WASHINGTON – U.S. Rep. Jo Ann Emerson (MO-08) today sent public comments to the U.S. Army Corps of Engineers concerning the plans to rebuild the Birds Point – New Madrid Floodway Levee.

"The Corps needs to hear the voices of the people who rely on this levee structure to protect them and to protect their livelihoods. My comments reflect a lot of listening to those individuals on my part, and I hope the Corps heeds our desire to have a fully-functioning levee in place before the spring floods of 2012. In order to make that happen, we need to find the most robust solution and start on construction right away," Emerson said.

The full text of Emerson's comments follows:

ATTN: Mark SmithEnvironmental Compliance BranchU.S. ARMY CORPS OF ENGINEERS167 North Main Street, Room B-202
Memphis, Tennessee 38103-1894

RE: Birds Point – New Madrid Floodway Levee Repair

To whom it may concern:

Thank you for the opportunity to provide comments regarding the alternatives proposed for the Birds Point – New Madrid (BPNM) Floodway Levee. It has not been easy to get to this point, but the BPNM Levee restoration is of critical importance for my constituents in Mississippi County and the region. In the weeks leading up to the activation of the BPNM Floodway and the months that have followed, I have worked closely with local government, local drainage districts and individual communities. Having seen firsthand the destruction the BPNM Floodway's activation has caused to productive farmland and witnessed the hardships endured by those families, I strongly believe that the only alternative available to the U.S. Army Corps of Engineers (USACE) is to restore the BPNM Levee to the condition and elevation that existed prior to operation of the floodway.

NO ACTION ALTERNATIVE IS UNACCEPTABLE

I appreciate the USACE's determination that the No Action Alternative is unacceptable. Witnessing the activation of the BPNM Floodway was heartbreaking. The resulting destruction from the activation of the floodway encompassed more than 100 homes, ten historic churches, a state park and some 134,000 acres of productive farmland which are vital to the local and state economy. Also positioned in the floodway was the historic African American community of Pinhook, Missouri, which was founded more than 200 years ago. That community is, for all intents and purposes, gone.

Much of the farmland, too, has suffered the effects of flooding. While some fields are covered with five or six feet of sand deposits, others have been scoured clean by floodwaters. It is a small miracle that, after the total loss of corn and wheat crops, about 75 percent of the soybean crop has been planted in the floodway.

Even this small attempt to get back to normal is marked by incredible bravery on the part of the farm families in our region. They have no insurance for the crop they've just paid to put in the ground, and they have no guarantees against high waters in the future which could wipe them out completely, once more. Life and livelihoods in Mississippi and New Madrid counties hangs in the balance; no action by the USACE is unacceptable.

FULL FUNCTIONALITY IS A NECESSITY

I appreciate the USACE's stated goal of returning the levee to its "full level of functionality." Full functionality requires restoration of the levee to the pre-operation elevation of 62.5 feet. If you believe the activation of the floodway saved your home in 2011, you sure ought to support the full and complete restoration of the levees at Birds Point in case such a flood should ever befall us again. I can see no logic in a Corps of Engineers policy that deems the utilization of the floodway necessary to avert terrible disaster in one year, and deems the floodway unnecessary for river management in the next year.

Full functionality, however, also requires that the USACE restore the levee in a manner that ensures adequate flood protection when activation is not required. The rebuilding of the BPNM Levee with sand is unacceptable. Evidence exists from past floods that clay capped levees are more likely to fail. A levee is only as good as its weakest point. While the "fusepoints" may be designed to overtop or be activated according to the current operation plan, the clay cap

proposal would weaken the entire structures ability to protect the Floodway at any flood stage.

A sand core levee would experience increased saturation during periods of sustained flooding. Saturated levees are inherently less stable and more likely to fail. Saturation may occur during sustained flooding well below a flood stage necessary to trigger activation of the BPNM Floodway, resulting in less protection for the residents and businesses in the area.

The repairs being made to this levee must be able to provide protection to the BPNM Floodway until the next required activation – which the USACE estimates to be a once-in-80-year occurrence. Over the next 80 years this clay cap must withstand frequent flooding above 51 feet, along with the annual wear and tear of nature. Damage to the clay cap and saturation of the sand core are increased risks that my constituents did not face prior to the May 2011 activation. Simply put, a sand levee capped with clay simply does not meet the measure of restoring full functionality to the BPNM Frontline Levee.

GATED STRUCTURES NOT APPROPRIATE

Alternative 2.3 proposes the installation of vertical lift gate structures to be constructed for the inflow and outflow locations. The total cost of this alternative is estimated to be $449,483,000. While this significant investment could allow for easier activation of the BPNM Floodway, it would not change the conditions required for activation. The USACE, under the current operation plan, anticipates the average frequency of operation for BPN Floodway to be once in eighty years. The significant increase in the initial cost and the infrequency of anticipated further activations should disqualify this alternative as a bad bargain for the taxpayer.

COOPERATION WITH LOCAL COMMUNITY

One way to expedite the reconstruction of the levees is through cooperation with local levee boards. No organizations know the floodway better than they do, and I can recommend no group which has a stronger interest in the timely replacement of quality-built flood-protection structures. They have good ideas on how to speed up the process, and there seems to be a shortage of those these days.

The most frustrating absence for homeowners, farmers, landowners, local businesses, local government and for me has been the lack of a commitment to fully and immediately rebuild the Birds Point levee. Much is being made of studies to substantiate the project (and I appreciate the fact that the Birds Point levee is but one small part of the much larger MR&T System), but this levee is a vital part of the system and the only one, so far as I can tell, which was blown up on purpose by the Corps of Engineers.

CONCLUSION

The tradition of life along the river is foreign to activists who reject modern methods of flood control, interstate and international commerce, and family farming. But it is a great and proud tradition we have here in Missouri. The people who work this land brave the elements, they bear incredible risk and they work their hearts out every day to make a living on the land within the floodway. The only constant they know in this work is 62.5 feet of protection against a cataclysmic flood. Let us not deprive them even of that.

Sincerely,

JO ANN EMERSON

Member of Congress