So we will put together the package of everything you have looked at tonight in the order that we reviewed it, and we will see that it is gets mailed to each of you. Just give us a little time. The Levee Board does not have an extremely large staff. We only have 11 people on staff up there, but if you have patience, you will get it in the mail in the very near future.

Again, thank you for coming out tonight. Like I said, we are always willing to serve you. Thank you.

Meeting adjourned at 8:35 p.m.

LIST OF EXHIBITS

No. 1 - Statement from Mr. Charles Weissinger, Jr., April 5, 2000.

No. 2 - Statement from Ms. Melba Parker, not dated.

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CHARLES WEISSINGER, JR.

JOEL A. HUNTER
(1951-1993)

April 5, 2000

Board of Levee Commissioners
Yazoo Mississippi Levee Board
P. O. Box 637
Greenville, Mississippi 38701

Re: Pumps in the South Delta

Ladies and Gentlemen:

As a Virginia Tech alumnus I am reluctant to differ with Dr. Schabman, but as a life long resident of the South Delta whose children are the tenth generation to live alongside the Mississippi River, I feel it necessary to point out some glaring errors in the good Doctor's study as well as that of the Corps.

Roughly 40% of the world's food comes from the 5% of the agricultural land that is irrigated. The water is running out. According to Sandra Pastel, director of the Global Water Project based in Amherst, Massachusetts, water is being pumped out of the ground faster than it can be replenished, mainly because of the farmland thirst of America, North Africa and the Arabian Peninsula, as well as China and India.

In the South Delta the Mississippi Alluvial aquifer naturally rechargesand can be lifted from eighty to one hundred feet with a single stage making the South Delta the cheapest and most efficient area of the United States to irrigate. The salt content is minimal, whereas 20% of the world's irrigated land suffers from salinization.

The fertile land of the South Delta can be utilized intensively to feed and clothe millions of people if the farmers feel their investments there can be protected from floods. If you use the current soy bean crops to model the economics for the pumps, Dr. Schabman and the Corps' economic assertions are probably correct. If you consider the highest and best use of land, then reforestation is not the answer. The key is protection of investment so that the most efficient aquifer in the world can be utilized.

Sincerely,

WEISSINGER AND HUNTER

Charles Weissinger Jr.

Charles Weissinger, Jr.

CWjr/ab

Exhibit 1

Note: Mr. Wanamaker

If we are facing a court case anyway on the pump elevations, my vote would be asking for what our people want. Personally, I prefer the plan #4.

Thanks,

Melba Parker

Exhibit 2

A

Fish and Wildlife Coordination Act

Planning-Aid Report

on the

YAZOO BACKWATER AREA PROJECT

Yazoo Backwater Evaluation Team
Vicksburg Field Office
Vicksburg, Mississippi

United States Fish and Wildlife Service
Southeast Region
Atlanta Georgia

September 1999

United States Department of the Interior

FISH AND WILDLIFE SERVICE
2524 South Frontage Road, Suite B
Vicksburg, Mississippi 39180-5269

IN REPLY REFER TO:

September 3, 1999

Colonel Robert Crear
Vicksburg District Commander
U.S. Army Corps of Engineers
4155 Clay Street
Vicksburg, Mississippi 39180-3435

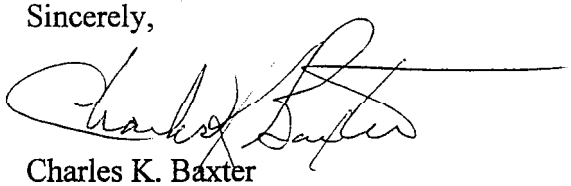
Dear Colonel Crear:

Enclosed is a Planning-Aid Report (PAR) related to the ongoing Yazoo Backwater Area Project post-authorization re-evaluation study. During a February 23, 1999, meeting at the Mississippi Valley Division and at subsequent meetings with your staff regarding that study, we advised that the Service does not concur with the District's forecast that existing conditions will remain constant throughout the future without-project. We also indicated that, in accordance with guidance contained in the Water Resource Council's *Economic and Environmental Principles and Guidelines for Water and Related Land Resources*, we would provide an alternate projection of those conditions to be concurrently used in feasibility evaluations of all flood damage-reduction alternatives. That alternative projection of future without-project conditions is provided in the enclosed PAR. We would welcome any further discussions with your staff aimed at resolving differences between each agency's projections; although in the absence of agreement on future without-project conditions, both should be treated as alternative scenarios as provided for in *Principles and Guidelines.*

Our PAR is provided in accordance with applicable provisions of the Fish and Wildlife Coordination Act (FWCA; 48 Stat. 401, as amended; 16 U.S.C. 661 et seq.), but does not constitute the final report required by Section 2(b) of that Act. The enclosed PAR does not represent a change in the official position (as established in our June 11, 1982, FWCA report) of the Service and the Department of the Interior regarding the Yazoo Backwater Area Project–Yazoo Area Pump Study. Under the current study schedule, we plan to provide a supplemental FWCA report during the first quarter of Fiscal Year 2000.

The cooperation of your staff during the re-evaluation study has been appreciated. If you or your staff have any questions or comments regarding the enclosed report, please contact me at (601) 629-6600.

Sincerely,



Charles K. Baxter
Evaluation Team Leader,
Yazoo Backwater Area Project

Enclosure

cc: General Phillip Anderson, Mississippi Valley Division Engineer, Vicksburg, MS
Mr. Sam Hamilton, FWS Regional Director, Atlanta, GA
Mr. John Hankinson, EPA Regional Administrator, Atlanta,Georgia
Mr. Sam Polles, Director, MDFWP, Jackson, MS
Mississippi Levee Board, Greenville, MS