MISSISSIPPI LEVEE BOARD

impact

NEWSLETTER

"Where People Come First"

Winter 2005 • Vol. 4, No. 2

Levee Board Attends Meetings in Washington, D.C.

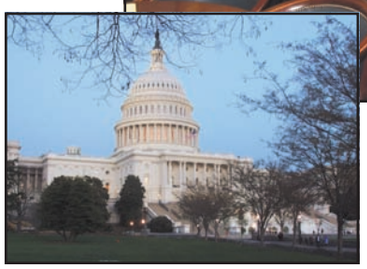
Annual meeting with the Mississippi Congressional Delegation seeks appropriations for flood control projects and provides ongoing project updates

The Mississippi Levee Board traveled to Washington, D. C. and met with the Mississippi Congressional Delegation during April 11-13, 2005. This annual trip provides the delegation with a status update of ongoing flood control projects in the Mississippi Delta, and it is an opportunity for the Levee Board to discuss funding requirements for U. S. Army Corps of Engineers projects in the Delta.

During the visits with the Congressional Delegation, Chief Engineer Peter Nimrod provided updates on the existing Mainline Mississippi River Levee Enlargement and Berms Project, the status of the Big Sunflower River Maintenance Project and the Yazoo Backwater Project. Funding requests for projects within the Mississippi Delta as well as objections to certain Office of Management and Budget appropriations language were also presented to the Delegation.

On Wednesday, April 13, the Mississippi Levee Board contingent attended the Mississippi River Congressional Caucus Hearing chaired by Rep. Kenny Hulshof (Missouri). Due to a rotating arrangement with the Yazoo-Mississippi Delta (YMD) Levee Board, Mr. Sykes Sturdivant, President of the YMD Board, presented testimony on behalf of both the Mississippi Levee Board and YMD. ■

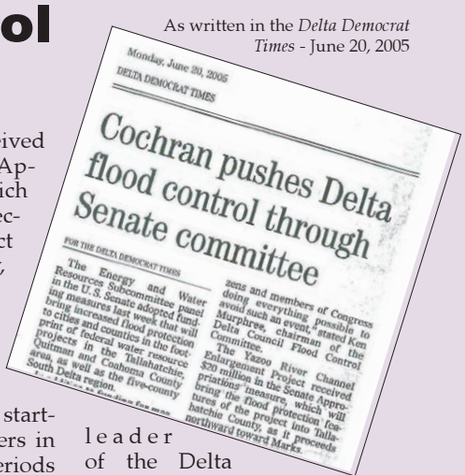
Mississippi Levee Board with Congressman Bennie Thompson



Mississippi Levee Board with Congressman Roger Wicker

Cochran Pushes Delta Flood Control Through Senate Committee

As written in the *Delta Democrat Times* - June 20, 2005



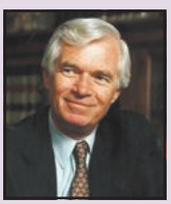
Monday, June 20, 2005
DELTA DEMOCRAT TIMES

Cochran pushes Delta flood control through Senate committee

FOR THE DELTA DEMOCRAT TIMES

The Energy and Water Resources Subcommittee panel in the U.S. Senate adopted funding measures last week that will bring increased flood protection to cities and counties in the footprint of federal water resource projects in the Tallahatchie, Quitman and Coahoma County area, as well as the five-county South Delta region.

In addition to funding for measures to reduce floods throughout the Delta and to maintain flood control reservoir operations on Arkabutla, Sardis, Enid and Grenada Lakes, behind the efforts of U. S. Sen. Thad Cochran, chairman of the Senate Appropriations Committee, funds were also dedicated toward a feasibility study and site location analysis for the establishment of an Environmental Education and Interpretative Center to be located in the South Delta.



Senator Thad Cochran

"Without the funding to meet such basic needs as raising the height of the Mississippi River levees, which this bill does, a 1927-type flood would overtop the levees somewhere between Greenville and Mayersville, and put five to seven feet of water in the Greenville Ramada Inn. \. . and while a flood of this magnitude is not a frequent event, the damages related to the potential of even small floods is something that requires responsible citizens and members of Congress doing everything possible to avoid such an event," stated Ken Murphree, chairman of the Delta Council Flood Control Committee.

The Yazoo River Channel Enlargement Project received $20 million in the Senate Appropriations measure, which will bring the flood protection features of the project into Tallahatchie County, as it proceeds northward toward Marks.

The Yazoo Backwater Project, which is the only remaining Delta Project that has not yet initiated start-up, will manage floodwaters in the South Delta during periods when the Mississippi River is at full stage, and therefore prevent the Mississippi Delta's rainfall from evacuating through the South Delta into the Yazoo River. The Yazoo Backwater Project received the amount requested to fully fund the final pre-construction phase.

Al Rankins, president of the Board of Supervisors for Washington County and longtime leader of the Delta Council Flood Control Committee, stated, "Senator Cochran has always been able to deliver for the Delta in matters that are unique to the Delta, and certainly we are grateful that he remains committed to probably one of the most fundamental hindrances which faces the Mississippi Delta year-in and year-out, and that is protection from floods." ■

Vicksburg District Stands Up Mississippi Response Office Overnight

US Army Corps of Engineers®

Vicksburg, Miss. – The lights were out in Vicksburg for days. The battle cry was "Can you hear me now!" Some employees were not yet accounted for. But the Vicksburg District with support from sister districts around the world was able to stand up a large district-sized response force on the Mississippi Coast in a matter of days to respond to Hurricane Katrina.

Many of the Corps responders traditionally work in the Mississippi Delta on Federal flood control projects and the headwater dams. Many of these people so important to the Delta have become heroes in the fight to help restore the Mississippi coastal counties.

BG Robert Crear and Dr. Sue Matheson cut the ribbon for the 12 temporary units delivered to the Pass Christian School District. They are joined by, left to right, Kurt Ruppe, quality assurance supervisor for temporary school structures, Col. Anthony Vesay, and Ramona Berry, principal. (USACE Photo by Greenwood's Lamar Jenkins)

Just hours before Katrina came calling, the emergency response team was tasking response teams of all types from different regions, and the Vicksburg District headquarters was helping the New Orleans District team to stand up a skilled engineering cadre that had retreated to Vicksburg to form its siege lines for the second Battle of New Orleans.

In the meantime, the revetment crew was moving its quarterboats and motor vessels south to serve as command centers that would surely be needed for the response in New Orleans.

Vicksburg personnel are supporting the recovery efforts of the Federal Emergency Management Agency and are operating in both Louisiana and Mississippi. Their missions include providing water, ice, emergency power and temporary roofing and housing, as well as removing debris and providing technical assistance.

About 180 personnel, including District Commander Col. Tony Vesay, are deployed to the Mississippi coast to open the Mississippi Valley Division-Forward and the Mississippi Recovery Field Office. Satellite Engineer Resident Offices have opened in Hancock, Harrison, Forrest and Jackson counties.

Specially-trained Corps disaster teams numbering over 600 from all over the country have arrived and continue to arrive in Vicksburg and will assist the district in accomplishing its long-term recovery mission.

The Army Corps of Engineers, in support of the Federal Emergency Management Agency, provides disaster response assistance to the nation, working in concert with 30 federal departments, as well as state and local governments.

Debris equals that of about five Hurricane Andrews. Mississippi Department of Environment Quality has published a total debris number for Mississippi of 50 million cubic yards.

Mississippi Delta and Vicksburg team members have had a hand in each one of these missions.

Rebuilding Local Government

Using temporary modular buildings, the Corps is restoring critical local Government services in 5 counties to 242 critical locations such as fire and police stations, government services, ports, state offices, and legal facilities. Four buildings have been installed and turned over to the communities and 70 are currently being set up.

Rebuilding Local Education

Using temporary modular buildings, the Corps is installing about 500 to restore education systems for 70 school systems and more importantly family stability and normalcy for our communities. Almost 200 school buildings have been delivered, and 20 have been turned over for classes to begin.

Clearing the Way for Restoration

Removing debris from roads and other public rights of way was vital for rescue and response. Removal of debris from private property is a cornerstone of getting the coast postured to rebuild. The Corps' debris mission is currently 24 million cubic yards, almost five times that of Hurricane Andrew.

This equates to 240 football fields piled 50 feet high. At current debris removal rates (using 200,000 cubic yards), the debris would fill 2 football fields per day. To date, about six million cubic yards have been hauled (60 football fields), or about 25% of mission estimates.

The Corps schedule calls for completion of debris removal in about 8 months and final disposal in about 18 months.

Stephen Hodapp, quality assurance team member from Engineer Research and Development Center in Vicksburg, inspects a load of debris from the contract team at a debris removal site in Jackson County, Miss. (USACE Photo by Shannon Bauer)

Restoring Vital Water and Waste Systems

Hurricane Katrina devastated water and waste water systems across the southern counties of Mississippi. Corps technical experts are providing technical assistance as requests are received from the state through FEMA. After assessing waste water in 46 systems, the Corps was requested to assist with restoring 18. All but 7 requests are complete, with efforts continuing on the others.

Powering Critical Facilities and Services

When key response, health, and communications facilities were without power, the Corps was tasked to assist and restore temporary power. Of 468 assessments, 468 have been completed. Thirty-six generators are currently installed to power critical services, mostly to power waste treatment facilities. These will be disconnected when commercial power is reestablished to these facilities.

Corps employee inspects installation of Blue Roof.

Providing Emergency Water and Ice

This mission is complete. A total of 5500 trucks of ice, water, and MREs supported the Mississippi response. If the trucks had been on Highway 49 to Gulfport at the same time, the truck line would have stretched for 107 miles.

Mississippi deliveries totaled 100 million pounds of ice, 38 million liters of water, and 8.1 million MREs.

Helping FEMA Provide Temporary Housing (JIC information)

Temporary housing is being handled using a national/regional approach through the FEMA Housing Group. USACE is providing technical and on-the-ground assistance to this mission as requested by FEMA.

FEMA's contractor's field reports indicated that 2,917 spaces have been leased; 9,508 units delivered; and 5,219 units occupied. Over 1,463 storm victims are housed on a cruise ship with a capacity of 1,600.

Getting Victims Back in Their Homes

FEMA's Operation Blue Roof allows victims back into their homes so that they can return to normal life, work and business. About 40,000 requests for Operation Blue Roof have been received. This program greatly reduces the need for more expensive temporary housing.

Almost 31,000 roofs have already been installed. More than 250 crews are now working. Estimates are that over 48,000 roofs will have been repaired when the mission is accomplished in the next 30-40 days. This mission will require 4-5 square miles of placed plastic roofing. ■

Preparing Your Land for Winter Waterfowl

by Trey Cooke and Gayden Pollan

Delta Wildlife

After all the crops are harvested, duck hunters, farmers, and landowners need to begin thinking about preparing their land for the winter migration. Many fall land treatments can be implemented to enhance waterfowl habitat and attract more ducks during the winter. Some treatments are subtle; others require a little more planning and work. Optimizing waterfowl habitat and food resources in crop fields can be achieved through various land treatment practices. All practices are based on the fact that ducks prefer to land and feed in open water rather than standing crop residue. After flooding, this residue becomes home for a rich diversity of invertebrates that waterfowl find extremely tasty. These invertebrates make up a large part of a duck's diet. If the residue is eliminated, so is the invertebrate population.

Rice Fields

There are two main options for optimizing habitat on rice fields harvested with standard combine headers. The first option includes one disking and a flood. The disk needs to be set deep enough to lay down all the stubble without covering it or the waste grain. Two trips may be acceptable in some cases. Drains should then be stopped up or boards put in the risers. This process puts the stubble in contact with the soil so it can rot after flooding. This reduces crop residues in the spring and provides ducks with open water. The second option is a little messy. After harvest, drains are stopped up or boards are put in the risers. The flooded field is then rolled with a "water buffalo." This process generates the same results as the first option but requires a little more effort.

Optimizing waterfowl habitat and food resources in rice fields harvested with stripper headers require a little more work. The stubble in stripper fields is much taller. . The only option for stripper fields is to roll the stubble while the field is dry and disk once in the same direction as the roller.

Burning rice stubble is a good option for residue management, but it is *not* recommended for fields where you are trying to attract ducks. Heavy disking and grooming will also reduce your chances of attracting and holding ducks this winter.

Soybean Fields

Maximizing habitat and food resources in soybean fields is as easy as 1-2-3: Harvest, Flood, and Hunt. Soybeans planted on flat ground with a drill are cut extremely low to the ground. This almost completely eliminates crop residues. What little residue that is left is not significant enough to deter ducks from the field. The ground is usually very smooth and packed well after harvest, making any tillage unnecessary. As a matter of fact, tillage after soybean harvest is not wise if your objective is to attract waterfowl. Under water, soybeans deteriorate very rapidly, and any additional contact with the soil speeds up this process. If wasted beans are touching a flat-packed surface, as found on most soybean fields after harvest, they will deteriorate much more slowly.

Soybeans planted on rows should be treated the same way: Harvest, Flood, and Hunt. Fall tillage and/or re-hipping will cover waste beans, speed up seed rot, and reduce your chances to attract ducks.

Managing Water

Water management does not always receive the attention it deserves. Many duck hunters use the "slough it and shoot it" attitude. But if strategic water management plans are implemented, the ability to attract and hold ducks is greatly improved.

For areas that do not have water control structures in place, water management options are limited. Drains must be stopped up completely with dirt, stakes, boards, riprap, or some other material. The elevation at the top of the dam should not be higher than the highest point in the field. An emergency spillway is also always needed. Flashfloods can blow out small dams. Spillways allow excess water to drain out without causing damage to the dam. Spillways should be built adjacent to the dam and should be slightly lower than the top of the dam. Rice levee gates can also be used in the dam or in a spillway. Dams and spillways should be constructed by November 1. If the site is flooded too early, the food resources may deteriorate before the ducks arrive.

Water can be managed much more easily on lands with water control structures. However, if structures are in place, they should be used to their fullest potential. A few boards should be put in immediately after harvest and any fall tillage that is applicable. Put in only enough boards to flood approximately one third of the field or wetland. These boards will catch late fall and early winter rains and will provide "early birds" with ample habitat and food resources. This will also help to saturate the soil and make it easier to flood the remainder of the field or wetland later.

During the first week of November, put a few more boards in the riser to reach a two-thirds flood. Hopefully, you will get enough rain before duck season to reach a two-thirds flood level. This flood level should be maintained through 50% of the duck season. Between November 15 and December 31, invertebrate populations will reach their highest levels in the first one third flooded. Ample waste grain will be available in the second third flooded. This way, you can provide all the food resources waterfowl require.

Around New Years Day, you will finish filling your riser with boards in order to reach a 100% flood level. By this time, all the food resources will be exhausted in the first one-third, and the grain resources will be limited in the second one-third due to feeding and rot. However, invertebrate populations will be thoroughly established in the second one-third, and fresh grain supplies will be available in the last one-third.

After hunting season closes, it is best to continue to hold water at the 100% flood level until March 1. This provides some food resources for waterfowl migrating north on their homeward journey. Additionally, it almost completely eliminates spring weed pressure and improves soil moisture for spring planting. This sequence of water management will provide ample food quantity and diversity for waterfowl from November 1 through March 1. ■

Board Meeting Recaps

April 2005

The Board of Mississippi Levee Commissioners took the following action at the April 4, 2005 meeting: received minutes of the Levee Maintenance Contract and Procedures Committee meeting; reviewed bids and awarded general liability, automobile and property insurance to Bill Andrews Agency; reviewed bids and awarded half-ton pick-up to England Motor Company, awarded three-quarter ton crew cab and three-quarter ton 4x4 crew cab to All Star Chevrolet Oldsmobile; received notice of the Mississippi River Commission annual high water inspection trip; reviewed property appraisal for Item 474L, received report from the Chief Engineer on the Big Sunflower River property owners meeting and on all ongoing projects in the Levee District; directed engineering staff to develop specifications for repairs to the hangar building at the former Corps fleet loading facility.

July 2005

The Board took the following action at the July 11, 2005 meeting: adopted 2005-2006 budget; set ad valorem tax rate of 2.19 mil (the same rate assessed for the last nine years); received auditor's report for year ending June 30, 2004; received Chief Engineer's Report on the levee, interior drainage and on all ongoing projects in the Levee District; authority was given to advertise for bids for helicopter application of herbicides; passed resolution honoring Richard Earl Stevenson on his retirement.

October 2005

The Board took the following action at the October 3, 2005 meeting: authority was given to advertise for workers compensation insurance; November 9, 2005 set as date for annual levee inspection trip; notified of upcoming National Waterways Conference October 31-November 2, 2005 in Little Rock, AR; annual Mississippi Valley Flood Control Association meeting December 8-10, 2005 in St. Louis, MO; received Chief Engineer report on Mississippi Water Resources Association meeting, Mississippi River Commission Low Water Inspection Tour and MVFCA Congressional Meeting; received report from the Chief Engineer on all ongoing projects in the Levee District; awarded bid for helicopter application of herbicides to B&S Air. ■

Retirement of Richard Earl Stevenson, Foreman

Richard "Earl" Stevenson was employed by the Board of Mississippi Levee Commissioners on May 1, 1972 and continuously served the Board for 33 years as an employee from May 1, 1972 through May 1, 2005, the date of his retirement. Earl Stevenson has faithfully and expeditiously carried out his duties for and on behalf of the Board and to the benefit of the Board and the inhabitants of the Mississippi Levee District.

The Mississippi Levee Commissioners, its officers, Chief Engineer and other members of the staff wish to express to Earl Stevenson their gratitude and recognition for his outstanding service in unfailing attendance and devotion to duty, all of which have benefited the Board, Commissioners, officers and employees through a period of his service of 33 years.

Richard "Earl" Stevenson

Patrick Bolls, Maintenance Superintendent, stated, "Earl could be counted on to go beyond the call of duty, a truly dedicated employee who will be missed." Peter Nimrod, Chief Engineer, said, "Earl was a great leader for our crew. His experience and expertise will be hard to replace." ■

Mississippi Levee Board with Earl Stevenson

Staff Profile

Judy Ross
Treasurer

Greenville native Judy Ross has served the Board of Mississippi Levee Commissioners for over 14 years. Judy began as the Secretary to the Board in 1991. Upon the retirement of Ms. Doris Leach in 1993, Judy assumed the Treasurer's position.

Ross states, "I have enjoyed my years of service with the Levee Board Commissioners and staff, and I look forward to many more."

She and her husband Ralph are residents of Leland, Mississippi. In her spare time Judy enjoys playing tennis. She is a lifetime member of the Leland Junior Auxiliary and of the Leland Deer Creek Garden Club.

They are the parents of daughter Kelly and the grandparents of Luke. ■

Judy Ross

2005 ANNUAL LEVEE INSPECTION

On November 9, 2005, the Mississippi Levee Board hosted its Annual Levee Inspection. This year's trip started at Fitler and proceeded upstream through the Levee enlargement jobs to Greenville. Lunch was served at the Deer Creek Town & Racquet Club in Leland.

OFFICERS & STAFF

Commissioners

Fred A. Ballard, Jr., President, Washington County
Kenneth Rodgers, Vice-President, Humphreys County
Johnny Robinson, Washington County
James W. House, Jr., Bolivar County
Nott Wheeler, Jr., Bolivar County
Roy Nichols, Issaquena County
Laurance Carter, Sharkey County

Staff

Peter Nimrod, Chief Engineer
Robert M. Thompson, Assistant Engineer
Charles S. Tindall, III, Attorney
Judy B. Ross, Treasurer
Ginger Morlino, Secretary
Patrick Bolls, Maintenance Superintendent
Rick Boyd, Engineering Technician

Item 488L - Dredging in Mississippi River Sand for Berm Material

Item 488L is an 8.8 mile levee enlargement project utilizing the Corps' innovative dredged berm design. This method of levee enlargement is one of the environmentally friendly "avoid and minimize" techniques used in areas of limited borrow material or to avoid removing trees. While retaining enough material to construct dikes and to cap the new berm, the existing berm material is removed and used to enlarge the levee. Landside dikes are then constructed and backfilled with dredged sand to construct the new berm. The sand is capped with soil and planted with Bermuda seed to complete the berm. The environmentally friendly dredged berm construction averages about $3 million per mile, which is 1.5 to 3 times more expensive than conventional levee construction methods.

Operating in one of three borrow areas designated in the Mississippi River by the U.S. Army Corps of Engineers the dredge George D. Williams pumps sand to the landside of the Mainline Mississippi River Levee on Item 488L levee enlargement job. The dredge is owned and operated by Weeks Marine, Inc., the prime contractor on Item 488L.

The George D. Williams is a hydraulic dredge with a 30-inch discharge pipe. The dredge has 9,200 total horsepower, 7,000 of which are devoted to the dredge pump. According to Rick Smith, Weeks Marine, the dredge can pump up to five miles with a 3,000 HP booster pump and operates in as much as 50 feet of water to accomplish its work. The dredge, for all of its horsepower, however, relies on other boats to move it up and down river and among the different borrow areas. Moving within the borrow area is accomplished by setting one of two spuds at the rear of the dredge and swinging left or right along an anchored cable then repeating the procedure to the opposite side thereby walking itself along the length of a particular cut. The swing, or width of the cut, is up to 300 feet.

The floating equipment involved in this type of marine construction includes a galley/quarter barge, supply barge, two lift barges and three boats all under the command of the dredge Captain. His responsibility is to get the sand fill material to the discharge end of the dredge pipe. The land based Survey Crew and Fill Crew are responsible for setting the discharge pipe at the proper location and elevation in the bermed fill area. ■

Corps Annual Levee Inspection

The Vicksburg District Corps of Engineers inspected the levee system maintained by the Mississippi Levee Board on October 17-18, 2005. The 212-mile levee system consists of 163 miles of Mainline Mississippi River Levee, 13 miles of Brunswick Extension Levee, 28 miles of Yazoo Backwater Levee, and the 8-mile Greenville Harbor Dike. Members of the inspection team included Corps of Engineers employees Pete Montalbano and Myron Fancher. Chief Engineer Peter Nimrod and Assistant Engineer Bobby Thompson were also in attendance. ■

Left to right: Myron Fancher, Pete Montalbano and Chief Engineer Peter Nimrod inspect Item 488L Levee Enlargement construction during the 2005 Annual Levee Inspection.

Levee and Berms Project Update

Item 474L - 3.4 Miles - Will Be Awarded This Fall

Item 477L - 5.1 Miles
97% Complete

Base Enlargement

Seeding Operations

Item 488L - 8.8 Miles
51% Complete

Base Enlargement

Borrow Area

Item 496L - 10.5 Miles
99% Complete

Topping out the levee

Loading dump trucks in borrow area

Item 502L - 7.6 Miles
100% Complete

Crew pouring benchmarks

Crew installing station markers

2005 Gravel Job

Each year the Corps of Engineers allocates funding for maintenance gravel for the various levee boards within the Vicksburg District. This year, $150,000 was allocated to the Mississippi Levee District. A gravel supply contract is awarded to a contractor who delivers the gravel to the levee where Mississippi Levee Board personnel and equipment spread the gravel on top of the levee. The gravel supply contract was awarded to Riverside Construction of Vicksburg, Mississippi. Limestone was placed on 3.84 miles of the Mainline Mississippi River Levee in Bolivar County. Three stretches were limestoned: Stations 526 to 560 near Hurricane Point, Stations 1107 to 1188 near Terrene Landing, and Stations 1696 to 1775 near Beulah, Mississippi. The placement began September 12 and finished September 28, 2005. ■

2005 Slide Repairs Complete

The Vicksburg District has completed repairing slides within the Mississippi Levee District. A total of 19 slides were repaired this summer. Two slides were repaired by mixing lime with the material to change the property of the soil and repacked into the levee structure. Seventeen slides were repaired by removing the material and repacking the soil into the levee structure. ■

Pushing material out.

Compacting material back into levee.

2005 Helicopter Application

In 1950, the Mississippi Legislature authorized the two Mississippi Delta levee boards to participate as local sponsors to Corps of Engineers projects within the Yazoo Basin. The Corps of Engineers began work on the Big Sunflower River & Tributaries Project in 1947. This project included channel improvements to over 700 miles of interior streams located within the Mississippi Delta. These streams provide the outlet for flood water in the Delta. The Mississippi Levee Board is responsible for minor maintenance for 350 miles of interior streams within the Mississippi Levee District.

To perform this much needed maintenance, the Mississippi Levee Board contracts with a helicopter applicator to spray approximately 60 miles of interior streams each year. A mixture of aquatic herbicides is sprayed on the underbrush and privet that is encroaching into the required clear width of the channel. This required clear width must be maintained to ensure the streams have adequate flood storage and passage capacity.

This year the Mississippi Levee Board treated 90 miles of its interior streams. T&M Aviation, subcontractor for B&S Air, sprayed on October 22-26, 2005. Streams treated this year included the upper half of the Bogue Phalia, Snake Creek, Huspuckena River, Clear Creek, Valewood Ditch, and the north half of Steele Bayou. ■

Helicopter applying aquatic chemicals to privet and underbrush.

Loading aquatic chemicals and water into helicopter.

2005 Great Bear Affair

Assistant Engineer Bobby Thompson (left) and Engineering Technician Rick Boyd (right) pose with Holt Collier and President Teddy Roosevelt impersonators during the Great Bear Affair on October 7, 2005 in Rolling Fork, Mississippi. Hundreds of 4th graders from around the Delta came to the festival. The Mississippi Levee Board had a poster board presentation to inform the children about Levee Board projects. ■

Whose road is that on the levee anyway?

by Charles S. Tindall, III

As written in the *Delta Democrat Times* - October 7, 2005

As residents of the Mississippi Delta, all of us are familiar with the Mainline Mississippi River Levee which stretches from Desoto County near Memphis all of the way south to Warren County near Vicksburg. Every year problems arise when people want to ride portions of this levee assuming they are public roads because they were built by the Levee Board or other public agencies. Factually, some small portions of the levee may be open to the public use, but generally that is not the case.

The Board of Mississippi Levee Commissioners (Mississippi Levee Board), which covers the counties of Bolivar, Washington, Issaquena, part of Humphreys, Sharkey and a portion of Warren County, in cooperation with the Corps of Engineers, constructed and maintains the levees from the Coahoma-Bolivar County line south. The rules which govern the Mississippi Levee Board's Levee are slightly different from the rules which govern the Yazoo-Mississippi Delta (YMD) Levee Board, which maintains the levees in Desoto, Tunica and Coahoma County. Those levees and the roadway are owned by the YMD Levee Board in fee so the YMD Levee Board has the right to completely control the levees and the roadway on top of it. This is based upon the statutes under which the YMD Levee Board was organized, which was passed by the Mississippi Legislature in 1884.

The rules are somewhat different as you enter Bolivar County and travel down to Warren County. The Board of Mississippi Levee Commissioners was established in 1865, and although it now has the power of eminent domain and can acquire lands in fee simple, that was not always the case. Until recent years the Levee Board could purchase lands in fee for levee purposes, but when the lands were condemned, it acquired only an easement. The easement was for levee purposes. The authorizing statutes do not authorize the Levee Board to grant the public use of the maintenance road on top of the levee from the north Bolivar County line to Warren County. The Levee Board is purely a Levee Board, not a Highway Department. Accordingly, the maintenance road on the top of the levee for most of its length is only a maintenance road which can only be used by authorized persons. Authorized persons include those persons whose access to their property may have been cut off by the construction of the levee and who still own lands on the other side or unprotected side of the levee. Those persons are authorized to use the maintenance road from the nearest ramp or public access road down the maintenance road to their property. This right does not extend to allow anyone to ride the length of the levee from one point to another just because they happen to own land on the other side. The Levee Board controls the use of the maintenance road further by prohibiting any three-wheelers or four-wheelers from any use of the roadway, no night time travel, and no slope riding.

Easements simply grant the holder of the easement, in this instance the Levee Board, the right for specific purposes which includes the levee and a maintenance road. The easements do not allow the public any rights even though the Levee Board is a public body. Underlying landowners, called reversionary landowners, who own the remainder interests under the levee have a right to prevent trespass on their land. This means that underlying landowners, including hunting clubs, can prevent the use of the maintenance road on the levee by unauthorized persons. Every year this issue comes up and every year someone expresses surprise that they are not allowed to ride the levee from one end to the other.

There are a few exceptions to the general rule and places where the public has acquired the right to ride on or over the levee. Where the public needs access to the other side, for instance, the Greenville Waterfront, or where the public has been granted the right for a state highway (Highway 465 down at the end of Issaquena and in Warren County), the public has the right to use that stretch except in times of high water emergency when the levee may be closed.

Land rules and rights for are always interesting legal issues and sometimes become the instance of disputes and litigation. Knowing the rules will keep you and yours from having these problems. ■

Charles S. Tindall, III, is a senior member of the Lake Tindall LLP law firm in Greenville. He was educated at Vanderbilt University with a BA in 1965 and a JD in 1968, practicing in Greenville since that time.

He has been the Levee Board Attorney for 25 years. He may be reached at ctindalliii@tindall.com.

Rolling Fork Farmer Wins Mississippi Farmer of the Year

Laurance Carter of Rolling Fork remembers the days when "you took chickens and such" to a grocery store in town to get bread, butter, and milk. "It was also in the days if you could even get a tire for your truck, you were lucky," he said. "It's not that we wanted to be thrifty. It was we had to be thrifty to make ends meet."

So after growing up on his family's modest farm, swapping out chickens, serving as a delivery boy, graduating from college and serving a tour of duty as a pilot in the U. S. Army in Korea, Carter came back home to the farm. "After leaving the Army, I returned home to the farm," he said. "Mother and Jimmy had worked hard to keep things going. Mother even supplemented our income by teaching veterans."

How things have changed on the Carter brothers' operation over the years! Today there's over 6,050 acres and an operation that has led to Carter being selected as the 2005 Mississippi winner of the Lancaster/Sunbelt Expo Southeastern Farmer of the Year.

Laurance Carter

Carter and seven other state finalists from Alabama, Florida, Georgia, North Carolina, South Carolina, Tennessee and Virginia will be honored during the Sunbelt Expo in Moultrie, Georgia in October. The 2005 Lancaster/Sunbelt Southeastern Farmer of the Year will be announced at a luncheon on October 18.

"After coming back to the farm, the operation included cotton, corn, a little dairy and hogs," said Carter. "We tried some vegetables and other alternatives, but found out nothing beat commodities like cotton and soybeans." In 1974, however, rice came on board in the operation, and a successful catfish operation has been in place since 1978. Today, the Carter Brothers farm covers 6,050 acres. Cotton and soybeans are still the two biggest items with cotton covering 1,880 acres and producing 1,226 pounds per acre. Soybeans are grown on 1,805 acres. Timber covers another 175 acres. The catfish operation has also grown over time, and there's 600 acres of water producing 2,984 pounds of catfish per acre.

"I would like to be remembered as someone who did his very best, was consistent in everything I've done and was good to my family," he added. "All I've ever done in life is be a pilot and farm."

Carter and his wife, Joyce, have two grown children. His son, Gip, is also involved in the day-to-day operation of the farm. ■

David Lush, *Delta Democrat Times*
Monday, September 26, 2005

Laurance Carter is the Mississippi Levee Board Commissioner for Sharkey County.

Thursday, September 15, 2005
Deer Creek Pilot

Farmer of the Year recalls "thrifty" days of farming

MOULTRIE, GA.—Laurance Carter of Rolling Fork, Miss., remembers the days when "you took chickens and such" to a grocery store in town to get bread, butter, and milk.

"It was also in the days if you could even get a tire for your truck, you were lucky," he said. "It's not that we wanted to be thrifty. It was we had to be thrifty to make ends meet."

So after growing up on his family's modest farm, swapping out chickens, serving as a delivery boy, graduating from college and serving a tour of duty as a pilot in the U. S. Army in Korea, Carter came back home to the farm. "After leaving the Army, I returned home to the farm," he said. "Mother and Jimmy had worked hard to keep things going. Mother even supplemented our income by teaching veterans."

How things have changed on the Carter brothers' operation over the years! Today there's over 6,050 acres and an operation that has led to Carter being selected as the 2005 Mississippi winner of the Lancaster/Sunbelt Expo Southeastern Farmer of the Year for

There is over 600 acres of catfish ponds on the farm of Laurance Carter of Rolling Fork, the 2005 Lancaster/Sunbelt Expo Southeastern Farmer of the Year for Mississippi.

Farmer of the Year Award for the past 16 years. He will also receive a jacket and a $500 gift certificate.

2,984 pounds of catfish per acre. We have done what we thought was right for us and at the

David Bell Named Construction Representative of the Year

Bell oversees Levee Enlargement Construction

David Bell, Construction Representative in the Lower Delta Project Office, was recently named Construction Representative of the Year for Vicksburg District. To our contractors, Bell seems ubiquitous in his assuring of quality on Mississippi River Levee projects. David was selected based on his demonstration of all of the Army values in the performance of his duties. Mr. Bell has been assigned a $27 million dollar levee enlargement project (Item 496L), which was the first of a kind in the Vicksburg District. Mr. Bell has provided Quality Assurance on that project for the last four years, which has included several large modifications. He has been the continuity on Item 496L through four changes of project engineers. Leo Phillips, Chief Construction Division, who presented the award to Bell, was quoted as saying, "I wish I had 50 just like him!"

"It is a relief to the residents of the Mississippi Delta that David Bell is overlooking construction of our vital Levee Enlargement & Berms Project," said Peter Nimrod, Chief Engineer for the Mississippi Levee Board. "David is very thorough and professional in making sure contractors build projects according to the plans as drawn by the Vicksburg District. We wish to commend David for his hard work and dedication," Nimrod added. ■

HISTORY

January 14, 1974

Col. Marvin W. Rees (Vicksburg District Engineer) presents the Mississippi Levee Board the 1973 Outstanding Maintenance of Flood Control Projects Award.

Left to right: Charles "Chick" Tindall, Jr. (Board attorney); Terrell M. Bearden (Humphreys Commissioner); James Hand, Jr. (Sharkey Commissioner); Col. Marvin W. Rees (Vicksburg District Engineer); LeRoy Percy (Washington Commissioner); L.T. Wade (Issaquena Commissioner); Newman Bolls (Chief Engineer); and E.M. Barry (Bolivar Commissioner).

Mississippi LEVEE BOARD
Where people come first.

Mississippi Levee Board
P.O. Box 637
Greenville, MS 38701
(662) 334-4813
(662) 378-9592 (fax)
www.msleveeboard.com