

Public Meeting In Re: Yazoo Backwater Meeting

Army Corps Meeting - (6 PM)

May 4, 2023

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US ARMY CORPS OF ENGINEERS

VICKSBURG DISTRICT

PUBLIC MEETING ON YAZOO BACKWATER

WATER MANAGEMENT

Public meeting held at the USACE office,
4155 Clay Street, Vicksburg, Mississippi,
on Thursday, May 4th, 2023,
beginning at 6:00 p.m.

APPEARANCES NOTED HEREIN

REPORTED BY:

ELLA J. HARDWICK, CVR-M, CCR #1749

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APPEARANCES

2

3 Colonel Christopher Klein, Commander, Vicksburg
District Commander, US Army Corps of Engineers

4

Mike Connor, Assistant Secretary of the Army
(Civil Works)

5

6 Jeaneanne Gettle, Deputy Regional Administrator,
EPA Region 4

7

Matt Strickler, Deputy Assistant Secretary for
Fish and Wildlife and Parks, US Department of
the Interior

9

Stacey Jensen, Acting Deputy Assistant Secretary,
Office of Assistant Secretary of the Army

10

11 Jacob Brister, Programs and Project Management
Division Deputy Chief, USACE Vicksburg District

12

Brian Frazer, Director, Office of Wetlands, Oceans
and Watersheds

13

14 Clay Miller, US Environmental Protection Agency

15

James Austin, US Fish and Wildlife Service

16

Various Members of Governmental Agencies

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1 COLONEL KLEIN: Good evening,
2 everybody. Welcome to the Vicksburg
3 District Headquarters here in Vicksburg,
4 Mississippi. I know for some of y'all,
5 it's not your first time here. First
6 thing I'd like to do is welcome back to
7 the federal team coming back here to
8 provide us an update on this project.

9 For everybody else from the public, I
10 know some of y'all, this is your first
11 time. Just want to let you know a couple
12 of administrative things. I'm going to
13 start off with the comment cards on your
14 seat.

15 The comment cards are here on your
16 seat. And when you signed in, over there
17 in the back corner, there's a brown box.
18 So whatever comments you have, you can put
19 them on those comment cards, put them in
20 the brown box, and the team will collect
21 them up, they'll consolidate them and do
22 great things with them.

23 All right. Now, for the
24 administrative stuff, if the fire alarm
25 goes off, it is a real fire. It's a real

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1 fire. There's no drills anymore. So,
2 please, just exit from whence you came,
3 right out the front door. Everybody look
4 to your left, look to your right. All
5 right. You're now responsible to make
6 sure that person is in the parking lot.
7 All right?

8 That's how we do accountability. So
9 if you don't see that person in the
10 parking lot, please let one of us know so
11 we can let emergency personnel know that
12 there might still be people in the
13 building. So that's one.

14 Number 2 is the bathrooms and any
15 water, you know, fill up your water
16 bottles or anything like that, there are
17 two bathrooms. The first one, if you go
18 out that back door into that hallway and
19 go right, there's a bathroom just adjacent
20 to the front, left corner of the
21 auditorium here.

22 The other one is out the back door on
23 this side and down the hallway towards
24 your back left. Okay. A little bit
25 further. Both men's, women's. Water

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1 fountains, water bottle fillers. And I
2 think that's all the administrative for
3 this evening. Again, welcome, everybody.

4 And, sir and team, turn it over to
5 you.

6 MR. CONNOR: Thank you, Colonel
7 Klein, as always, for being a gracious and
8 informative host.

9 So thanks to all of you for joining us
10 here on round 2 of our engagement sessions
11 to talk about the joint preferred
12 approach, joint amongst a number of
13 federal agencies for flood risk reduction
14 in the Yazoo backwater basin.

15 So I will start, as I always do, in
16 the second, third multiple sessions, which
17 is apologizing to those of you who have
18 sat through the first round and will hear
19 basically the same spiel tonight. But I
20 do think it's appropriate to recognize
21 Peter, who I think has been in every
22 session that I've ever done and is getting
23 the gold star for attendance. So that's
24 probably a testament to perseverance or
25 something to that effect.

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1 This is a return engagement from the
2 public engagement sessions that we had
3 back in February. As I relayed to all of
4 you at that point in time, early in
5 January, I had signed a joint
6 collaborative memorandum with my
7 counterpart at EPA, Radhika Fox, the
8 Assistant Administrator for Water, and
9 that had pledged a five-month timeframe,
10 as well as a commitment to work through a
11 number of issues that had long been in
12 contention between the Army Corps and EPA
13 to try and develop what it is we're going
14 to be talking about tonight, which is this
15 preferred approach for flood risk
16 reduction that would address not just
17 flood risk that exists, obviously, in the
18 basin, but that also would address
19 environmental needs, concerns, other
20 issues that people had raised in previous
21 public engagement sessions.

22 Bottom line is, we were committed to
23 working through those issues, coming up
24 with a joint approach, and to do it on a
25 timeframe that, you know, represented

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1 progress from you-all's perspective,
2 recognizing that 40-plus years has been
3 not the progress, but at least we could
4 take the most recent set of issues and try
5 and keep to a tight timeline. And that's
6 what we've been trying to do.

7 So I will just note as a threshold
8 matter, as I told folks earlier when we
9 put together the collaborative memorandum,
10 when we rolled it out, I wasn't quite sure
11 the reception it would get from folks here
12 about another government-wide process.

13 But I tried to explain it was
14 different this time, because it wasn't
15 just the Army Corps moving forward with
16 another approach and then hoping that it
17 would pass muster with our friends at
18 other agencies who are responsible for
19 permitting aspects, ensuring compliance
20 with certain environmental laws.

21 But you all are a very savvy crowd and
22 have long been getting into the details of
23 the issues involved, and I think
24 recognized that there was value to this
25 collaborative process upfront, as opposed

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1 to individual agencies trying to work
2 through these issues on their own guessing
3 what the other agencies might say.

4 So I really appreciated that feedback
5 at that point in time. And in addition to
6 that, it was obvious to all of us the
7 impact of the flooding events, not just in
8 2019, but in other years that you all have
9 dealt with, and that conveyed the urgency
10 of needing to move forward with a flood
11 control plan, but also what form that
12 should take.

13 We were seeking input on that, what
14 are the different features. So your input
15 at that point in time was informative. It
16 was impactful. And by "impactful," I mean
17 it just gave urgency to the need for us to
18 press forward and adhere to this
19 timeframe.

20 And as I said in the earlier session,
21 I think it hit home to all of us. We hear
22 about the devastation that you've dealt
23 with because of the flooding situation,
24 and then we all pay attention to the news
25 in late March, and we hear about this

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1 second round of disasters that cut through
2 this particular part of the country,
3 particularly Sharkey County, and just, you
4 know, makes your heart hurt.

5 And from that standpoint, just want to
6 express my condolences, everybody, on
7 behalf of everybody, that a lot of
8 devastation, obviously loss of life, to
9 compound on previous disasters. We can
10 only imagine the need for moving forward
11 in some aspect on some things that can
12 address some of those issues.

13 And I know tornado response and
14 emergency response is handled by our
15 friends, FEMA, and other parts of the
16 government. We're here to talk about
17 flood risk management, which is in our
18 charge and is something that we can
19 address.

20 And so, to cut to the chase, we took
21 the input from those previous public
22 meetings, the technical team that had
23 already started working on this preferred
24 approach, and we're talking about
25 different concepts as ways we could move

1 forward to provide flood risk reduction,
2 as well as address environmental issues.

3 Took that input and pressed forward to
4 come up with what I'll describe as the
5 preliminary preferred approach that we've
6 got that we're going to roll out in more
7 detail with a technical presentation is
8 really a water management plan and a
9 solution that's comprehensive and that it
10 addresses, I think, the fundamental needs
11 and the fundamental issues, but also
12 includes other features and approaches
13 that I think the bottom line is to ensure
14 we have a plan that protects people, that
15 protects the local economy, and that
16 minimizes impacts and protects fish,
17 wildlife, and wetlands.

18 And I add that last part not just to
19 talk about the need from an environmental
20 compliance perspective to do that, but I
21 think that also resonated from the earlier
22 engagement sessions that we had about how
23 much you all want that and how much you
24 all care about those same issues and how
25 sustained, prolonged flooding had impacted

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1 those same environmental values that we're
2 all trying to integrate into a solution
3 here. So very much appreciated that
4 aspect.

5 As I mentioned, we've got a great
6 technical team here to do a presentation.
7 I just want to take a moment to introduce
8 all of the federal officials here that
9 you'll be hearing from. I don't even
10 think I introduced myself when I started.

11 So Mike Connor. I'm Assistant
12 Secretary of the Army for Civil Works. It
13 wasn't in my talking points. So I failed
14 to introduce myself. Joined by Jeaneanne
15 Gettle, who is the Deputy Regional
16 Administrator for Region 4 at EPA.

17 Matt Strickler from the Department of
18 Interiors, the Deputy Assistant Secretary
19 for Fish and Wildlife and Parks. On the
20 Army Civil Works team, Stacey Jensen, who
21 is our Acting Deputy Assistant Secretary
22 for policy, legislation, and everything
23 else that gets assigned to her.

24 Jacob Brister, who is with the
25 Vicksburg District Office here, an

1 incredibly valuable member of our team.
2 Brian Frazer from EPA headquarters back in
3 DC. Clay Miller with EPA, who you'll hear
4 a lot from. James Austin from the Fish
5 and Wildlife Service, who's going to be
6 part of this.

7 And I'll just add, the collaborative
8 memo was initially between EPA and Army
9 Civil Works, but we immediately pivoted to
10 add our friends at the Department of the
11 Interior. They have a very significant
12 role in this basin, not just from the
13 facilities they have, but from a
14 regulatory standpoint, also.

15 And, then, of course, we are joined by
16 our friends and colleagues from other
17 agencies who have an interest in the
18 basin, a role in the basin or services,
19 resources to address an array of issues.

20 And you'll hear in the presentation,
21 we've got infrastructure. We've got
22 operations to try and deal with
23 environmental issues. But there are other
24 needs there that we hope to integrate as
25 part of a whole of government solutions.

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1 So between agriculture, Forest
2 Service, FEMA, DOT, we're all interested
3 in pooling our resources, whether it's as
4 part of this plan or for the interests and
5 needs of individuals in the basin.

6 And that includes, I think, in this
7 morning's workshop, there was good
8 discussions about a followup from the
9 tornadoes and how we could be of
10 assistance in the federal government
11 level.

12 So with that, I'll just reiterate the
13 commitment to we're going to roll out a
14 preferred approach, but we're going to be
15 strongly committed to taking your input,
16 to moving towards a final agreed-to
17 approach that we will lay out by the end
18 of June.

19 And our goal is to do what we have
20 talked about from the get-go, provide that
21 flood risk reduction, address the issues
22 you've been dealing with, do it in a way
23 that fully complies with all the
24 environmental laws that apply and give
25 people options, too, even as we have a

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1 plan that there still may be risks.

2 So thanks to all of you for your
3 participation. I will turn it over to
4 Jeaneanne for her opening thoughts and
5 comments.

6 MS. GETTLE: Thank you, Mr. Connor.

7 Good evening. And I just wanted to
8 say, on behalf of myself and Assistant
9 Administrator Fox, thank you for having us
10 back.

11 We are fully committed, along with our
12 federal partners, to the process that
13 we've undertaken here to address flood
14 control, to provide flood control. We
15 recognize the need for it here in the
16 Yazoo backwater area. I also just want to
17 take a second to personally recognize the
18 devastation that the tornadoes caused here
19 in Mississippi and elsewhere, but
20 particularly here in the loss of life, and
21 extremely sorry about that and hope that
22 you all continue to recover from that
23 horrible situation, as well.

24 EPA is steadfast in working to find a
25 sustainable solution here. We have come

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1 to the table and developed our shared goal
2 to develop a project that is consistent
3 with the Clean Water Act and other
4 applicable environmental laws and
5 regulations.

6 We're very pleased to be here tonight
7 with the Corps, with the Department of the
8 Interior to talk about what we can do in
9 this and to hear your feedback.
10 Personally, I'm very encouraged by the
11 progress that we've made, and I'm looking
12 forward to the next steps in this process.

13 We are absolutely confident that with
14 continued engagement and your input, we
15 can find the sustainable solution that
16 we've been talking about and address it
17 here in the Yazoo backwater area. So
18 thank you very much.

19 MR. STRICKLER: Thanks, Jeanine.

20 I'll be very brief, because I think
21 the most important thing for us to be
22 doing is hearing from you all and
23 listening and learning and getting your
24 feedback this evening. But I will just
25 say a couple of things quickly.

1 The Yazoo Basin is a very special
2 place for fish and wildlife, and that's
3 evidenced by the multiple national
4 wildlife refuges we have here, and the
5 Fish and Wildlife Service has a really
6 important role in the community to
7 conserve those resources. The resources
8 that are important for people who like to
9 hunt and fish out here, and they're just a
10 big part of the quality of life in this
11 part of the world.

12 And we're very encouraged by the
13 approach that the Army Corps and EPA are
14 taking and bringing us in as partners and
15 consulting with us on, yes, of course, the
16 resources we have at the refuges and
17 listed species, but also just generally
18 wildlife and habitat around the basin and
19 making sure that those things are
20 accounted for in this whole process.

21 We're very encouraged by what we've
22 seen and are happy to play a role in this.
23 So thanks for having me.

24 MR. CONNOR: Okay. I think with that
25 we're ready to provide a presentation to

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1 discuss what it is you all came to hear
2 about, what is the preferred approach
3 proposal on the table, what are all the
4 elements.

5 So, Jacob, take it away.

6 MR. BRISTER: Thank you, Mr. Connor.

7 Okay. Welcome to Vicksburg District.
8 Again, my name is Jacob Brister, Deputy
9 Chief of Programs and Project Management
10 Division here. My two colleagues, which
11 are now really close friends of mine, will
12 be also briefing. So I'll go first, and
13 I'll hand it over to Clay Miller from EPA,
14 and then we'll turn it over to James
15 Austin, Fish and Wildlife.

16 So next slide, please.

17 So for probably 99, if not 100,
18 percent of the people in this room, you've
19 seen the illustration on the left. So I'm
20 going to walk through that. It's probably
21 a tad elementary, but just to make sure
22 that we're all on the same page before we
23 go forward and kind of describe what the
24 plan will be.

25 So this is the Yazoo Basin, which is

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1 depicted right here. What we're talking
2 about in this meeting and this meeting
3 alone is this area right here where the
4 bathtub is, the Yazoo backwater area.

5 So you've got the Mississippi River on
6 the left side of the screen, and you've
7 got the Yazoo River, which drains the four
8 north Mississippi lakes. This is the MRL
9 levee, the Mississippi River mainline
10 levee, and this is the Yazoo backwater
11 levee.

12 So you've got the bathtub there, and
13 at the very bottom of it, you got the
14 Steele Bayou control structure. So the
15 way that that operates is, when the
16 Mississippi River rises due to rain,
17 whatever it is, starts backing up the
18 Yazoo River and starts going through those
19 gates, filling up the backwater.

20 So the way that we operate that
21 currently is, when the Yazoo River starts
22 backing in there and it gets higher than
23 the backwater area, we'll close the gates,
24 and vice versa. So when the backwater
25 area here is higher than the Yazoo River,

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1 we open the gates. Okay?

2 Next slide, please.

3 So why are we here? So I'm going to
4 read this. "The recommended approach
5 provides flood risk reduction for
6 communities and the local economy. Flood
7 risk reduction will target primary
8 residences, also the roads isolating them,
9 schools, infrastructure, commercial
10 properties, and prime farmland, all while
11 minimizing the environmental losses."

12 Next slide.

13 Okay. So I think this is why we're
14 all here. So the proposed water
15 management solution. So a couple of
16 things about this slide. So the first
17 thing you see up there is a pump, 25,000
18 CFS pump. So how are we going to manage
19 this backwater flooding?

20 So for starters, the pump, the 25,000
21 CFS pump will be located at the original
22 site near the Steele Bayou gate structure.
23 So that's where it's going to be. We're
24 going to operate it seasonally. So what
25 does that word "seasonally" mean?

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1 There's going to be two seasons.

2 There's going to be a non-crop season, and
3 there's going to be a crop season. So the
4 dates of those, the first -- the second
5 bullet, the five-year floodplain, that's
6 going to be the non-crop season. So
7 during non-crop, we're going to manage
8 that water elevation to the five-year
9 floodplain, which is approximately 93.

10 So the previous meeting I said the
11 same thing, right? So "approximate" and
12 "maybe" are a lot of words you're going to
13 hear. The reason that is is because we're
14 in the middle of this stage, right? So by
15 the end of June, we'll nail down a lot of
16 these numbers. So non-crop, five-year
17 floodplain, approximately 93.

18 The dates of that for non-crop are
19 going to be November 1st through March the
20 24th. Okay? November 1st through
21 March 24th is non-crop.

22 Two-year floodplain is going to be
23 during crop season. So the other dates
24 for that is going to be March 25th through
25 October 31st. We're going to manage that

1 to the two-year floodplain, which is
2 approximately 90.

3 So there's a three-legged stool here,
4 right? So you've got the pump, you've got
5 the non-structural alternatives, and we've
6 also got several agreements at the bottom
7 that we'll talk about.

8 So moving into the non-structural. So
9 modify Steele Bayou gate management to
10 benefit fisheries. So the current
11 management of the Steele Bayou structure
12 is when the Yazoo River comes up, starts
13 filling the backwater. The way we
14 currently do it is, when that elevation
15 gets to approximately 70 in the backwater
16 area, we're going to close the gates.

17 Now we're not going to do that. We're
18 going to let it fill a little bit farther.
19 Okay? We don't know what the number is.
20 Probably somewhere between 4 to 8 feet.
21 So going to 74 to 78, which we'll nail
22 that down before June, but that's a
23 modification of the way we're currently
24 doing things.

25 So that's going to give more fresh

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1 water. It's going to give more capacity.
2 It's going to give more connectivity. So
3 that's our second change.

4 The fourth thing that's going to be a
5 little bit different with this plan is
6 we're providing options for buyouts, ring
7 levees, home elevations, potentially even
8 road elevations.

9 Then the last thing there, you see the
10 federal agreements. So this is kind of a
11 big deal. It's kind of a big change for
12 the Corps of Engineers. So we're going to
13 actually sign agreements that will provide
14 assurances for water control manuals,
15 meaning the Corps of Engineers can't just
16 go change the way we operate, right?

17 We're going to have to work with EPA.
18 We're going to have to work with DOI
19 together to be on the same page. Same
20 thing with monitoring. We're going to
21 have agreements that spell out how we're
22 going to monitor this and what's going to
23 happen if the monitoring suggests
24 different things.

25 Same thing with mitigation. We're all

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1 going to be on the same page with what
2 type of properties we're going to be
3 looking at. Okay? That's all for me.
4 I'm going to turn it over to Mr. Clay
5 Miller.

6 MR. MILLER: Thank you, Jacob.

7 As you just heard from Jacob, he was
8 describing this project purpose, and it's
9 multifaceted. And one of the components
10 of that project purpose --

11 Can we go to the next slide, please?
12 I'm sorry.

13 One of the components of the project
14 purpose was to reduce flood risk to
15 residents, the primary residents within
16 the Yazoo backwater area. As outlined by
17 Jacob, also in the water management
18 solution, for those residents that are
19 above the five-year flood elevation, a
20 pump would be operated to provide that
21 risk reduction to those primary residents.

22 For residents within the five-year
23 flood, which is depicted on the map here
24 as pink, other solutions than a pump --
25 other than a pump would have to be taken

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1 into consideration. So, first, we had to
2 identify where these primary residents
3 were within the five-year flood.

4 The Corps undertook a few-month
5 operation where they went and did a field
6 survey, and during that field survey, they
7 identified not only the location of
8 primary residences within that five-year
9 floodplain, but the elevation of those
10 residences and whether or not there was
11 already existing or presence of flood
12 proofing already done.

13 So if there was any alterations
14 already done to those residents, for
15 instance, the home's already elevated or
16 there was a ring levee in place. On this
17 map, you'll see a few -- within the pink
18 area, a few stars.

19 Well, this is just our preliminary
20 field assessment where we've identified
21 some of these residents. There's up to
22 maybe two dozen or more residents within
23 that five-year flood. Again, this is just
24 preliminary. We're still engaged in
25 trying to gather information on this, and,

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1 in fact, we would welcome any input or
2 feedback that the public has as to primary
3 residences within the five-year
4 floodplain.

5 So as far as those residents within
6 the five-year flood, they're going to be
7 directly impacted by backwater flood
8 events that occur seasonally. And as
9 Jacob mentioned, during the non-crop
10 season, the water would be allowed to go
11 to the top of the five-year floodplain.
12 So there would be water coming back up
13 into those areas.

14 We recognize that we're going to have
15 to do something there, and those type of
16 solutions will not involve a pump. They
17 would have to do non-pump solutions, and
18 those could be buyouts to willing sellers,
19 elevation of those homes, if they're not
20 already elevated, and/or the construction
21 of ring levees.

22 Also, we want to make sure with
23 respect to these primary residents that we
24 do not create a situation where, during
25 that seasonal backwater flooding, that it

1 is cutting off the access to those homes
2 where they -- so we want to ensure that
3 there is access to go to and from those
4 primary residents.

5 So that may involve the elevation of
6 roads. And so, that's one of the
7 solutions that we're looking at that is
8 non-pump related. And then, finally, we
9 also are very aware of the fact that some
10 of these primary residents, or many of the
11 primary residents within the Yazoo
12 backwater area, implement or use septic
13 fields or septic systems for your
14 wastewater treatment, or they may actually
15 be on a sanitary sewer system, recognizing
16 that we're going to have to also take into
17 consideration options to provide
18 protection for those systems so that the
19 homes have the ability to treat their
20 wastewater.

21 So, again, if there's any feedback
22 with respect to these residents or the
23 information that we're gathering on the
24 residents, we welcome that. Again, it was
25 pointed out there's cards there. You can

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1 place all your information on the card or
2 your questions or your concerns and place
3 it in the box.

4 Can we go to the next slide, please?
5 The second component of that multifaceted
6 project purpose that was discussed earlier
7 is agriculture. We recognize the
8 importance of agriculture within the Yazoo
9 backwater area or within the Yazoo basin
10 for not only the economy, but the
11 importance that it has to the communities
12 for jobs, and this is a livelihood for the
13 area.

14 So this second component will also
15 involve providing a flood risk reduction
16 for agricultural lands within the Yazoo
17 backwater area, everything above the
18 two-year flood and above. And we'll get
19 to that a little bit more in detail later
20 on.

21 In doing so, we worked with the NRCS
22 and with the Mississippi State Department
23 of Agriculture to better understand what
24 were the primary crops within the Yazoo
25 backwater area, what were the cropping

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1 seasons of those primary crops, as well as
2 the days that it takes to reach maturity
3 for those primary crops.

4 We also took into consideration what
5 methods would need to be employed for
6 field preparation. We prioritize these
7 primary crops for the purposes of this
8 water management solution to three crops
9 within the Yazoo backwater area:
10 Soybeans, field corn, and cotton.

11 Understanding that we needed to
12 balance the crop season with the needs of
13 fish, wildlife, and wetlands, we are
14 estimating a pump on date of March 25th to
15 start the draw down for the beginning of
16 the crop season.

17 We would manage that water at the
18 two-year flood elevation for the entire
19 crop season, all the way up to
20 October 31st, after which, during the
21 non-crop season, the backwater flooding
22 would be managed to allow the return of
23 those waters up to the five-year flood
24 elevation, which Jacob said was
25 approximately 93, and we would do that

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1 until March the 24th.

2 Again, on this, as well as it was for
3 the residents, if you have any feedback
4 with respect to proposed crop season
5 dates, we would welcome that information.
6 I'm going to go to the next slide, and
7 I'll turn this over to James Austin from
8 Fish and Wildlife Service.

9 MR. AUSTIN: All right. Good
10 evening. I'm going to visit with y'all
11 for a few minutes here about some of the
12 fish, wildlife, and wetland considerations
13 that went into this current proposed
14 solution. I'm going to start that with
15 just a little bit of background
16 information about natural resources within
17 the Yazoo backwater area.

18 I kind of feel like I'm preaching to
19 the choir a little bit, right? Because
20 you folks live and work there. You know
21 this area better than I do. But it's
22 important to point out some of the natural
23 resources that we think are important from
24 within this area.

25 This area really contains some of the

1 richest natural resources within our
2 state. It includes things like productive
3 floodplain fishery. It's one of the few
4 remaining examples of the bottomland
5 hardwood ecosystem that once stretched
6 across much of the Delta in Mississippi
7 and other states.

8 It's one of only four remaining
9 backwater ecosystems that continues to
10 maintain that hydrological connectivity
11 with the Mississippi River through that
12 backwater that floods up through the
13 Yazoo.

14 And so, that's really important for a
15 couple of reasons, for nutrient and
16 chemical exchange that occurs between
17 those two areas, and it also allows for
18 the ingress and egress of fish and other
19 aquatic critters between those two areas.
20 So it's really a diverse area, a unique
21 area. We really feel like it's an
22 important part of our state to protect.

23 So the area also supports a wide
24 variety of wildlife species. This
25 includes many, many, many species of

1 resident and migratory land birds, shore
2 birds, wading birds. Of course, you know
3 black bears live in this part of the
4 world. A variety of amphibian and reptile
5 species. I could keep going down the list
6 of critters that live in the backwater
7 area.

8 And I'll just say that of all the
9 taxonomic groups that we have in the state
10 of wildlife, pretty much all of them are
11 represented within this area. So a lot of
12 wildlife species here.

13 I will also mention these species that
14 we don't always like to talk about, and
15 that's some of our species that are
16 federally listed or that have been
17 proposed for listing under the Endangered
18 Species Act.

19 Again, those of you who are familiar
20 with this project are very familiar with
21 the first one I'm going to list here, and
22 that's pondberry. That's an endangered
23 plant that does occur within the backwater
24 area, primarily within Delta National
25 Forest.

1 Another one that's a little bit newer
2 on the scene as it relates to this project
3 is the northern long-eared bat. That's a
4 species that was recently uplisted from
5 threatened to endangered, and it's thought
6 to occur within the area.

7 Two more species there, the tricolored
8 bat and the alligator snapping turtle, are
9 both species that have been recently
10 proposed for listing under the Endangered
11 Species Act.

12 Now, in addition to these more
13 non-game and federally protected species
14 but of equal importance and worth
15 recognizing here are the game species that
16 occur within the area. And, again, y'all
17 know these as well as I do, but some of
18 the more important ones would be whitetail
19 deer, waterfowl, wild turkey, squirrel. I
20 could keep on going down this list, as
21 well. There's a bunch of game species
22 that occur in the area.

23 And so, really, the EPA, the Corps,
24 and Fish and Wildlife Service -- I'm going
25 to say the "three agencies" from here on

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1 out, because I'm not going to say "EPA,
2 Corps, and Fish and Wildlife Service" over
3 and over again, because it's mouthful.

4 So the three agencies recognize that
5 these fish and wildlife resources provide
6 outdoor recreational opportunities as
7 well, right? Things like hunting,
8 fishing, boating, camping, hiking,
9 birding. I could probably think of 20
10 more to list off here.

11 And so, we recognize that those
12 activities are important to folks that
13 live in this part of the world. They're
14 also important to local economies, to the
15 tourism industry in the area. We also
16 realize that folks travel from other parts
17 of the state to come here and hunt and
18 fish and participate in these other
19 activities.

20 Folks travel here from other states,
21 other countries even, to experience the
22 natural resources in this part of the
23 world. So because of that, the three
24 agencies are very committed to ensuring
25 that these resources will continue to

1 thrive within this area, so that they do
2 continue to support these kinds of
3 activities.

4 So to that end, the Fish and Wildlife
5 Service has long maintained that any water
6 management solution within the Yazoo
7 backwater area should really strive to
8 balance the needs of these fish and
9 wildlife resources alongside the need to
10 provide flood risk reduction for
11 communities and for economies.

12 And so, the current proposed solution
13 does that. It works to achieve that
14 balance through things that you heard
15 about earlier. Things like allowing that
16 flooding to reach the two-year floodplain
17 and the five-year floodplain.

18 By allowing that water to get to those
19 levels, it helps to maintain habitats for
20 the fish and wildlife in that area. It
21 helps to maintain the functions of
22 wetlands within those areas.

23 And so -- and another measure that's
24 been proposed here, too, that helps to
25 achieve this balance is the change in the

1 operation of the Steele Bayou structure.
2 By leaving that open a little bit longer
3 and allowing some of that water to back
4 in, that just enhances that important
5 connectivity to the Mississippi River that
6 we mentioned earlier.

7 And so, these measures and others have
8 been designed here to help avoid,
9 minimize, and reduce the impacts that the
10 project will have on natural resources.
11 Now, of course, we know it's not always
12 possible to completely avoid adverse
13 impacts, particularly when you're dealing
14 with a project of this scope and
15 complexity.

16 And so, there will be a need to
17 provide compensatory mitigation to help
18 offset some of those unavoidable adverse
19 impacts. And so, in working on this, the
20 three agencies have collaborated and done
21 a few things.

22 One of the things we've done, we've
23 developed this list that we feel like is a
24 representative list of the wildlife
25 species, again, that live within the

1 backwater area that we can then use to
2 assess what the impacts will be to overall
3 wildlife within the area.

4 And so, this is another opportunity
5 that we have for you folks to provide us
6 with some feedback. If you've got
7 thoughts or feelings about any of these
8 species that are on the list or if there's
9 additional species that we might want to
10 include here so we do a more complete job
11 of assessing impact, the cards you've got
12 to fill out would be a great way to do
13 that, or you can tell us about that later
14 on when we open things up for questions.

15 In addition to looking at the wildlife
16 species, the three agencies have also been
17 working in collaboration to assess those
18 impacts to fisheries resources. And so,
19 we've worked together to further refine
20 some of the methods that are used to
21 assess fisheries impact so that, again, we
22 do a more accurate job of measuring those
23 impacts, because that's going to inform
24 mitigation activities that are going to
25 happen later on.

1 And so, in closing, for my part here,
2 the three agencies are going to continue
3 moving forward to partner and collaborate
4 and work through this method of
5 calculating or assessing impacts so that
6 it will inform the mitigation work that's
7 going to be done moving forward.

8 I'm going to stop right there, because
9 those are topics that Clay is going to
10 cover.

11 And so, Clay, I'll turn it back over
12 to you.

13 MR. MILLER: Thank you. Thank you,
14 James.

15 Next slide, please.

16 But before I get talking about this
17 particular slide, I just want to point out
18 a couple of things that was pointed out to
19 me between -- or after the first session
20 that there may be some confusion or
21 possible confusion.

22 If you look at the first bullet where
23 it says, "non-crop season," and also with
24 "crop season," at the bottom of those
25 bullets, it says, "functional loss." So

1 that it's not confused that we're talking
2 about crop functional loss, we're talking
3 about wetland functional loss. So just as
4 a point of clarification.

5 James just highlighted quite a bit
6 about the fish and wildlife and wetlands
7 component of that multifaceted project
8 purpose. And because there's going to be
9 impacts to these resources that we'll need
10 it to be mitigated for, the agencies will
11 be assessing those impacts of any projects
12 to those resources.

13 Under the water management solution
14 that my colleague, Jacob, had described
15 earlier, we talked about allowing
16 backwater flooding that would be
17 seasonally managed in the five-year and
18 the two-year floodplain.

19 Again, under the non-crop season, the
20 backwater flooding will be allowed to
21 extend to the top of the five-year
22 elevation. In the crop season, we'll
23 restrict or manage that water such that
24 it's only able to get to the two-year
25 flood, thereby providing that flood risk

1 reduction to those lands above the
2 two-year floodplain.

3 This solution manages it in a manner
4 that will result in a reduction of impacts
5 to fish, wildlife, and wetlands and other
6 ecological resources, as well as reducing
7 flood risk to primary residents and
8 agriculture.

9 When comparing to previous proposals,
10 and there has been a number of them over
11 the years, we expect that this proposal
12 that's being developed of this water
13 management solution will have -- is
14 expected to have less impacts to
15 environmental resources.

16 So looking at the graphic here on this
17 slide illustrates why we believe that
18 these will have less -- significantly less
19 impacts to fish, wildlife, and wetland
20 resources. This slide shows that the
21 proposed 2023 water management solution as
22 compared to a previous proposal in 2020.

23 Under the 2020 proposal, a pump would
24 have been turned on at 87 foot. Now, you
25 heard earlier we were talking about

1 different crop seasons, whether we turn on
2 the pump to bring the water down to 90, or
3 we turn on a pump at a higher elevation to
4 allow it to go up to 93. That's under the
5 2023 plan.

6 The 2020 proposal would have
7 restricted floodwaters to an elevation
8 around or maybe a little bit less than the
9 two-year floodplain. It would not have
10 allowed water, during any time of the
11 year, to reach the five-year floodplain.

12 Thereby, this allows for benefits to
13 fish, wildlife, and wetland resources
14 within the five-year floodplain. Impacts
15 to these resources by the 2020 proposal
16 would have been realized year-round and
17 are depicted here on this graph as either
18 the gray color, but also including the
19 red. So anything that is shaded either
20 gray or red, we're considering would be
21 impacts the entire year in that five-year
22 floodplain.

23 For the 2023 proposal, impacts to
24 fish, wildlife, and wetlands within the
25 five-year floodplain are shown only in the

1 red, and these would only occur during the
2 crop season. So allowing the floodwaters
3 to go to the extent of the five-year
4 floodplain in the non-crop season is
5 thereby benefiting these environmental
6 resources.

7 It's also important to note that this
8 new proposed solution is designed for no
9 conversion of wetlands to non-wetlands
10 within the five-year floodplain. Previous
11 proposals could have resulted in a loss of
12 wetland resources, because we would have
13 precluded or prohibited backwater flooding
14 to occur within that five-year floodplain.

15 Now, that's not to say, and James
16 pointed it out, there's going to be
17 impacts. We're going to thoroughly
18 evaluate those impacts. And the three
19 agencies, EPA, Fish and Wildlife Service,
20 and the Corps, have agreed on not only
21 just the geographic extent of where that
22 impact assessment will occur, that area
23 that we will be looking at, but we've also
24 agreed on the criteria and scientifically
25 approved methodologies and procedures to

1 assess impacts to those resources, to the
2 fish, to the wildlife, and to those
3 wetlands.

4 That concludes this conversation on
5 mitigation. Again, if people have any
6 comments that they would like to express
7 either when the mics are turned over to
8 y'all or if you want to put it on your
9 card and provide it in the back, we would
10 welcome that. I'll go to the next slide,
11 and then I'll talk about mitigation.

12 So for any impact that is to occur to
13 these fish, wildlife, and wetland
14 resources, there's going to be a
15 requirement for compensatory mitigation to
16 offset those impacts.

17 And there are three key components to
18 the mitigation strategy that we are
19 working together, the three agencies, to
20 develop. The first component is the
21 compensatory mitigation will be done in
22 advance or concurrent with the project
23 construction.

24 The second component is that all
25 mitigation sites will be secured prior to

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1 those impacts. And then, the third
2 component is that all mitigation plans
3 will be approved by the three agencies:
4 The Corps, Fish and Wildlife Service, and
5 EPA.

6 Another key aspect of the mitigation
7 strategy will be the development of a
8 memorandum of understanding between those
9 three agencies. This MOU will be used to
10 guide mitigation details regarding the
11 development, the review, the approval, and
12 the oversight of the compensatory
13 mitigation.

14 Compensatory mitigation will be
15 looking inside and outside of the Yazoo
16 River Basin and would include, at a
17 minimum, ecosystem restoration and
18 enhancement. And we're contemplating to
19 address some of the fisheries impacts, the
20 construction of a series of wells in the
21 YBA to augment stream flow in certain
22 Yahoo backwater area streams to benefit
23 the fisheries and other aquatic resources.

24 That's the end of the discussion on
25 compensatory mitigation.

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1 Next slide, and then I'm going to turn
2 it over to Stacey and Brian for any
3 comments on the next steps.

4 MS. JENSEN: Thanks, everybody.

5 Yeah. So this is where we're at now
6 in the main timeframe. We are rolling out
7 our draft preferred approach, and we
8 actually are gathering your comments,
9 questions today, tomorrow in our
10 engagement sessions, as well as for the
11 following month.

12 So all through May, on our web page,
13 there are handouts that I hope all of you
14 will pick up, and on the bottom of that
15 handout is a web page for this proposal,
16 and there's a comment field box there. So
17 you can also provide your comments to us
18 over the course of the next month.

19 And that will inform as we work to
20 develop our final preferred approach,
21 which we will roll out at the end of June
22 as we committed to in our joint
23 memorandum.

24 And, of course, at that stage, after
25 we roll out our final preferred approach,

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1 we move to the next phase, which is
2 drafting our environmental compliance
3 report. So we have to document that we
4 have developed a solution that is
5 environmentally compliant with the Clean
6 Water Act, NEPA, PSA, and document that
7 thoroughly before we move on with the
8 appropriations process for the project.

9 Brian, did you want to provide
10 anything furthermore?

11 MR. FRAZER: Sure. I just want to
12 thank you all for coming out tonight. As
13 Mr. Connor said earlier, we came in here
14 this past February. We heard your
15 comments. We heard your thoughts. We
16 used that as a part of our workings to
17 develop the preferred approach, and we
18 thank you for your comments earlier.

19 We will continue to listen to the
20 comments that you have tonight. But I
21 just want to highlight that it's really
22 important for us to get your thoughts and
23 opinions this evening as we continue to
24 finalize this preferred approach and also
25 help the Corps meet the deadline of the

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1 MOU that Mr. Connor and AA Fox signed in
2 January.

3 So with that, thank you very much for
4 coming tonight. I'm going to turn it over
5 to Mr. Connor for questions and comments.

6 MR. CONNOR: Thanks, Brian.

7 So I think we are in the listening
8 phase of the session right now. So please
9 feel free to give us your initial
10 thoughts. There's obviously mechanisms to
11 give more detailed comments, but any
12 reactions, anything you want us to
13 immediately consider, we're all open to
14 your thoughts.

15 Otherwise, you'll have me continuing
16 to drone on here for a certain amount of
17 time, although it is late, and those of us
18 who came from DC, it's even later there.

19 So while you're collecting your
20 thoughts, two things that I just want to
21 point out, I failed to mention. I think
22 we have you outnumbered tonight. We
23 didn't have the previous session
24 outnumbered, but there's a whole bunch of
25 folks in the back room there who make up

1 the incredible technical team and talent
2 that have been working round the clock on
3 this particular set of issues.

4 We've got great leads up here leading
5 the effort, but those are the folks who
6 are rolling up their sleeves and doing the
7 technical work, helping us coordinate the
8 rollout sessions, the communications so
9 that everybody knows what we're doing.

10 You've got congressional staff, your
11 representatives back there in the back,
12 who are heavily involved in monitoring of
13 this process, and we're appreciative of
14 their efforts, also.

15 Second thing, I just want to
16 reemphasize a point that's been
17 continually made, but I think is really
18 important. This is a water management
19 plan. It's a water management strategy.
20 And we usually end up in these places when
21 we have large infrastructure water
22 management proposals.

23 And all throughout the U.S., this is
24 pretty much par for the course for the
25 Corps. It's part and parcel of what we do

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1 when we're managing both navigation and
2 flood risk reduction in the Missouri River
3 and doing it subject to, in particular, a
4 lot of environmental parameters that we
5 need to be cognizant of endangered species
6 issues.

7 And we fold that into when we make
8 water releases, how much water we release,
9 how we maintain channels throughout that
10 system. As just an example, Florida
11 everglades, mammoth undertaking for a
12 water control manual that's intended to
13 address a lot of water quality issues, as
14 well as species issues. Same fish,
15 wildlife, wetlands. With respect to Lake
16 Okeechobee, we're currently finalizing a
17 plan that's taken six years because of
18 this very high involvement from all the
19 different stakeholders and constituencies
20 on both coasts of Florida.

21 And, then, from my past experience,
22 every major water management project out
23 west, whether it's in the Colorado River
24 Basin, whether it's in the California,
25 Sacramento and San Joaquin River Delta or

1 the Columbia River system, major, major
2 infrastructure, major pumping capacity for
3 a lot of different purposes that we manage
4 those systems, but all are under very
5 tight operating plans.

6 So I think that's the only way to
7 operate. We would have gotten there, but
8 this time, we started in a collaborative
9 way of working out these issues to define
10 those parameters of water operations as
11 part of the project as we go into this.
12 And so, I think that's the value of this
13 process here.

14 So it's not new overall. It's new in
15 the way we're doing it here, and it's
16 fundamental to what we essentially have as
17 a new project proposal that's been
18 described to you today.

19 So with that, I am running out of
20 things to say. I don't see people running
21 to the microphone, but I can't tell you,
22 you know, the input that you've provided
23 today and even in the earlier sessions
24 have been very valuable to us. So please
25 continue.

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1 MS. JENSEN: So yeah. If you would
2 like to provide comments, you can raise
3 your hand, if you'd like to stay in your
4 seat, I'll hand you the microphone, but
5 you can also follow Peter's lead and step
6 up to the mic.

7 MR. NIMROD: I'll give Michael a
8 break. I know he's going on and on and
9 trying to wait for somebody to stand up
10 and talk into the mic. And I always like
11 talking to microphones, so it's all good.

12 I'm Peter Nimrod, and I just want to
13 thank y'all. This is unbelievable. This
14 little short process we've been talking
15 about since January, I can't believe we're
16 where we're at today. You guys actually
17 came. You actually listened to our
18 people, and you listened to the problems.

19 You listened to the problems to the
20 environment and the wildlife with
21 flooding, and you went back and you made a
22 great decision, and you come up with a
23 pump that's the original size, 25,000 CFS,
24 to hold water elevation, which is very
25 critical. I think that's awesome.

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1 You might hear some grumblings maybe
2 about the pump on elevation of 90 feet,
3 you know, 93. We'd love for y'all to look
4 at that closer and see if there's a way to
5 give us a little something extra there.
6 You know, is the five-year really 93? Is
7 it 92? Is it 92.5?

8 You know, y'all look at that a little
9 closer, is the one-year or the 90, you
10 know, see if there's a way to tweak some
11 of those things. That would be most
12 appreciative. But, overall, this is an
13 amazing effort. I'm shocked you guys
14 really listened, and you really came back
15 with something that's really doable and
16 really going to make a real benefit to not
17 only the people here and their
18 infrastructure in their homes and
19 everything, it's going to make a big
20 difference to the wildlife and the
21 environment.

22 This pump is going to protect a lot of
23 things, and that's really, really key. So
24 I just want to thank you for No. 1.

25 I do have a question. I know y'all

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1 talked about structures in the five-year
2 floodplain, so that'd be anything below
3 93. How many did y'all find? Do you
4 know, Jacob?

5 MR. BRISTER: (Indiscernible.)

6 MS. JENSEN: Total structures. Yeah.

7 MR. BRISTER: So there's primary
8 residences in the five-year floodplain,
9 24. And I want to point that out. That's
10 only 24. I mean, that's a very small
11 number. It's doable. I mean, for those
12 that are there, if they want to continue
13 to live there, if they want to be bought
14 out, if they want more protection, that's
15 great.

16 You got a great point here about
17 septic tanks, and then you make great
18 points about if we're going to let the
19 water get up to 93 feet, there are some
20 secondary roads that are going to go
21 underwater at 93.

22 I'm excited to hear you're looking at
23 maybe trying to raise some roads above
24 that elevation. That kind of good stuff.
25 But 24 homes is very, very small in an

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1 area like this. We're not talking about
2 all the homes that you're actually
3 protecting, because the homes above that
4 93 are (indiscernible) a lot, and you're
5 fixing to give those guys some serious,
6 serious protection.

7 I really, really want to thank you for
8 that. So, anyway, I just want to say
9 thank you, and I just want to make y'all
10 go back and look a little bit more on
11 those pump on elevation numbers. If
12 there's a way to give us a little
13 something extra, it'll be most beneficial.
14 But I do appreciate y'all. Thank you.

15 MS. JENSEN: Thank you.

16 MR. PACE: I'll follow Peter since
17 nobody's outrunning me to get up here, I'm
18 Martin Pace. I'm the Sheriff of Warren
19 County, which includes the Eagle Lake
20 area. I spoke with you guys when you were
21 here before, and I threw a bunch of
22 numbers and stats at you that apparently
23 you digested those. So I appreciate that.

24 I'd like to echo what Peter said. We
25 appreciate the fact that it truly appears

1 that I think for the first time that you
2 listened. I've been in law enforcement
3 here since 1981, and I have seen some
4 devastating floods in this area.

5 Quite honestly, none compared to the
6 2019 as far as the backwater. I'm an
7 animal lover, and I always have been, and
8 one of the most heartbreaking parts to me
9 was to see the wildlife that was just
10 absolutely devastated in that 2019
11 backwater flood. And I appreciate you
12 guys looking at this.

13 One of the things that I would just
14 throw out there, and I'm just going to
15 echo Peter, is look at those numbers.
16 That's going to give us a lot of
17 protection that we didn't have, and thank
18 you for that.

19 That five-year is going to put some of
20 those secondary roads under, and some of
21 the issues that we dealt with as far as
22 public safety was the isolation. That
23 some of the homes were not actually
24 inundated, but we couldn't get to them.
25 You know, we were having to use boats. We

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1 put a lot of miles in order -- you know,
2 when Eagle Lake got isolated, we had two
3 deputies there around the clock for months
4 to the tune of some over \$200,000.

5 So just look at that. We appreciate
6 it, and I do -- I'm saying we really
7 sincerely appreciate you guys listening to
8 this. The people that you see here are
9 people that are affected by this. These
10 are not environmental groups from some
11 other state that have some abstract ideas
12 of what this is.

13 These are the people that live this
14 every day. The people in Warren County,
15 the people in Sharkey and Issaquena, they
16 live this with every flood. They've been
17 there for years. These are places that
18 they don't want to leave. But it's
19 absolutely devastating and it is for the
20 wildlife.

21 And like I said, the five-year, this
22 is way better than anything we've seen.
23 Those five-year elevations I think are
24 going to put some of those secondary roads
25 under, which, from a public safety

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1 standpoint, would still have an impact,
2 because it would, although maybe not flood
3 some of the homes and properties, but it
4 would isolate some of those areas that
5 ambulances, fire engines, and law
6 enforcement would not be able to access in
7 a timely manner. But we appreciate it.
8 Thank you, guys.

9 MR. CONNOR: Can I just say, I
10 appreciate that, and we will take a look
11 at that? But, also, as part, the
12 particular road, secondary roads that were
13 an issue that were leaving people isolated
14 and public safety concerns, if you could
15 just identify those -- you don't have to
16 do it right now, but for the record,
17 that'd be helpful to know.

18 MR. PACE: No. I'll be glad to.
19 I'll be glad to. And the Sheriff of
20 Issaquena County is here, too, and some of
21 those were actually in his county. We
22 would have to -- at the height of the 2019
23 flood, we were actually having to leave
24 Warren County, go through Issaquena County
25 into Sharkey County to get on the main

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1 line levee and come back to Eagle Lake,
2 because some of the secondary roads that
3 we had been using, which Goose Lake (s/l),
4 Low Water Bridge, those waters -- those
5 were completely under.

6 So we were having to go an extremely
7 long route to get back to those
8 communities. But I'll get with you guys
9 before I leave and give you a list of
10 those.

11 MR. CONNOR: Thank you.

12 UNIDENTIFIED: As far as the planting
13 dates, to my opinion, it's just a little
14 bit of tweaking in there, those dates, and
15 that is the guys at home -- I'm a
16 semi-retired farmer -- they're going to
17 start putting that corn in the ground, if
18 they can, on March 1st.

19 Of course, it's also my opinion that
20 the farming never really stops here until
21 the rain comes in December and January and
22 stops you, with the exception of 2019 and
23 2020. In '20, I had 90-something inches.
24 My shop is between Rolling Fork and Grace.

25 The first four months in 2020, we had

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1 40 inches of rain. It made it a
2 nightmare. So the pumps, even if we go
3 with it -- it's a wonderful thing. It'll
4 help us tremendously. Just -- I don't
5 know how y'all come up with the figure of,
6 say, from 87 to 90, not 89, but take a
7 look at that. Make sure you know what
8 you're doing, because the people here will
9 be appreciative for whatever we can get.

10 But take a little look at you -- and
11 some of my guys raise cotton, and it might
12 be November 10th. You never know what the
13 rain is going to do. Now, if we get an
14 abnormal rain, like we did in 2020, is
15 this going to hold true, or as you see the
16 river and the rains coming up, are they
17 going to get turned on earlier? My
18 question to that. I don't know. Does
19 anybody know?

20 MR. BRISTER: So let me give some
21 context of the 2019 event. Okay? So the
22 peak elevation was 98.2. Everybody
23 remembers that flood. Okay? So if the
24 pumps would have been in place at that
25 point, then the peak would have been 93.5.

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1 So if we get this, we don't think
2 we're going to see the 98 again. I don't
3 want to say we're never going to see it,
4 because we don't know, right? It might
5 rain 40 days and 40 nights. You never
6 know. But that would have been the case
7 in 2019. It would have peaked at 93.5.

8 UNIDENTIFIED: Thank y'all.

9 MR. CONNOR: Thank you.

10 MR. KLAUS: I'm Ken Klaus. I live at
11 Eagle Lake. The low control of the Steele
12 Bayou structure where you're fluctuating
13 from 74 to 78 also impacts the operation
14 of Muddy Bayou, which controls the lake
15 stage of Eagle Lake.

16 Eagle Lake's management plan is for a
17 low of 75 at the end of the summer and
18 then allow it to rise to 76.9 at its
19 highest. When Steele Bayou is high, you
20 can't let the water out of the lake. The
21 lake has been high for the last month or
22 so.

23 The gates can only be opened six
24 inches due to concerns of Asian carp
25 migrating into the lake. When you're

1 (indiscernible) your low water, we need to
2 have enough low water, period, to get the
3 water down to 75 in Eagle Lake.

4 I've been going up there for 60 years.
5 There used to be -- there once was black
6 willow out in the lake. You barely see
7 any black willow in the lake, because it's
8 been managed at 75. Before that, it
9 fluctuated much more. We've lost that
10 species component out of the lake bed.

11 I believe if we make a mistake and not
12 allow the water to go down to 75 each
13 year, that we will lose the cypress trees
14 and all the vegetation in the lake if that
15 average lake bed, the lake level rises,
16 say, a foot. It's that fragile.

17 We're in a very dynamic period of
18 weather. We all know that. You've been
19 studying this based on the data you have.
20 I hope you take that dynamic part and
21 leave your management plan, leave your
22 long range, let yourself have some leeway
23 to adjust.

24 The last thing that I want to see are
25 the oak trees to die within the bottom

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1 land hardwood area. There were massive
2 amounts of oaks that died during 2019 and
3 continue to be stressed. This wet period,
4 that extra 3 feet, whatever the --
5 whatever amount that is not going to be
6 pumped out adds a longer stress to all of
7 the area that is below that.

8 So I hope if you see problems that you
9 have not only built-in flexibility of your
10 management capability, but you recognize
11 the negative impact and react to it.
12 Thank you.

13 MR. CONNOR: Thank you.

14 MR. KLAUS: Thank you for coming.
15 This is a lot of time out of your
16 schedules. I realize the high-level
17 people that are here representing all of
18 us. Thank you.

19 MR. COCHRAN: I'm David Cochran. I'm
20 here as a Commissioner of the Mississippi
21 Levee Board. I'd like to reiterate what
22 Peter said and tell y'all thank you.

23 This is the first time that I can
24 remember or I felt like there was a
25 collaboration between each individual

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1 agency here. It's always been like, well,
2 one agency wants this, but the other one
3 won't give on their side, and it's just
4 been back and forth.

5 Thank you all so very much for
6 listening to us and listening to what
7 people here in the south Delta have to
8 tell you. My home is Greenville,
9 Mississippi. I farm the
10 Greenville/Hollandale area. Backwater
11 flood truthfully, you know, does not have
12 a huge impact on me as far as flooding.
13 I'm very fortunate in that.

14 But it does have a problem of drainage
15 getting away from my area. So thank you
16 all. But I want to also come in on what
17 you said, sir. When I first looked at the
18 dates -- and I think I remember -- you
19 know, I hate to say this, my first
20 thoughts were the March 24th or the 25th
21 date before you cut that pump on, I think
22 it's maybe a little late for field corn.
23 Y'all need to look at that, I think.

24 I think some of the farmers from this
25 part of the world or this end of the Delta

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1 could answer that better than I can. But
2 typically we shoot for somewhere around
3 the 10th and the further you come south,
4 they're typically a week, ten days ahead
5 of us, because that's just the way it
6 works. It starts on the coast and -- the
7 Gulf Coast and works its way north.

8 So, you know, I think I'd be remiss if
9 I didn't say that y'all really need to
10 look at that date. I agree with that,
11 those comments you made, sir. But like I
12 say, I think farmers in this area could
13 better answer that, more so than I can.
14 But you have to leave the soil enough time
15 to dry out, so we can't get in the field
16 and do our work.

17 I will say this, farmers are the
18 biggest stewards of the land there are in
19 America. We're not only worried about
20 growing a crop and raising a crop. We're
21 worried about the whole entire eco
22 structure.

23 And sometimes we get painted in a bad
24 picture that we're only out to destroy the
25 wetlands, make as much -- haywire the

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1 sunshine, I'll put it that way. That's
2 not the case. We're concerned about the
3 entirety of our farm, because we all
4 realize that there is some revenue there,
5 some economics.

6 And us being stewards of the land, we
7 have some responsibility, not only to
8 ourselves and our families, but the entire
9 public and God Almighty above for making
10 sure that we do the best we can do to keep
11 His creatures and all of us fed, safe, and
12 do it as environmentally sound as we
13 possibly can.

14 But, once again, I want to thank you
15 all for coming. Thank you for listening
16 to us. And if there's anything we can do
17 to help you all, Peter will be more than
18 glad to do it. Thank you. And his staff.

19 MR. DARDEN: Good evening. My name
20 is Charlie Darden. I farm about 12 miles
21 south of Rolling Fork on Highway 61.
22 First of all, thank you for being here,
23 and thank you so much for the expeditious
24 manner in which you got this plan
25 together.

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1 That being said, I guess this is the
2 82nd year of the Flood Control Act of
3 1941. But, anyway, in regard to the --
4 it's just a clarification really. On the
5 93-foot level you were referring to, now,
6 do you mean the water will be allowed to
7 go to 93 feet, or will it be maintained at
8 93 feet?

9 MR. BRISTER: No, sir. So --

10 MR. DARDEN: And the 90-foot level
11 for that matter.

12 MR. BRISTER: Yeah. So the way we'll
13 operate the non-crop, when you say the
14 "five-year floodplain," when the water
15 gets to 93, we will pump that water down
16 to elevation 90. At that point, we will
17 turn the pumps off. If it goes up to 93,
18 we'll pump it back down to 90 again.

19 So with crop season, when we're going
20 to manage to the 90, we will pump it down
21 to 89, turn them off, let it go back to
22 90. So the pump on elevation is going to
23 vary. Okay? It's going to vary on the
24 amount of water coming down the
25 headwaters, the amount of rain, et cetera.

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1 So if we're managing to 93, we may
2 have to turn the pump on at 91. We may
3 have to turn it on at 91.5 just to make
4 sure we don't get above the 93. Same
5 thing with the 90.

6 MR. DARDEN: Okay. But you're not
7 going to try to maintain that 93 all
8 through the winter --

9 MR. BRISTER: No, sir. No, sir.

10 MR. DARDEN: Because obviously right
11 now, the backwater's at, what, 72, 73
12 feet, something like that. So you would
13 allow it to go down to that level
14 periodically?

15 MR. BRISTER: Absolutely.

16 MR. DARDEN: Okay. As far as the
17 planting date goes, again, I feel like
18 that might be a little lengthy on the
19 March end of it, because if you happen to
20 be at 93 feet, and you've got the pumps
21 on, by the time that land dries out and
22 then you're able to get in the field and
23 plant -- I don't know how long it will
24 take to pump out 3 feet of water. I
25 really don't know.

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1 But you've effectively taken out corn
2 production below 93 feet. You know,
3 you'll never get it in before -- the last
4 recommended planting date is about April
5 15th, April 20th in our area. So I just
6 don't believe there's any possible way you
7 can pump it out and have it dried up
8 enough to get in the field by then. So
9 please consider that, if you would. I
10 guess that's about all I have. Thank you.

11 MR. CONNOR: Thank you.

12 MR. NIMROD: Just a quick
13 clarification on that, if you don't mind,
14 Jacob.

15 What Charlie just suggested, there was
16 a possibility we'd be at 90 feet on
17 March 24th and all of a sudden you got to
18 cut -- pump it down to 90 feet. It's
19 going to take two weeks or whatever to get
20 down to that point.

21 Is your goal here to get the water
22 pumped down to 90 feet on March 25th and
23 then let it ride at 90 at that point? Is
24 that the goal, or what's the plan on that?

25 MR. BRISTER: No. So as of today, it

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1 would be pump on on March 25th.

2 MS. JENSEN: But that's why this
3 input and comments are helping --

4 MR. NIMROD: Definitely would like to
5 change that. Definitely. If you're
6 saying March 25th, we need that water at
7 least at 90 feet or 89.5, whatever you can
8 go to, we need it at that point on
9 March 25th as opposed to waiting for that
10 day and then pumping it down. So it will
11 take a lot (indiscernible) upon 300 feet
12 of water off. Thank you.

13 MS. JENSEN: Thanks for input.

14 MS. GETTLE: Can I ask a question?
15 What was that date you gave? It was
16 April 10th or April 15th?

17 MR. DARDEN: Usually the last
18 planting date for corn here recommended
19 for USDA practices is April 15th,
20 April 20th, depending on which end of the
21 Delta you're on.

22 MS. GETTLE: Okay. Thank you.

23 UNIDENTIFIED: But I will say this,
24 that April the 20th date is awful late.

25 MS. GETTLE: I just wanted to make

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1 sure.

2 (ALL TALKING AT ONCE.)

3 UNIDENTIFIED: Clay may add in here,
4 and anybody else that I don't recognize.
5 But we -- you know, we got to get the corn
6 planted to beat the heat down here. We're
7 not -- we're not -- we're not as lucky as
8 they are in Iowa.

9 You know, the reason we plant it that
10 date is to beat the heat, and corn just
11 does not handle heat very well at all.
12 Thank you.

13 MR. ADCOCK: Clay Adcock again, and
14 you don't have to listen to my spiel on
15 corn, but I was already going to comment
16 on the -- there's been some, obviously,
17 people that don't like the non-crop versus
18 crop dates. And I noticed up there -- I
19 didn't catch it the first time, but on
20 your program earlier, it said you're
21 trying to project cotton, corn, and
22 soybeans in this area.

23 Why not tie -- for a level of
24 consistency, why not tie those crops to
25 the USDA's RMA, Risk Management Agency's,

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1 dates that are already established? I'm
2 not quite sure what they are, but I know
3 to elect to have insurance or not have
4 insurance, on corn, because that's the
5 earlier crop, it's March the 15th. So a
6 farmer has to make that decision, am I
7 going to have corn, and, if so, by March
8 the 15th, I have to decide whether I'm
9 going to insure it or not.

10 And what -- I think to go a little bit
11 further on the last planting day, this is
12 a conjecture on my part, but that's
13 probably to avoid fraud. A person could
14 say, I'm just going to plant corn forever,
15 or whatever, based on maybe his insurance
16 coverage. There's a lot of things, moving
17 parts there. And so, that's the extreme
18 late date that RMA is willing to tolerate
19 it. So thank y'all again.

20 MS. JENSEN: That's helpful. Thank
21 you.

22 MR. CONNOR: Okay. I'm going to
23 start the last-call process here, because
24 we don't need to keep you any later than
25 you want to be kept, and we sure don't

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1 need to stare at each other, I guess.

2 So really appreciate the input. You
3 know, we appreciate the kind comments. As
4 I said earlier today, it's the least we
5 can do given all the issues you've been
6 dealing with for quite a while.

7 But I will acknowledge, once again,
8 we've had a lot of committed team members
9 here working really hard, because they
10 want to get to a solution here, a solution
11 that works for everybody and all the
12 values and interests at hand. So very
13 much appreciate their efforts, and once
14 again, thanks to our partners who bring a
15 lot of other expertise and value.

16 So I would say I'm about ready to
17 adjourn, and folks may be available for
18 some quick questions here. We don't want
19 to keep everybody till 8:00 if we don't
20 need to. But thank you very much for your
21 time, attention, and always valuable
22 input. And with that, we will adjourn.
23 Appreciate it.

24 MS. JENSEN: So we're here if you
25 have a couple of other questions. The

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1 other federal family is here if you have
2 questions on that. Feel free to mingle
3 for a little bit.

4 (MEETING CONCLUDED AT 7:30 P.M.)

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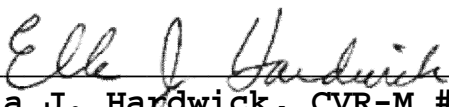
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1 CERTIFICATE OF COURT REPORTER

2 I, Ella J. Hardwick, CVR-M, #1749, Court
3 Reporter and Notary Public, in and for the State of
4 Mississippi, hereby certify that the foregoing
5 contains a true and correct transcript, to the best
6 of my ability, as taken by me in the aforementioned
7 matter at the time and place heretofore stated.

8 I further certify that under the authority
9 vested in me by the State of Mississippi that the
10 witness was placed under oath by me to truthfully
11 answer all questions in the matter. I further
12 certify that I am not in the employ of or related
13 to any counsel or party in this matter and have no
14 interest, monetary or otherwise, in the final
15 outcome of this matter.

16 Witness my signature and seal this the 22nd day
17 of May, 2023.

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19 
20 Ella J. Hardwick, CVR-M #1749
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