

U.S. SENATOR CINDY HYDE-SMITH (R-Miss.)

Floor Speech

**Ongoing Yazoo Backwater Flooding
July 31, 2019**

Mr. President, in my maiden Senate floor speech on May 9th, I spoke on behalf of thousands of Mississippians suffering from consecutive months of catastrophic flooding in the South Mississippi Delta.

Today, I rise again to speak on behalf of the thousands of Mississippians, whom are still suffering from catastrophic flooding, which started in January and continues to disrupt the lives of residents in the Mississippi Delta and my state overall.

Floodwaters must recede before damages can be fully assessed, but we already know that more than 600 households have suffered severe damage, nearly 400 families have been displaced since February, and agricultural losses will likely exceed \$800 million. Much of the necessary infrastructure, including roads, bridges and drainage culverts, are beyond repair.

In June, LaTamela Taylor – 13 weeks pregnant – and Darron Wilson died when their car lost control and sank into the floodwaters. Mr. President, something must be done.

My colleagues might ask, “How could an area more than 11 times the size of Washington, D.C., remain under water for nearly 7 months? How could floodwaters swamp more than half a million acres of homes, businesses, highways, forest and farmland spanning six Mississippi counties for so long?”

The answer is quite simple. Similar to New Orleans, a complex system of levees and floodgates constructed by the U.S. Army Corps of Engineers protects the roughly 1,446-square-mile Yazoo Backwater Area in west-central Mississippi. This levee system protects the areas when the Mississippi River is high and the floodgates are closed.

However, these same protections become the problem when the river is high, floodgates are closed, and excess rainfall occurs. The interior creeks and rivers have no way to drain, and the result is a bathtub-like effect. Unlike New Orleans and numerous federal flood control projects up and down the Mississippi River, there is no mechanism to remove the trapped water from the Yazoo Backwater Area. Aside from evaporation, pumping is the only viable option for removing vast amounts of water that has no place to go.

This year the Mississippi River remained above flood stage longer than any time in recorded history. The floodgates to prevent the Mississippi River from backing up into the Yazoo Backwater Area were closed in January. Above-average rainfall occurred in the months thereafter, and here we are today with a disaster on our hands.

For nearly seven months more than half a million acres of land (860 square-mile-area) has been under water. Little attention outside of Mississippi has been paid to the lives lost, the destroyed homes, or displaced families.

Roughly, 225,000 acres of agricultural crops have been destroyed or will go unplanted this year. Hundreds of thousands of acres of timberland ruined. Whitetail deer, black bear, turkey and other wildlife are starving to death and spreading disease. Wetlands have become lakes. Stagnant, contaminated water continues to threaten human and environmental health. The list goes on.

Paul Hartfield, an endangered species biologist with the U.S. Fish and Wildlife Service said, “This is biblical proportion. Nothing like this has ever been seen.” While he is correct in that the current situation in the south Mississippi Delta is a complete disaster—the worst backwater flood since 1973—devastating flooding in the area has become almost an annual occurrence.

This year marks the tenth time the Yazoo Backwater Area has flooded since 2008, each time causing hundreds of millions of dollars in damages. The area residents cannot sustain this, and they certainly do not deserve this.

According to U.S. Census data, roughly 35 percent of the residents of the six-county area live in poverty. The median household income is \$31,187 per year, below the national average. This perpetual flooding plagues agriculture production, which has damaged the primary economic mainstay in this region and increased unemployment. I fear what the 2020 census will reveal.

In a 1982 Environmental Impact Statement, the U.S. Army Corps of Engineers stated: “Flooding in the Yazoo Area is historic and will continue as long as pumps are not constructed to complete the flood control system for the area. The flooding will continue to damage crops, homes, roads, and other improvements in the project area.”

In a 2007 Supplemental Environmental Impact Statement, the Corps stated: “The no-action alternative would not eliminate any of the flood damages the area has historically experienced. Existing Yazoo Backwater flood duration and frequency would continue to adversely affect residential and nonresidential structures. Flooding would also have adverse impacts on the standard of living for residents, interrupting daily practices and travel to work, school, and church.”

Mr. President, the Corps of Engineers was accurate in its predictions. Mississippians are living these predictions out in real life, and they have for years. It is time for the people of Mississippi to receive the level of flood protection promised to them by the federal government in 1941. It is time for the Corps of Engineers to complete the last remaining unconstructed feature of a 77-year flood control effort – the Yazoo Backwater Pumps.

Mr. President, the people of Mississippi are beyond ready to see this crisis resolved. They are, frankly, extremely frustrated with the federal government. More than 17,000 people have signed a petition to remove an Environmental Protection Agency 2008 regulatory veto preventing construction of the pumps. Mississippi Governor Phil Bryant, the Mississippi Department

Wildlife, Fisheries and Parks, the Mississippi Department of Agriculture and Commerce, and many other state leaders and organizations have been overwhelming in support and advocacy for the pumps.

I am grateful for this Administration's responsiveness to Mississippi's perpetual flood problems and needs, and I will continue to work with the Administration, relevant federal agencies and departments to help see this through.

As I continue working to provide greater predictability and regulatory certainty for Mississippians and the American public, I am committed in my capacity as a United States Senator to proposing common-sense reforms to the laws governing the regulation of our nation's waters and permitting process.

For this reason, I, along with the Senior Senator from Mississippi, have introduced the Flood Reduction, Wildlife Habitat, and Water Quality Improvement Act of 2019. This legislation seeks to make common-sense reforms to section 404 of the Clean Water Act.

Our bill mirrors the directives outlined in Executive Order 13807 issued by President Donald Trump on August 24, 2017, and would establish greater discipline and accountability in the environmental review and permitting process for infrastructure projects.

More specific, it would prohibit EPA from vetoing a Corps of Engineers flood control project specifically authorized by Congress. That is a basic constitutional principle of separation of powers. Further, upon enactment it would immediately nullify any prior veto determinations made by EPA if said action has resulted in severe flooding and damage to life and property.

In closing, the arguments I have heard in opposition to this project are not valid. Pumps will save lives, property, local infrastructure, wildlife and the environment. As we are here going about our daily lives and enjoying the comfort of the home we will return to today after work, these Mississippians are just trying to get through the next 30 minutes to keep their sanity and emotions intact. The real-life experiences Mississippians have endured over time tell the true story.

Mr. President, it is time for the Federal government to make good on its promises. It is time to construct the pumps.

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