

Statement of Tracy Harden
Senate Environment and Public Works Committee
Subcommittee on Chemical Safety, Waste Management,
Environmental Justice and Regulatory Oversight
July 22, 2021

Chairman Merkley, Ranking Member Wicker, thank you for the opportunity to testify at today's hearing Examining Current Issues Adversely Affecting Environmental Justice Populations.

My name is Tracy Harden, and I live in Rolling Fork, Mississippi, where I own and operate Chuck's Dairy Bar. Today's hearing is very timely and a needed examination of the long-standing environmental injustice occurring in the Mississippi Delta.

Federal agencies are required to identify and address disproportionately high adverse human health or environmental effects of Federal actions to minority and/or low-income populations. In my testimony today, I would like to provide the committee a real-life example of how Federal actions (or inaction) have disproportionately affected minority and low-income populations.

The South Mississippi Delta, made up of Humphreys, Issaquena, Sharkey, Warren, Washington, and Yazoo Counties, is one of the poorest areas of the nation—27% of those in the South Delta live below the poverty line, and more than 62% of residents are minorities, and only 18% went to college. Floods – or preparation for floods – were a constant fixture of my childhood. Every spring, we would pack all our most treasured possessions and what we needed to survive and put them out of the water's reach and be ready to leave at a moment's notice.

My mother was a school bus driver. When the water would rise, she would have to drive her bus route on the river levee and hours out of the way to simply get kids to school. But the South Delta flooding that marked my childhood has been a periodic occurrence much longer than that.

One of the earliest documented floods was the flood of 1927. According to the Mississippi Department of Archives and Historyⁱ, heavy rains that occurred in the Mid-West in the fall of 1926 caused the Mississippi River to overflow across 11 states from Illinois to Louisiana. In the Spring of 1927, additional heavy rains across the Yazoo-Mississippi Delta in northwest Mississippi made a bad situation worse.

Levees that had been built along the Mississippi gave way, and the city of Greenville and other towns across the Mississippi Delta were flooded. Then-Secretary of Commerce Herbert Hoover called it "the greatest disaster of peace times in our history." In the end, 246 people lost their lives, 700,000 people were displaced from their homes and 23,000 square miles were flooded.

That flood led to the passage of the Flood Control Act of 1928 by which the federal government assumed responsibility for managing the Mississippi River System, which included the construction of levees, floodways, cutoffs and channel improvements and 22 other pumping plants within 200 miles of us. Subsequent legislation in 1936 expanded the federal responsibility to the sub-basins within the Mississippi River Valley, including the Yazoo Basin of Mississippi. In 1941, Congress approved raising the height of the Mississippi River levee on its west bank, which would inevitably result in more water backing up the Yazoo River – a main tributary – on the east (Mississippi) side of the river. Described as a compromise, Congress also specifically authorized the Yazoo Backwater Project which was designed and

intended to address flooding which occurs in the Yazoo Basin but cannot drain into the Mississippi River because of high river levels from water flowing from upstream.

The Yazoo Backwater Project is comprised of three key features—the levee completed in 1978 along the Yazoo River to keep water within the river during high water; the Steele Bayou water control gates on the Yazoo River completed in 1969 to prevent the Mississippi River from flowing backwards into the South Delta during high water; and the final, unfinished feature—a set of pumps to pump water over the levee when the gates are closed. This system is interconnected, and without all three functioning features, the system does not work. A map showing this area is attached to my testimony in Appendix A.

So what we have today is a large area protected by a complex system of levees and floodgates to keep the Mississippi and Yazoo Rivers from entering the Yazoo Backwater Area – the protected side of the levee. However, these federally constructed features also prevent rainwater from leaving the area, thus trapping the water within the 4,093 square mile drainage basin. Without a pumping station to remove the trapped water, this area effectively becomes an artificial lake. The Yazoo Backwater Area is the only major backwater area in the Mississippi River and Tributaries (MR&T) project area that does not have a pumping plant. A map showing the these other structures is attached to my statement in Appendix B.

In 1973, flooding inundated more than 1 million acres because the Yazoo Backwater Levee was not complete. Although the completion of the Yazoo Backwater Levee in 1978 and the Steele Bayou Structure in 1969 have ensured that there has not been a flood of that magnitude since, make no mistake—there is still devastating flooding in the Delta.

I moved away from Eagle Lake in 2004 and thought I was escaping the annual threat of flooding.

Shortly after I moved, I married my husband Tim, who is here with me today. He was a farmer. In 2006, we sold our farm and purchased Chuck's Dairy bar in Rolling Fork, which has been in business since 1977. It is a fixture in Sharkey County—one of the few we have to serve our small, 75% minority community. It's a local hangout for farmers, hunters, students, and everyone in Rolling Fork, and we try to keep our prices low to make sure all our neighbors, 33.5% of whom are living below the poverty line, feel welcomed.

However, since we purchased Chuck's in 2006, we have seen seven of the 12 worst backwater floods on record since the levees were completed in 1978: this year, water rose to 91.8 feet; in 2016—92 feet; 2008—92.2 feet; 2009—93.7 feet; 2018—95.2 feet; 2020—96.9 feet; and worst of all, 2019, when the water rose to a devastating 98.2 feet.

The 2019 flood inundated 548,000 acres, including 231,000 acres of cropland and 686 homes. Water was so high, we were fractions of an inch away from losing critical infrastructure, such as sewer systems. We call it the "Forgotten Backwater Flood" because it received so little national attention. Despite shattering many records. From April 2018 to March 2019, the South Delta received more rainfall than in any 12-month period since 1895. Flood duration records were broken by as much as 125 days since the flood of 1927.

This annual flooding has an enormous, lasting impact on the region well beyond folks not being able to frequent Chuck's Dairy Bar because they're not making a paycheck. Populations are decreasing, economic opportunity is fleeting, and lives and livelihoods are being lost.

For example, my friend, Mr. Anderson Jones, Sr. has been displaced from his home since 2019. He had federal flood insurance, and he built three levees around his house to keep the water out. Each of them

ultimately failed – which highlights the lack of understanding of environmental extremists from California and New York who advocate “alternatives” to the pumps. If you can’t get to your house because it’s surrounded by water, you cannot maintain the levee. Even then, your septic system and water well don’t work. Plus, you need a pump to pump out the rainwater and seepwater inside the ring levee, otherwise your house will flood from within! There were homes that were inundated for 6 months or more. Sadly, two residents lost their lives in the 2019 flood when trying to drive through flooded water, they drowned.

In 2019, we saw the worst of it. But unfortunately, we, the residents of the South Delta, know we haven’t seen the last of it.

What we desperately need to abate the annual flooding in the Yazoo Backwater Basin is the final component of the project: the backwater pumps. The backwater pumps are not a partisan issue – President Clinton signed legislation which restored full federal funding responsibility for the project. The last administration finalized a record of decision on a re-designed project to allow the construction process to resume. We’ve been blessed with strong support and leadership from our representatives, Representative Bennie Thompson, Senator Cindy Hyde-Smith, and of course, Senator Wicker—thank you. Today, I’m appealing to the rest of Congress and the Biden Administration to help us finally complete the puzzle.

The Army Corps’ new project is itself a compromise. The original 1982 plan for this project called for a pump that could move 17,500 cubic feet of water per second and would be activated at a water elevation of 80 feet. The new project includes a 14,000 cubic feet of water per second pump and does not activate until 87 feet. The area of the Yazoo basin is over 4,000 square miles and over 2.6 million acres – larger than the area of Rhode Island and Delaware combined. This compromise project also has the support of various environmental groups—such as the Mississippi Wildlife Federation and the Nature Conservancy, who noted that alternatives to flood control are meaningless without completion of the pumps.

The two counties most impacted by backwater flooding in recent years – Issaquena County and Sharkey County – are communities deserving of environmental justice. 71% of the population in these counties are minority, and 30% of the population lives below the poverty line.

In its environmental justice analysis, the Corps of Engineers has concluded that the backwater pumps would specifically benefit our communities of color. A recent story in the *Washington Post* ⁱⁱ highlights the difficulty that minority homeowners have had accessing assistance from natural disasters. Our community is no exception.

Agriculture and recreational hunting are the economic base of the South Delta. When a flood occurs, not only are people out of their homes, both of those economic engines of our area are shut down and as a result, our entire community is affected—whether you work in agriculture, banking, restaurants, or stores. Alternatives to flood control that don’t allow farmers to plant also mean that businesses like mine can’t survive and my employees and my neighbors aren’t able to make a paycheck. It is truly devastating to our already impoverished region and people.

The second of the three pieces of the Yazoo Backwater Project was completed in 1978. We have had floods in 3 of the last 4 years; 8 in the last 10 whether it is because of climate change or bad luck. Congress and the Army Corps made a promise to the people of the South Delta eighty years ago to complete this life and livelihood-saving project; not doing so disparately impacts people of color and the poor. It is the definition of an environmental injustice, and we need your help to Finish the Pumps.

On behalf of my family, neighbors, friends, and community, thank you for the opportunity to testify.

ⁱ [The Flood of 1927 and Its Impact in Greenville, Mississippi | Mississippi History Now \(ms.gov\)](#)

ⁱⁱ [Why FEMA is denying aid to Black disaster survivors in the Deep South - The Washington Post](#)

Drainage Basin to the Steele Bayou Structure

All the rainfall in the MS Delta, shown on this map, must exit through the Steele Bayou Structure into the Yazoo River to enter the MS River.

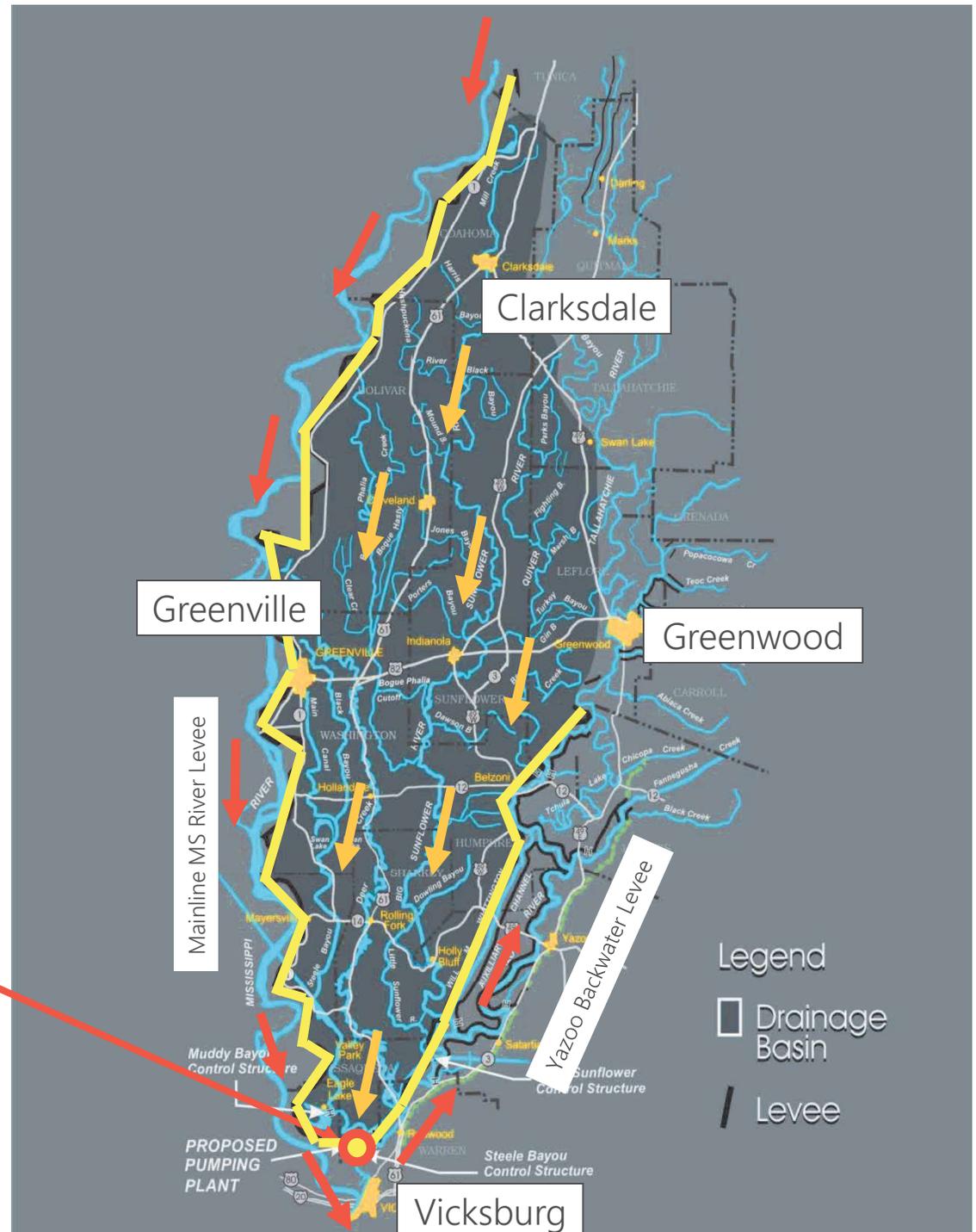
Mississippi Delta:

4,093 square miles (2.62 Million acres)

- Rhode Island: 1,045 sq. miles
- Delaware: 1,954 sq. miles
- Connecticut : 4,845 sq. miles

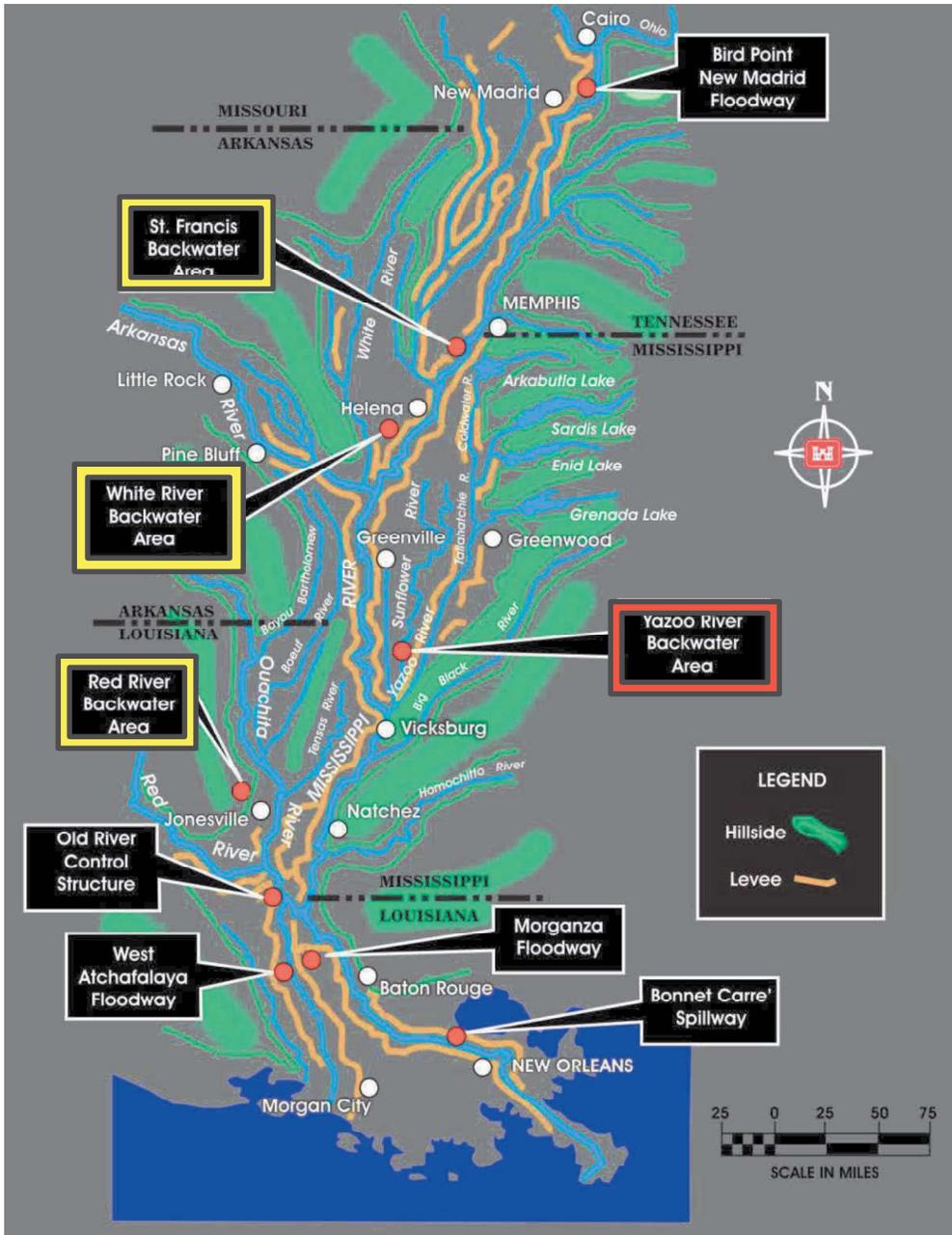


Steele Bayou Drainage Structure



Appendix B

Backwater Areas of the MR&T Project



There are 4 Major Backwater Areas along the MS River.

1. St. Francis, Arkansas + Missouri
2. White River, Arkansas
3. Red River, Louisiana
4. Yazoo River, Mississippi

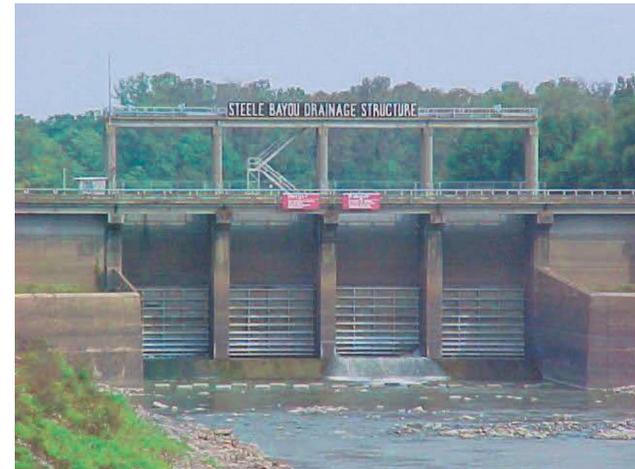
These Backwater Levees have Drainage Structures that:

- Allow water to pass through the levee during low-water
- Can be shut during high water times to keep the MS River from backing into the basin
- When gates are closed during high-water, backs up rainfall behind the gates
- Require a pump to remove the rainwater

The Yazoo Backwater Area is the only Backwater Area that does not have a pump in place!

Pumping Plants to evacuate storm water

- | | |
|-----------------------|-------------------------------|
| 1. St. Francis | Huxtable built in 1977 |
| 2. White River | Graham-Burke built in 1964 |
| 3. Red River | Tensas-Cocodrie built in 1986 |
| 4. Yazoo River | NONE |



There are 22 Federally Funded Pumping Plants within a 200-mile radius of the YBW Pump Site that are in operation today!