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THE MISSISSIPPI RIVER DELTA



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April 16, 2021

Mississippi River Commission
P.O. Box 80,
Vicksburg, Mississippi, 39181-0080

Re: High Water Inspection Public Testimony

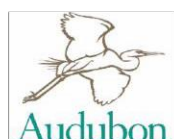
Dear Members of the Mississippi River Commission (MRC),

Our organizations are part of the Restore the Mississippi River Delta Campaign (MRD), a coalition composed of the National Audubon Society, the Coalition to Restore Coastal Louisiana, Environmental Defense Fund, the National Wildlife Federation, and the Pontchartrain Conservancy, representing thousands of Louisiana members and supporters. We work together to advocate for science-based restoration efforts in coastal Louisiana. The MRD is dedicated to large-scale, ecosystem restoration in the Mississippi River Delta. On behalf of our supporters, we thank you for providing the opportunity to submit written testimony in lieu of the public meeting for the MRC's high-water inspection. We also want to acknowledge and show our great appreciation for the Corps' continued efforts to fight against river floods and an unprecedented hurricane season.

The Mississippi River built and shaped so much of Louisiana – from the landscape itself to the major economies. The delta that the Mississippi River once built and maintained is in crisis, losing the equivalent of a football field of land every 100 minutes. This land loss not only diminishes the habitat available for the fish and wildlife of the region, but it also leaves our coastal communities more vulnerable to storm events. More than 15 years after Hurricane Katrina there's been significant investments and improvements made to the Hurricane Storm Damage Risk Reduction System (HSDRRS) that surrounds and protects New Orleans, as well as part of St. Bernard Parish, but the continued loss of the surrounding wetlands that helps buffer storm surge jeopardizes the long-term future of the HSDRRS. The continued loss of the wetland buffer also increases the vulnerability of the lowermost part of the river to storms. As you well know, maintaining consistent navigability of the Mississippi River is critical to the Nation.

The Mississippi River and Tributaries project (MR&T) is one of the most successful civil works projects in our nation's history, helping maintain a reliable navigation channel for commerce and protecting communities along the river from river floods. However, in recent years, events like the unprecedented 2019 and 2020 river floods have exposed weaknesses in the system. While the MR&T system performed as designed during these flood events, the navigation system as a whole is still failing. Pilots have experienced limited anchorage, waterway closures and draft limitations in recent years. In addition, there have been five river floods in the last ten years that have triggered the opening of the Bonnet Carré Spillway. While the spillway has performed as intended, reducing flood pressure on levees that protect Orleans, St. Charles, Jefferson, St. Bernard and Plaquemines Parishes, the increased frequency points to marked changes within the Mississippi River and its drainage system.

A 2019 report from the National Weather Service suggests that the frequency and magnitude of extreme precipitation events has increased over time, particularly in the Midwest, in the heart of the Mississippi River's drainage basin, and this trend is likely to continue into the future. In response to increasing trends in the frequency



and length of flood stage, it is critical that we move toward a holistic management of the Mississippi River to provide a reliable navigation route, protect communities, and build and sustain the ecologically and economically vital habitats, extending from the river's headwaters down to the Gulf of Mexico. When our nation called upon you after the 1927 flood, the MRC and the Corps' rose to the challenge and built the MR&T. We now face other daunting challenges, the threats of climate change and coastal land loss. We ask you to confront those challenges with the same kind of vision, creativity and energy.

Specific recommendations are:

Restore and preserve the river's natural floodplain

We must look for ways to reduce floodwaters by restoring the river floodplain where possible and preserving existing river floodplain connections. The river's floodplain can absorb water and nutrients, slowing the flow to the Mississippi River and its tributaries. This would help better manage river floods and would improve the overall health of the Mississippi River basin. In the first steps to helping achieve this, the Army Corps of Engineers can exercise their full authority to prevent development in the floodplain by denying permits and not offering federal concurrence. Additionally, the Corps should seriously consider establishing federal levee setbacks and buying out vulnerable properties in critical floodways.

Using river outlets for flood control and ecosystem restoration

The Mississippi River flood control system operates only a few outlets to manage excess floodwaters. In the past, the Bonnet Carré Spillway was only operated around every 7 years, but over the last 10 years that frequency has increased to every 2-3 years. Operation of this spillway sends riverine water directly into Lake Pontchartrain to Lake Borgne and beyond. In contrast to the spillway, sediment diversion projects along the Mississippi River can be used to restore and sustain wetlands in Louisiana and also serve as outlets for river floodwaters. By putting water and sediment into wetlands where it can provide the most benefit and also decrease the need or magnitude of flow diverted through the Bonnet Carré Spillway, these diversion projects provide an opportunity to move towards holistic river management. Examples of projects that may meet this purpose that are identified in Louisiana's 2017 Coastal Master Plan are diversions at Ama into the Barataria Basin, a diversion at Union into the Maurepas Swamp, and the River Reintroduction into the Maurepas Swamp project, located near Garyville, that is currently in engineering and design.

To test whether these river diversions could distribute floodwaters into degraded wetlands to provide ecological benefits and reduce the ecological impacts associated with the Spillway operation during the 2019 flood, scientists from our coalition and Tulane University designed a series of runs using the Army Corps' HEC-RAS model. Initial simulations using the Ama, at a location just north of the Spillway, and Union Diversions demonstrated substantial reduction in the Bonnet Carré spillway discharge. These results suggest that the 2019 Bonnet Carré spillway discharge volume could be reduced by over 40% with the operation of the Ama diversion and by over 50% with the operation of the Ama and Union diversions combined.

The Lower Mississippi River Comprehensive Study (LMRCS) authorized under Section 213 of the Water Resources Development Act of 2020, is the first opportunity since the Mississippi River and Tributaries system was designed in the mid-decades of the Twentieth Century for the Corps and the public to take a new look at the management of the lower river, to fully incorporate ecosystem management with navigation and flood control, to update the scientific basis upon which the current system was designed, and to redesign the system to meet the challenges of the future. We urge full Federal funding since there are multiple districts and states involved. The Corps is currently nearing completion of the previously authorized Old, Mississippi, Atchafalaya and Red Rivers (OMARR) Technical Assessment, which will provide timely information to inform the LMR Comprehensive Study, and is awaiting Technical Guidance for the LMRCS from the Administration. Completion of this study is vital to the people, economy and ecosystem health of seven states, and to the long-term sustainability of Louisiana's coast. **Timely funding in FY22 is essential to avoid delays in implementing the anticipated results of the study, which are expected to catalyze significant river management improvements with huge implications for community protection and ecological restoration, including opportunities for inclusion into the Civil Works program of diversions proposed**

in the Louisiana Coastal Master plan.

Mitigation at a scale that really counts

It is critical, where possible, that the Corps take advantage of opportunities to achieve efficiencies between restoration and levee projects. Last year, the draft environmental assessment for the West Shore Lake Pontchartrain Levee (WSLP) was released. The proposal suggested using fragmented mitigation via mitigation banks and failed to even consider construction of the Louisiana's Coastal Protection and Restoration Authority's (CPRA) River Reintroduction into the Maurepas Swamp Project. The diversion is projected to benefit more than 45,000 acres of bottomland hardwood and swamp habitat in the Pontchartrain basin. Due to the location and overlap with the WSLP, the diversion is being built in close coordination with the Corps to achieve efficiencies, including coordinating on land rights and access issues. These two projects will produce greater efficiencies together than either could produce alone. Additionally, land maintained by the Maurepas Diversion will provide protection for the WSLP which will decrease maintenance needs on the levee system over time. We believe this is not only the best, but the only viable option for mitigating WSLP construction impacts.

Many years in the making, the Maurepas project is now being advanced for construction by CPRA with money from the RESTORE Council, but is delayed while awaiting the Corps' decision. **We strongly urge the Maurepas Diversion be prioritized as mitigation for WSLP and a decision to move forward be made as soon as possible so the project can receive the needed permits and progress to construction.**

Maximize beneficial use of dredged material

In 2018, the final report was released for the Integrated General Reevaluation Report & Supplement III to the Final Environmental Impact Statement, Mississippi River Ship Channel, Baton Rouge to the Gulf, Louisiana Project. This project would deepen the Mississippi River channel from 45 feet to 50 feet from the Gulf of Mexico through the Port of Baton Rouge. To reach this depth, 21 million cubic yards of sediment will need to be dredged from the lower river. **We urge the Corps to coordinate with CPRA to use suitable material to restore marsh and ridge projects outlined in the 2017 Coastal Master Plan.**

Managing for the river of the future

Management of the Mississippi River has never been an easy task. Frequent river floods and the lack of federal standards allowed repeated disasters. The Jadwin plan, formulated in 1928, helped break the cycle of reacting to the latest disaster, instead implementing a flood protection and navigation system that could manage for the probable, but yet unrealized next major flood.

It's been over 90 years since that plan was formulated and things have changed. As we look to the future, we need to consider how the river should be managed and controlled under changing conditions. As we look to the next 25 to 50 years, there is high uncertainty about the sustainability of the lowermost sections of the MR&T system and the Bird's Foot Delta, given relative sea level rise.

Innovative and bold ideas, like those once characterized the Corps' river planning back in 1928, look at the long term and use the best projections that models can provide. Ideas proposed in the Changing Course competition demonstrated how revolutionizing the management of the Lower Mississippi River could lead to a more sustainable and economically viable future for the river and the nation. **Thus, it is critical that the MRC not just look to the last flood, but look forward to how to manage the Mississippi River of the future.**

Payment of the Hurricane Storm Damage Risk Reduction System (HSDRRS)

In the years following Hurricane Katrina, the Corps built the \$14.5 Billion HSDRRS system, intended to provide integrated storm risk reduction to the Greater New Orleans area. The state of Louisiana signed Deferred Payment Agreements (DPAs) in 2009 that called for the state to pay its principal amount owed --\$1.1 Billion—plus interest over a 30-year payback period. The total amount owed was roughly \$3 Billion by 2019. The state of Louisiana and members of its congressional delegation secured language in WRDA 2020 that allows for the state to pay only the principal balance on the project owed by the state in three increments over three years, with the final

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payment due in 2023. The WRDA language also allows the Corps of Engineers to credit costs incurred by the state for work conducted, including in-kind, that contributed to the project's performance. **We urge the MRC to encourage the Corps to agree to move forward with the modified payback scheme, and to work with the state of Louisiana to find projects that meet the criteria for cost share credit that can go toward further reducing the state's out-of-pocket debt for the HSDRRS.**

Thank you again for this opportunity to provide public comment. We believe the Mississippi River continues to be one of the most central natural resources in the United States and it is possible to balance the flood protection, navigation and ecological restoration aspects of the river to create a more resilient future.

Sincerely,

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Kim Reyher,
Executive Director
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