

# MISSISSIPPI LEVEE BOARD

# impact

NEWSLETTER

"Where People Come First"

Summer 2007 • Vol. 6, No. 1

## FEMA To Update FIRM Maps

### Proposed "Warning" and "Shaded Zone X" causing concern

The Federal Emergency Management Agency (FEMA) is in the process of a Map Modernization Program that will update the Flood Insurance Rate Maps (FIRM). A proposed new "Shaded Zone X" will be included. This is an area which is outside the 100-year Flood Zone but protected by levees. The entire delta is protected by the MR&T Levee!

As an aftermath of Hurricane Katrina, an attached "Warning" is proposed to be on the new FIRM stating the Levee could fail, and property owners are encouraged to purchase flood insurance!

Our opinion is that this warning will have a dramatic and costly effect on the residents, businesses and industries along the Lower Mississippi River. New businesses will be discouraged and frightened to build in a "flood zone," and people will be forced to pay for flood insurance. Our levee has not failed since the Corps built the current levee system in 1928! ■



**FEMA planting fear on levees**  
 Directive could mean more flood insurance

**Officials in Delta blast flood warning**  
 FEMA says levees could fail, but local leaders criticize wording

**GREENVILLE**  
 Flood warning causes tremor around Delta  
 Levee boards: FEMA advisory is scary



Chief Engineer Peter Nimrod gives testimony to the Mississippi River Commission regarding concerns about the new proposed FIRM Maps.

**Delta officials decry flood warning**  
 FEMA advisory urges insurance purchase

**New FEMA warnings create fear of levees**  
 Yazoo-Mississippi Delta Levee Board plans appeal in map modernization program



Col. Michael Wehr

## Meet Colonel Michael C. Wehr

### New Commander of the Vicksburg District

#### Wehr takes over for Col. Tony Vesay

Colonel Wehr is coming to the Vicksburg District following his assignment to the U. S. Army War College with duty as Military Fellow at the Massachusetts Institute of Technology.

Colonel Mike Wehr grew up in a military family, studied Civil Engineering, and was commissioned a second lieutenant through ROTC at Santa Clara University in 1985.

He served at Fort Bragg as a Lieutenant Colonel to command the 307th Engineer Battalion (Airborne) in OPERATION IRAQI FREEDOM. Tours overseas, including Saudi Arabia, and Iraq, as well as stateside posts have afforded Colonel Wehr unique

professional and joint opportunities.

He is grateful to have been awarded the Bronze Star with oak leaf cluster, Defense Meritorious Service Medal, the Meritorious Service Medal with oak leaf cluster, the Army Commendation Medal, the Army Achievement Medal with 3 oak leaf clusters, the Navy Achievement Medal, the Master Parachutist Badge, the Ranger Tab, and the Sapper tab. He also holds a Professional Engineer License in the Commonwealth of Virginia.

Colonel Wehr is married and blessed with two children. ■



US Army Corps of Engineers

## MISSISSIPPI LEVEE BOARD

# Board Meeting Recaps

### JANUARY, 2007

The Board of Mississippi Levee Commissioners held their regular board meeting on January 8, 2007. The Levee Board took the following action during its January meeting: Received and approved minutes of the Levee Maintenance Contract and Procedures Committee meeting; reviewed bids and awarded Workman's Compensation Insurance to Bill Andrews Insurance Agency; authorized advertisement of bids for Business Auto/ Public Officials & Employees/ Liability/ Contractors Equipment Insurance, chemicals, vehicles, and equipment; authorized a delegation to the MVFCA Congressional Meetings March 19 - 21 in Washington, D.C. to discuss FY 2008 Appropriations for the Corps projects in Mississippi; and received status reports on all the ongoing projects in the Mississippi Levee District and meetings attended. Lt. Col. William L. Burruss, Deputy District Engineer for the Vicksburg District of the U.S. Army Corps of Engineers, presented the Mississippi Levee Board the 2006 Certificate of Merit for the Operation and Maintenance of Flood Control Projects.

### APRIL, 2007

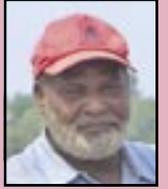
The Board of Mississippi Levee Commissioners took the following action at the April 2, 2007 meeting: Reviewed bids and awarded general liability, automobile and property insurance to Bill Andrews Insurance Agency, one-half ton pick-up truck to England Motor Company, two motor graders to Thompson Machinery; authorized advertisement of bids for helicopter application; concurred with permits issued to Janoush Landing for a riverside gate and storage building; and received status reports on all ongoing projects in the Mississippi Levee District and meetings attended.

### JULY 2007

The Board of Mississippi Levee Commissioners held their regular board meeting on July 9, 2007. Following a public hearing held to discuss a proposed Ad Valorem Tax Increase, the Board took the following action: adopted 2007-2008 budget; set ad valorem tax rate of 2.40

mil (the first tax increase in 11 years); concurred with permits issued to Djuana Matthews Beruk for a park along the Broadway Loop in Greenville, Archer Island Land Company for gate improvements along the Greenville Harbor Dike, and International Paper for access road improvements on the Brunswick Extension Levee; received Chief Engineer's Annual Report on the levee, interior drainage and on all ongoing projects in the Mississippi Levee District; accepted bid on helicopter application work by Helicopters Applicators from Grenada,

## In Memoriam: Eddie Brimage, Jr. 1961 - 2007



Eddie Brimage, Jr., Mississippi Levee Board equipment operator died suddenly on January 7, 2007. Eddie, 45, had been employed with the Levee Board 7 years at the time of his death. Eddie was born February 1, 1961 and was a native of Hollandale. He is survived by his long time companion Faye Johnson, two children, Eddie Brimage III and Derrick Mabell and one stepson, Rodgeric Johnson. ■

Mississippi; accepted bid for used 1981 JD 670A motor grader to Tommy Hendrix and used 1998 CAT 12H motor grader to Thompson Machinery. ■

## MISSISSIPPI LEVEE BOARD 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



Vicksburg District officials visit with the Mississippi Levee Board during the January Board Meeting.

## Staff Profile Ginger Morlino Board Secretary

Greenwood native Ginger Morlino has served the Board of Mississippi Levee Commissioners as Secretary since May 1, 1993. Ginger graduated from Greenwood High School and Mississippi Delta Community College. Prior to joining the Levee Board staff, she worked in banking in Greenville. Among many other duties, Ginger's responsibilities include keeping the official minutes for all board meetings, publishing the minutes and bid requests in the newspaper and keeping track of all levee maintenance contractors' performance bonds.

Ginger and her husband Mike



Ginger Morlino

are the parents of one son Greg, married to Misty. They are members of Saint Joseph Catholic Church and enjoy spending their spare time on Lake Ferguson. ■

# Item 477L Completed

## 5.1 Mile Item returned to Maintenance Contractors

The Corps of Engineers accepted Item 477L - Tallula-Magna Vista, Mississippi in January, 2007. This 5.1 mile conventional levee enlargement project in Issaquena County was started in August, 2002 and was constructed by ASA Enterprises. This is the second levee enlargement project that has been accepted by the Corps of Engineers and returned to the Mississippi Levee Board following re-evaluation of the project design flood after the 1973 highwater. We now have completed 12.7 miles of the original 69 miles of deficient levee within the Mississippi Levee District. The Levee Board engineering staff has completed re-setting the PI's on this stretch of levee and Levee Board crews cleared right-of-way for fence construction. Fence construction was completed this summer, and the pastures have been returned back to maintenance contractors. Our maintenance contractors will maintain the grass on the levee in return for an inexpensive pasture for cattle grazing or haying operations. ■



Setting PI's



Setting Wood Pull Posts for Fence



Crew Driving Fence T-posts

# Levee Enlargement Project Update

## Completed Items

Items 477L and 502L - 12.7 miles total

## Items Currently Under Construction

Item 496L - 10.5 miles - 99%

Item 488L - 8.8 miles - 93% ■



Disking Embankment Material



Excavating Borrow Material



Base Enlargement



Topping Out Levee



Final Grading

# Corps of Engineers Presents Award to the Mississippi Levee Board 48<sup>th</sup> Consecutive Award

The Board of Mississippi Levee Commissioners held their regularly scheduled meeting January 9, 2007, at which time the U.S. Army Corps of Engineers presented the Mississippi Levee Board the 2006 Certificate of Merit for the Operation and Maintenance of Flood Control Projects. The plaque reads that this is "in recognition of the superior management of resources in the operation and maintenance of your levee projects for the year 2006. Your Organization fully exemplifies the Corps values of Safety, Integrity and Respect by continuing to actively support the flood damage reduction mission and sustain the public's trust."

Lt. Colonel William L. Burruss, Deputy District Engineer of the Vicksburg District, commended the Board on achieving this distinction for 48 consecutive years. The Board of Mississippi Levee Commissioners was organized shortly after the Civil War in November, 1865. The Constitution of the State of Mississippi requires the Board to protect the Delta from flooding. The Board currently operates and maintains 163 miles of Mainline Mississippi River Levee, the 13-mile Brunswick Extension Levee, the 28-mile Yazoo Backwater Levee and the 8-mile Greenville Harbor Dike. The Board also has the maintenance responsibility for 350 miles of interior streams located throughout the Delta. ■



Lt. Col. William L. Burruss, Deputy District Engineer for the Vicksburg District of the U.S. Army Corps of Engineers, presents Fred Ballard, President of the Mississippi Levee Board, the 2006 Certificate of Merit for the Operation and Maintenance of Flood Control Projects.

# Steele Bayou Sedimentation Reduction Project

## Phase I Construction Complete, Phase II to begin this Fall

Channel improvements and enlargement work on Steele Bayou began in 1947 and was completed in 1979 for flood control benefits. Since completion, the Vicksburg District Corps of Engineers has identified over 100 headcuts along Steele Bayou. In order to stop these headcuts, the Corps will install a grade/water control structure (flash board riser pipe) at each of these locations. These structures will reduce the sediment load in Steele Bayou which will help both flood control and water quality. The Board contacted landowners to get their permission to allow access to survey the site, donate a temporary easement, and donate borrow material at each location.

Construction on Phase I of the Steele Bayou Sedimentation Reduction Project was started in late fall 2006 and is now complete. Work on Phase I consisted of the installation of grade/water control structures at eleven active headcut locations.

The Vicksburg District has completed survey and design of Phase II of this project, which will include fourteen sites. The Levee Board has acquired

temporary construction easements from these landowners. Construction on Phase II will begin this fall. The Board appreciates the Corps effort to alleviate the headcutting problem in Steele Bayou. ■



Corps Officials during Final Inspection of Phase I



Corps and Contractor discuss Issues during Construction

## Black Bear Critical Habitat Lawsuit Ruling

**USF&WS mandated to designate bear habitat**

**Landowners concerned how "Critical Habitat" will affect their property**

*Paul Davidson, Executive Director, Black Bear Conservation Committee*

On June 25, 2007, a judgment was issued that will force the U.S. Fish & Wildlife Service (FWS) to designate "critical habitat" for the federally listed Louisiana black bear. The Endangered Species Act (ESA) requires that once a species is listed as "endangered" or "threatened," the FWS shall determine the species' "critical habitat, with few exceptions.

A critical habitat designation requires that the FWS delineate an area where there will be no adverse modification of that habitat by Federal agency action. It is intended to provide a "closer look" at any projects within that area that are funded, permitted or carried out by Federal agencies.

All projects in bear habitat are already reviewed by the FWS under the ESA, Section 7 consultation process. The Black Bear Conservation Committee (BBCC) feels that a designation would largely duplicate those protections already in place and tax already limited resources that would be better spent "on the ground."

Those filing this suit be-

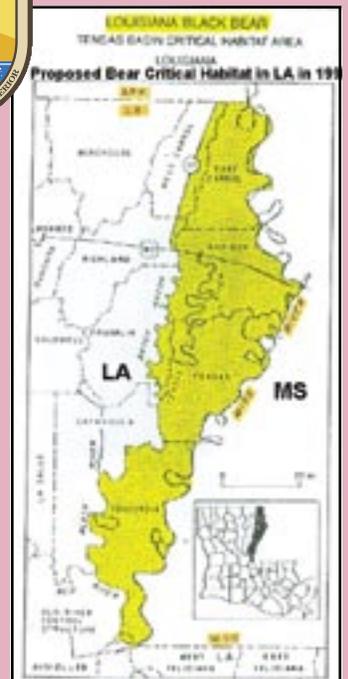
lieve that the designation will stop the construction of homes, the harvest of timber and the permitting of oil wells in the delineated area; the BBCC strongly disagrees.

Bears are adaptable generalists that use a mosaic of habitat types to meet their annual needs. This can include every stage of forest succession, from seedlings to old growth. It may also contain fallow farmland or planted agricultural fields. All these habitat types can provide food, cover or escape routes.

The recovery of the Louisiana black bear is going well and will likely continue to progress with or without the designation. It remains to be seen if there is a backlash from landowners who fear that this decision will mean that the government is going to regulate the normal management of their land. Since 90% of forested habitat in the region is privately owned, landowners are the key to bear restoration. It is important that bears not be perceived as a liability to landowners. Without landowner support, the Louisiana black bear will remain a species in peril. ■



Louisiana Black Bear and Cubs



Proposed Bear Critical Habitat in Louisiana in 1993

Reprinted from the Black Bear Conservation Committee, Quarterly Update: Summer 2007

# Federal Legislative Issues

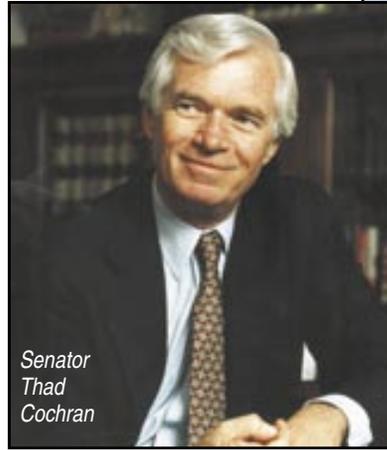
## FY 2008 Appropriations & WRDA

### FY 2008 APPROPRIATIONS

The House and Senate have both marked up the FY2008 Budget. The President's FY08 Budget designated \$260M for the Mississippi River & Tributaries Project (MR&T). The House marked this up to \$278M. The Senate marked the MR&T budget up to \$375M! The Mississippi Levee Board is extremely pleased with the Senate Committee appropriations. Senator Thad Cochran (Mississippi) is the ranking member of the Full Senate Appropriations Committee.

Included in the House Report is the same detrimental language that was included in the FY06 Conference Report that eliminated continuing contracts and placed restrictions on reprogramming authority. The elimination of the Continuing Contract Clause forces the Corps to have all the money in place before a project can be awarded. Corps has used continuing contracts since 1922. Reprogramming Authority Restrictions have severely hampered the ability of the Corps to move money around from projects that are behind schedule to projects that are ahead of schedule. These two actions have limited the Corps of Engineers' ability to wisely spend the money that Congress has appropriated.

The Senate Report did not contain this detrimental language. Hopefully, Congress will remove this House detrimental language from the FY2008 Conference Report and maintain the Senate's appropriation mark-up.



Senator  
Thad  
Cochran

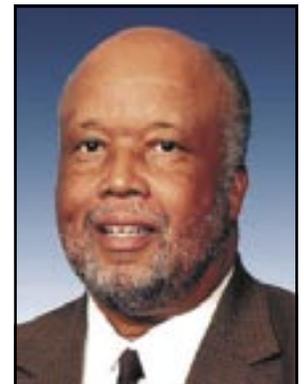
### WRDA 2007

The last Water Resources Development Act was passed in 2000. For seven years, Congress has been trying to pass a new WRDA Bill. The House passed a \$15B WRDA with independent review for projects costing over \$50M. The Senate passed a \$14B WRDA with independent review for projects costing over \$40M. The conference version of WRDA has passed the House but has not passed the Senate. This conference WRDA authorizes \$21B worth of new projects with independent review for projects costing over \$45M.

There are many vital flood control projects across the nation that need to be authorized by passage of a WRDA Bill. The Mississippi Levee Board supports passage of a WRDA Bill, but we must make sure it will not negatively affect our



Senator Trent Lott



Congressman Bennie Thompson

flood control projects and/or add additional layers of review for the Corps of Engineers that will further delay our projects. ■

## 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 March 19-21, 2007. This annual trip provides the delegation with a status update of ongoing flood control projects in the Mississippi Delta and is an opportunity for the Levee Board to discuss funding requirements for U. S. Army Corps of Engineers projects in the Mississippi Delta.

During the visits with the Congressional Delegation, Chief Engineer Peter Nimrod provided updates on the existing Mainline Mississippi River Levee Enlargement & Berms project, the status of the Big Sunflower River Maintenance Project, Steele Bayou Sedimentation Reduction Project, and

the Yazoo Backwater Project. Funding requests for projects within the Mississippi Delta as well as objections to restrictions placed on the U. S. Army Corps of Engineers reprogramming authority and the elimination of the Corps continuing contract clause were also presented to the Delegation.

On Wednesday, March 21, the Mississippi Levee Board contingent attended the Mississippi River Congressional Caucus Hearing with Rep. Kenny Hulshof (Missouri), Rep. Marion Berry (Arkansas), Rep. Leonard Boswell (Iowa) and Rep. Russ Carnahan (Missouri). Bishop David Cotton, Vice-President of the Yazoo-Mississippi Delta Levee Board, gave testimony for Mississippi. ■



# New "Vegetation Free Zone" Regulation

## 15' Clearance Required from Toe of Levee on both Riverside and Landside

Following Hurricane Katrina in 2005 and the failure of some of the hurricane protection levees in New Orleans, the U.S. Army Corps of Engineers is considering a policy of no encroachments within 15' of the riverside and landside toes of the levee. The Levee Board sent a letter requesting additional guidance on this clearing to Major General Don Riley (Director of Civil Works) on April 27, 2007. Gen. Riley sent a response letter back on July 23, 2007. This letter relaxed the 15' clear width requirement to 15' or to the current easement line on the landside and allows small diameter trees within

15' of riverside toe if the area is below the ordinary high water line. These riverside trees provide protection from scour and wave wash during a highwater event.

Initial work on providing the 15' clear width has begun in the northern portion of the Mississippi Levee District and will continue downstream until complete. This vegetation free zone will take years worth of hard work and additional financial resources to comply with this new regulation. Given ample time, the Board will work to get the required 15' clear width within it's existing right-of-way. ■



Trees on Slope of Berm



Crews Clearing Vegetation

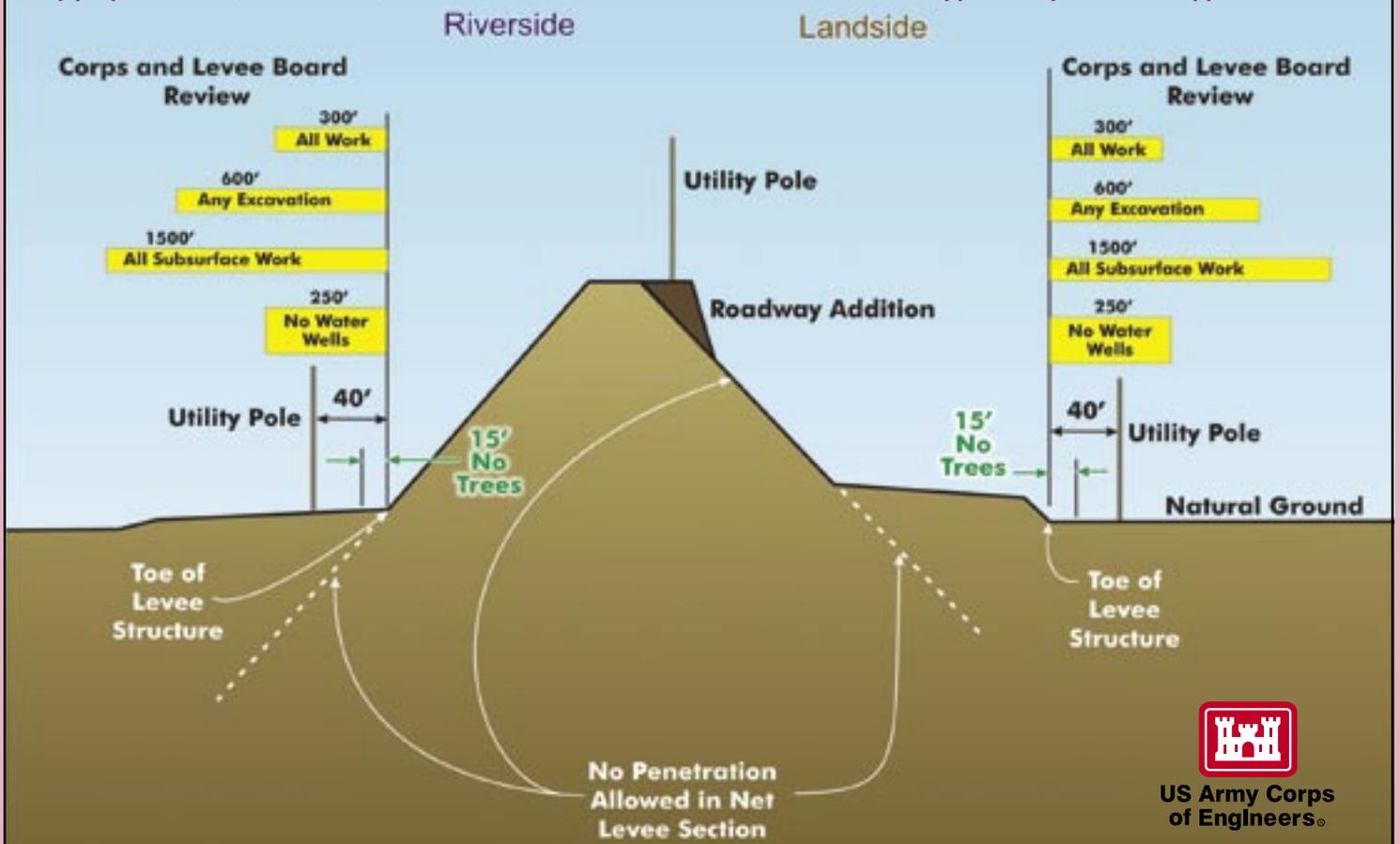


Clearing Results

## Work Within 1,500' of Levee

### Corps of Engineers Permitting Guidelines

Any proposed work, construction, or excavation near the Levee must be reviewed and approved by the Mississippi Levee Board.



US Army Corps of Engineers®



# Update on Water Hyacinth Control Measures in Steele Bayou

Delta Wildlife and Mississippi Levee Board working together

Water Hyacinth

by Dan Prevost  
Watershed Specialist, Delta F.A.R.M.

Joint efforts of the Mississippi Levee Board and Delta Wildlife/Delta F.A.R.M. are currently underway to address overabundant water hyacinth populations on Steele Bayou. Water hyacinth differs from other aquatic plants in several ways, resulting in its invasive and damaging behavior. Hyacinth is a free-floating aquatic plant, basically meaning it can grow anywhere regardless

of water depth because its roots do not need to attach to a substrate. It is capable of incredible growth rates; populations can double in size within 12 days, producing up to 400,000 pounds of biomass per acre. Hyacinth patches can completely block boat access and hinder or eliminate fishing and swimming. Although some aquatic plants are beneficial to fish as they provide brood and escape cover for bait and game fish, water hyacinth tends to dominate an area, depleting the water of dissolved oxygen, which can result in fish kills. Hyacinth also shades out desirable submersed aquatic plants and overtakes native emergent aquatic plants, resulting in lower quality habitat and reduced biodiversity.

Delta Wildlife/Delta F.A.R.M. is currently surveying Steele Bayou from the Yazoo Refuge to the outlet at the Yazoo River and recording every patch or plant of water hyacinth. This will allow us to calculate the amount of herbicide and time required for treatment. The Mississippi Levee Board has applied Hard-Ball® herbicide to the large hyacinth patch on the Highway 1 bridge at Hampton with very good results and has supplied Delta Wildlife/Delta F.A.R.M. with 20 additional gallons of

herbicide for the beginning phases of water hyacinth treatment. Some water hyacinth has been treated by Delta Wildlife/Delta F.A.R.M.; however, the bulk of treatment will take place after harvest to eliminate any chance of herbicide drift to adjacent crops.

The large patch above the Highway 1 bridge is a prime example of water hyacinth's invasive and damaging potential. The term "mat" may be a more appropriate description, as it ranges from three to six feet deep and weighs a minimum of 300,000 pounds. The mat is acting as a filter, trapping sediment and debris flowing downstream in Steele Bayou, basically forming a "floating island" and allowing other aquatic and terrestrial weeds to grow in the middle of the channel. Serving not only as a source population for downstream spread, the mat is a safety hazard to the Highway 1 bridge itself by multiplying the force of water flowing downstream, especially during high water events. ■



Levee Board Crew  
sprays off Hwy. 1 Bridge



Crew spraying off Hwy. 1 Bridge



Spray Results

## Steele Bayou to be Benchmark Stream

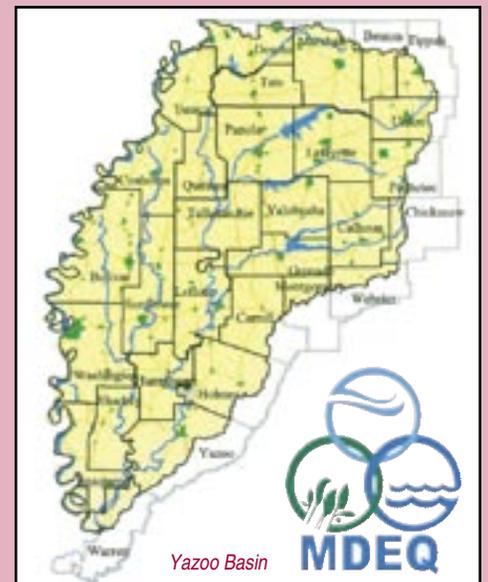
### Flood control projects have helped improve water quality

Trey Cooke, Executive Director, Delta Wildlife

Surface water quality in the Yazoo-Mississippi Delta has become the subject of great concern by the U.S. Environmental Protection Agency and subsequently the Mississippi Department of Environmental Quality. Because of this concern, great efforts have begun to improve surface water quality throughout the region. Unfortunately, there is no historic record as to what our water quality goals should be in this region. Certainly we can make analytical assumptions and goals, but there is no historic, natural benchmark.

Various agencies and local resource professionals believe that Steele Bayou may be the best candidate to become a model for water quality in the region. However, all existing environmental concerns had to be addressed first. Efforts quickly began as U.S. Army Corp of Engineers began addressing major head cuts in the stream. Delta F.A.R.M. formed a Watershed Implementation Team to develop a plan that identifies and addresses all other concerns. Funding to implement the plan has already been secured from EPA, MDEQ, and USGS.

Delta F.A.R.M. will be working with landowners and farm operators adjacent to Steele Bayou to identify win-win solutions to erosion and other landside concerns. Other groups and agencies will be working on issues such as noxious aquatic weeds, invasive fish species like silver carp, and increasing low flows for surface water irrigation. In the end, it is hopeful that the water quality of Steele Bayou will be so vastly improved it can become the benchmark by which future water quality improvement projects can be measured. ■



# Now & Then: New Levee Board Office/Shop Complex

The Mississippi Levee Board is headquartered in Greenville at 2283 Highway 82 West. Mills & Mills Architects of Greenville designed the office building and equipment shop. Construction commenced in 1997 by Blockett Construction Company of Detroit, Michigan, and the building was dedicated in December 1998. An equipment shed was added in 2002.

Chief Engineer Peter Nimrod states, "We are very proud of our location and our facility. The former domicile served for over 100 years as the Mississippi Levee Board headquarters and the Board would have had to spend a lot of money on it to remodel and modernize it. We appreciate the Board and our District citizens for providing this first-class complex for us."

Numerous artifacts of the Mississippi Levee Board's 142-year history are on display, and Nimrod invites the public to come view them. ■



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