

STATEMENT PRESENT TO:

Mississippi River Commission
Vicksburg, MS
March 25, 2015

Good morning General Weir and other members of the Mississippi River Commission.

While I am happy to report that several MRL items of work both south of I-20 and near Vidalia are nearing completion except for turfing, we still have work to do. Last year the District completed the installation of all the relief wells and berm construction that was funded to repair the damage from the 2011 flood. I am anxious to see how these features will perform as we approach flood stage.

I, along with the citizens of Louisiana, am grateful for the additional funding made available from the funding pots. This will expedite the construction of Item 374-R, which is currently our most deficient item of work. Colonel Cross, we are hoping to furnish the necessary rights-of-way by May.

However, I am very concerned about 5 issues. The first three, this commission has very little influence over, but I want to state my case for the record. The first is the inadequate funding of the MRL construction and maintenance funding under the MR&T. At the current rate of funding, it will take decades to complete the raising and strengthening of our MRL levee in Louisiana. Louisiana will continue to be vulnerable. Maintenance funding has been reduced to the point that all the slides cannot be repaired and gravel is not being purchased. I discussed this issue with our LA delegation last week when I was in Washington, but for your information, there are spots on the levee where there is practically no gravel. Just this week the Levee District had to shut down a portion of Levee in Concordia Parish near Minorca Road because landowners, who use the levee to travel to and from their homes, were getting stuck.

The next two issues are the actions being proposed under the Waters of the United States and the Federal Flood Risk Management Standards Executive Orders. Neither of these proposed actions has been thought out, and nobody knows the impacts that it could have on my state. These actions need to be put on hold until we get more information on what is going on. I am sure we will discuss both at the Louisiana Association of Levee Boards meeting in May.

Now for the two issues you can help me with. The first is the 408 process. The Vicksburg District briefed my Board on the changes in February and to say my board was concerned was putting it mildly. We have worked closely with the District over the years through this process and I feel we have a strong levee system because of it. We have always used the District regulation about what can be permitted within 1,500 feet of the levee as our regulation. The regulation has served us well. We have actually been to court utilizing this regulation and have been successful. The policy also served us well as the flood of 2011 showed. We may have had to place 1 million sand bags, but the levees held. Now the Corps is telling me there is a new Engineering Circular that limits permitting of projects to within the levee ROW (toes). That you cannot regulate what a landowner does beyond either the riverside or landside toe of the levee. We did not have problems on the levee in 2011, but from the toes outward, that is the area we placed the 1 million sandbags in. If I cannot rely on your policy to regulate within the 1,500 feet, what activities will occur and how many sandbags will I need for the next big flood?

In addition, why is COL Cross going to issue a permit to Louisiana landowners that my Board has been appointed to represent. It is our levee and not the Corps of Engineers. The Levee Board should continue to issue the permits to the landowners after consultation with the Vicksburg District and Louisiana Department of Transportation and Development. As I understand, the new policy a landowner could come directly to the Corps and get his permit and the Levee Board would not be notified. I would hope this would not happen, and I do not think the District would do this. However, it takes both the District and the Levee Board watching the levee to make sure everything is properly permitted. But once the word gets out that the Corps/Levee Board has no authority to regulate what goes on beyond the toe, I fear what we will face during the next flood.

I have served as President of the Fifth Louisiana Levee Board for the past 20 years, and I think together we have made great strides in raising and strengthening the levee over this time, but this one action could make all that work null and void. Please do not let people who do not understand our levee to undermine our success in order to be politically correct. It is too late to file an injunction to stop some negligent work done by a landowner once we have floodwaters at our doorsteps. I must have the tools to protect the integrity of the levee at all times (year round). I mentioned this issue last week in Washington also.

The final issue I want to bring to your attention is the problem with groundwater. A week does not go by that I do not see some articles from Louisiana, Arkansas, or Mississippi about the depletion of the alluvial aquifer. We read weekly about the water rationing in California.

We must have water for agriculture and new water supplies need to be developed. Conservation will not replenish the aquifer. The U.S. Army Corps of Engineers is the only agency that can do this. We need the Corps to secure a role not only to plan but construct water supply projects in the Lower Valley.

Thank you for allowing me time to provide these comments.

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