

HARRISON COUNTY

BOARD OF SUPERVISORS

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April 14, 2025

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Maj. Gen. Kimberly A. Peebles
Commanding General
Mississippi Valley Division
U.S. Army Corps of Engineers
1400 Walnut Street
Vicksburg, MS 39180

Col. Jeremiah A. Gipson
Commander
Vicksburg District
U.S. Army Corps of Engineers
4155 Clay Street
Vicksburg, MS 39183

Col. Cullen Jones
Commander
New Orleans District
U.S. Army Corps of Engineers
7400 Leake Ave.
New Orleans, LA 70118

RE: Potential 2025 Flood Control Fight,
Bonnet Carré Spillway operations

Dear General Peebles, Commander Gipson and Commander Jones;

I am writing you on behalf of the Mississippi Sound Coalition, because we are deeply concerned that recent flooding and increased rainfall in the Midwest may result in a flood control fight in the lower Mississippi River basin in the coming weeks.

We are a coalition of local governments, fishermen, non-profit organizations, businesses, and citizens with the mission of restoring and protecting the ecosystem of the Mississippi Sound estuary and the way of life and economies of coastal communities that depend on it.¹ The Mississippi Sound Coalition seeks win-win solutions to the challenges facing the Sound based on good science and fair public policy. The Coalition's scientific research, public education, and advocacy include avoiding or mitigating the harm to the Mississippi Sound caused by Mississippi River management, including operation of the Bonnet Carré Spillway.

It is well documented that operation of the Bonnet Carré Spillway in flood years like 2011 and 2019 has had extreme adverse effects on the fisheries and natural resources of the Mississippi Sound. In 2019, for example, essentially the entire oyster population of the Mississippi Sound was wiped out as a consequence of Bonnet Carré discharges. Populations

¹ Members of the Coalition include Harrison County, Hancock County, the cities of Biloxi, D'Iberville, Gulfport, Long Beach, Pass Christian, Diamondhead, Bay St. Louis, Waveland, Ocean Springs, Gautier, Pascagoula, and non-profits the Mississippi Hotel & Lodging Association and the Mississippi Commercial Fisheries United, Inc..

statement to the Mississippi River Commission on the occasion of the Commission's annual High Water Inspection is attached to this letter and summarizes the impacts of Bonnet Carré operations on oysters and other resources in Lake Borgne and the Mississippi Sound.

The system of spillways, levees and other structures comprising the Mississippi River and Tributaries Project was designed to allow no more than 1,250,000 cubic feet per second of water to reach the area of New Orleans. The Bonnet Carré Spillway design capacity is 250,000 cubic feet per second. The USACE has on some occasions stated or implied that it cannot use other elements of the Mississippi River and Tributaries Project, such as the Morganza Spillway or the Old River Control Structure until Mississippi River flows exceed 1,500,000 cubic feet per second. This position effectively means that the USACE cannot discharge even modest amounts through these structures to reduce flows through the Bonnet Carré Spillway.

However, the USACE has recognized that operation of the Mississippi River and Tributaries Project must respond to changing river conditions. The USACE has stated "[t]he decision to operate the Bonnet Carré Spillway is made when existing conditions, combined with predicted river stages and discharges, indicate that the mainline levees in New Orleans and other downstream communities will be subjected to unacceptable stress from high water. Included in the complex decision process are environmental considerations, as well as hydrologic, structural, navigational and legal factors."

As an example, the USACE has operated the Bonnet Carré Spillway above its design capacity. In 2011, the USACE operated the Bonnet Carré Spillway at 316,000 cubic feet per second, 66,000 cfs over its design capacity. *MR&T 2011 Post Flood Report*, p. IV-54.² At the same time the USACE was operating the Morganza Spillway at 186,000 cfs, less than a third of its design capacity of 600,000 cfs.

The Mississippi Sound Coalition requests that the USACE utilize its operational discretion to operate the Bonnet Carré Spillway to mitigate adverse effects on Lake Pontchartrain, Lake Borgne and the Mississippi Sound.

The Mississippi Sound Coalition has contracted with the Northern Gulf Institute to develop models that provide specific information on the characteristics of Bonnet Carré discharge regimes that would inform on impacts to natural resources. Modelers are currently working on multiple scenarios of Mississippi River conditions and Bonnet Carré discharges that can account for, or even minimize, ecological impacts (oyster mortality) in coastal Mississippi and eastern coastal Louisiana. These scenarios amount to predictions that can assist the USACE in operating the Spillway in a way that accounts for flood control as well as ecological impacts.

In the interim, we request that the USACE limit releases through the Bonnet Carré Spillway to the maximum extent compatible with public safety to prevent further damage

² Available at https://www.mvd.usace.army.mil/Portals/52/docs/regional_flood_risk_management/Docs/SectionIV-MRTOperation.pdf.

to natural resources in Lake Pontchartrain, Lake Borgne and the Mississippi Sound. Limiting releases is particularly important as Mississippi River water temperatures rise through the late winter and spring. Water temperatures are a primary driver of impacts on oysters and other resources. As water temperatures rise the period of exposure before significant adverse effects occur becomes significantly shorter.

Based on observations from previous openings of the Bonnet Carré Spillway, we request that the USACE (1) limit discharges through the Bonnet Carré Spillway to no more than necessary to protect public safety, and in no case more than necessary to meet the 1,250,000 cfs flow criterion in the Mississippi River at New Orleans, (2) open the Spillway gradually at a rate of no more than ten bays per day, and (3) exercise its discretion to utilize the Morganza Spillway to reduce the volume of releases through the Bonnet Carre Spillway.

Please note that the actions we request in this letter are intended only as interim measures to provide some level of protection against extreme damage to resources. The modeling that is being completed will allow specific recommendations taking into account flow, temperature, meteorological conditions and other factors.

Among other factors that we think would be valuable to consider for future flood control fights, we hope USACE will engage scientists and engineers, if you have not already, to prepare tipping-point models for the Morganza Spillway and all other elements of the Mississippi River & Tributaries Project to make them work simultaneously under multiple scenarios of Mississippi River conditions and discharges in the aggregate that can account for, or even minimize, ecological impacts in coastal Mississippi and coastal Louisiana.

Thank you for your consideration, and we look forward to answering any questions you may have.

Sincerely yours

MISSISSIPPI SOUND COALITION

BY: 

Martin Ladner, Chairman, Miss. Sound Coalition
Member, Harrison County Bd. of Supervisors

cc (w/encl): Senator Roger Wicker
Senator Cindy Hyde-Smith
Congressman Mike Ezell

Enclosure: Mississippi Sound Coalition Statement April 3, 2025, to the Mississippi River Commission on the occasion of the Commission's annual High Water Inspection

STATEMENT OF THE MISSISSIPPI SOUND COALITION TO THE MISSISSIPPI
RIVER COMMISSION - ANNUAL HIGHWATER INSPECTION

April 3, 2025

The members and associate members of the Mississippi Sound Coalition are local governments within Hancock, Harrison, and Jackson County, Mississippi; non-profit organizations representing commercial fishermen and tourism businesses; and individual citizens, with the mission of restoring and protecting the ecosystem of the Mississippi Sound estuary and the way of life and economies of coastal communities that depend on it.¹ The Mississippi Sound Coalition seeks win-win solutions to the challenges facing the Sound, based on good science and fair public policy. The Coalition's scientific research, public education, and advocacy focus on avoiding where possible or mitigating where necessary harm to the Mississippi Sound caused by federal management of the Mississippi River & Tributaries Project, including the Bonnet Carré Spillway.

The Mississippi Sound Coalition urges the Commission to use its authority to address three critical issues. As set out below, operation of the Bonnet Carré Spillway in flood years like 2011 and 2019 has caused extreme adverse effects on the fisheries and natural resources of the Mississippi Sound with cascading damage to the local economy, especially in seafood and tourism businesses. In addition, other proposed diversions of Mississippi River water must be managed to prevent damage to the Mississippi Sound. Finally, the hypoxic "dead zone" caused by nutrient pollution in the Mississippi has now been documented to extend to the east of the Mississippi, adjacent to the Mississippi Sound.

The Mississippi Sound Coalition appreciates the Commission's solicitation of concerns and ideas regarding the Mississippi River system and its management; we hope the realities identified in these comments will be acknowledged and addressed as part of the Commission's ongoing river management.

¹ Members of the Coalition include Harrison County, Hancock County, the cities of Biloxi, D'Iberville, Gulfport, Long Beach, Pass Christian, Diamondhead, Bay St. Louis, Waveland, Ocean Springs, Gautier, Pascagoula, and non-profits the Mississippi Hotel & Lodging Association and the Mississippi Commercial Fisheries United, Inc.

I. OPERATION OF THE MISSISSIPPI RIVER AND TRIBUTARIES PROJECT HAS HAD DIRECT AND CATASTROPHIC IMPACTS ON THE MISSISSIPPI SOUND AND THE COMMUNITIES THAT DEPEND ON IT

The Mississippi Sound is not directly connected to the Mississippi River through any major natural distributary. The impacts of Mississippi River water on the Sound are dictated almost entirely by the Corps of Engineers' management of the Mississippi River and operation of the Mississippi River and Tributaries Project, in particular the Bonnet Carré Spillway. In major flood years, the impacts of the Corps' management decisions are often devastating. This was dramatically illustrated in 2019.

The Bonnet Carré Spillway was opened from February 27, 2019, through April 11, 2019, and again from May 10, 2019, through July 27, 2019, for a total of 123 days. This is the largest number of days of operation of the spillway since it was completed in 1932. Over 10 trillion cubic feet of Mississippi River water was discharged into the area of the Mississippi Sound.

As a consequence of this massive discharge, salinities in Mississippi coastal waters plummeted. Salinities were near zero in many areas, rather than the more saline water usually found in the summer months. The influence of the Mississippi River water released through the spillway extended from the western parts of the Mississippi Sound, to points outside the barrier islands, and to the easternmost monitoring stations in the Mississippi Sound and even into Mobile Bay Linhoss, et al. 2023 demonstrated that salinity impacts of modeled Bonnet Carré Spillway openings reached to the Mississippi-Alabama border. The Linhoss modeling also demonstrated that decreases in salinity in Lake Borgne lasted more than a year.² Modeling also demonstrates that salinity impacts of Bonnet Carré Spillway openings extend to the Chandeleur chain.³

² Linhoss, A.; Mickle, P.; Osorio, R.J. Simulating How Freshwater Diversions Impact Salinity Regimes in an Estuarine System. *J. Mar. Sci. Eng.* **2023**, *11*, 2349. <https://doi.org/10.3390/jmse11122349>

³ Darnell, Kelly M., et al. "Spatial and Temporal Patterns in *Thalassia Testudinum* Leaf Tissue Nutrients at the Chandeleur Islands, Louisiana, USA." *Estuaries and Coasts*, vol. 40, no. 5, 2017, pp. 1288–300.

The entire wild oyster population of the Western Mississippi Sound was wiped out in a single year, and five years later the reefs were still severely depleted, although a small amount of recovery has occurred through state replanting efforts.. Morgan and Rakocinski (2022) found that Bonnet Carré Spillway operations completely decimated spawning stocks of oysters in the Western Mississippi Sound, and early oyster recruitment was effectively eliminated. Gledhill, et al also state that their 2020 study “clearly demonstrates the decimation of oyster reefs caused by the extended freshwater release flowing east from the [Bonnet Carré Spillway.]” This study further states that “[h]istorically, oyster populations in Mississippi have been able to recover from naturally occurring environmental stressors but have been less resilient to anthropogenic stressors” and “oyster populations in Mississippi could remain unsustainable for harvesting unless future freshwater intrusions are incorporated into management planning.”⁴ Pruett et al. (2021) found low salinity assays based on 2019 Bonnet Carré Spillway opening water quality data significantly reduced shell growth, and hypoxia decreased both larval growth and survival.⁵

Oyster mortality on the scale caused by large openings of the Bonnet Carré Spillway cause long lasting habitat effects. Pace, et al studied the loss of oyster shell mass after a 2016 mass mortality event and found that by April 2019 deterioration of shell surface was ubiquitous, and many valves had disappeared.⁶ This clearly indicates that after mass mortality events like that caused by the Bonnet Carré Spillway in 2019, the habitat function of oyster reefs degrades quickly.

⁴ Gledhill, J.H., A.F. Barnett, M. Slattery, K.L. Willett, G.L. Easson, S.S. Otts, D.J. Gotchfeld. 2020. Mass Mortality of the Eastern Oyster in the Western Mississippi Sound Following Unprecedented Mississippi River Flooding in 2019. *Journal of Shellfish Research*. 39:2, 235-244.

⁵ Pruett, J.L., Pandelides, A.F., Willett, K.L., Gochfeld, D.J. (2021). Effects of flood-associated stressors on growth and survival of early life stage oysters (*Crassostrea virginica*)(2021). *Journal of Experimental Marine Biology and Ecology*, 544, art. no. 151615. DOI:10.1016/j.jembe.2021.151615

⁶ Sara M. Pace, Leanne M. Poussard, Eric N. Powell, Kathryn A. Ashton-Alcox, Kelsey M. Kuykendall, Laura K. Solinger, Kathleen M. Hemeon, Thomas M. Soniat "Dying, Decaying, and Dissolving into Irrelevance: First Direct in-the-Field Estimate of *Crassostrea virginica* Shell Loss—a Case History from Mississippi Sound," *Journal of Shellfish Research*, 39(2), 245-256, (26 August 2020).

In addition to disrupting natural salinity regimes, the Mississippi River water from the Bonnet Carré was laden with nutrient pollution from sources in the upstream states. Concentration of nitrates in Mississippi waters was far above normal. The combination of fresh water, high nutrient pollution loads, and warm temperatures resulted in blooms of toxic blue green algae, which can cause illness in humans and death in pets and other animals. In 2019, the impacts of spillway operations included algae blooms that closed recreational use of Mississippi Sound for the entire summer, causing huge losses to tourism-related businesses.

The Coalition further notes that these impacts are likely to be exacerbated by climate change-related impacts and changing conditions on the Mississippi. The 2023 Fifth National Climate Assessment projects increases in droughts, floods, and runoff events across the Mississippi River basin and the Great Lakes.⁷ This variability, and the possibility of frequent major flood events on the Mississippi, must be fully considered in Mississippi River management.

Changes in river conditions also affect operations of the Mississippi River and Tributaries Project, exacerbating risks to the Mississippi Sound. Corps of Engineers documents indicate that the Old River Control Structure has deficiencies which could result in more frequent operations of the Bonnet Carré Spillway. A 2019 report on the Old River Control Project specifically notes the deficiencies in the ORCC and states that they “pose a serious threat to the continued safety, reliability, and proper functioning of the project, particularly during an emergency situation.”⁸ This report further states that loss of capacity at the Old River Control Complex “would result in more frequent, and less planned, operations of the Bonnet Carré and/or Morganza Floodways, in order to prevent overtopping of Mississippi River levees.”⁹ In short, the operation of the Bonnet Carré Spillway for extended periods of time has direct and severe impacts on the Mississippi Sound and these impacts are likely to continue and increase in the future. These

⁷ https://nca2023.globalchange.gov/downloads/NCA5_Ch24_Midwest.pdf

⁸ Structures and Operation of the Old River Control Complex, 7 Feb. 2019.

⁹ *Id.* at 12.

impacts must be acknowledged and considered in Mississippi River management and in particular the operation of the Mississippi River and Tributaries Project.

II. THE RISKS TO THE MISSISSIPPI SOUND ASSOCIATED WITH DIVERSIONS OF MISSISSIPPI RIVER WATER MUST BE ACKNOWLEDGED AND PREVENTED

As the Commission is aware, the Mid-Breton Sediment Diversion Project remains in the permitting and environmental review process. The Mississippi Sound Coalition is fully supportive of efforts to rebuild Louisiana coastal wetlands and recognizes that all of our coastal ecosystem is inextricably intertwined. However, modeling has demonstrated that operation of the Mid-Breton Diversions at the levels originally proposed would have severe impacts on the Mississippi Sound. Wiggert, et al (2023) concluded the following:

- During elevated freshwater influx of the spring freshet, combined with the dominant prevailing wind direction, additional freshwater flowing into Western Mississippi Sound from an activated MBrSD is projected to shift bottom salinities below the critical ecological threshold for oyster health and survival over the January – June timeframe.
- The Western and Central Mississippi Sound regions are projected to experience a significant increase in the number of cumulative days when salinity levels are below the critical ecological threshold for oyster health and survival. A notable increase in cumulative days of low salinity levels is also indicated in eastern Mobile Bay.¹⁰

These findings demonstrate the risk to Mississippi Sound resources from the Mid-Breton Diversion, and we call on the Commission to ensure that these impacts are considered in the assessment of this project and all necessary steps are taken to prevent adverse impacts to the Mississippi Sound.

III. MISSISSIPPI RIVER NUTRIENT POLLUTION IS AN INCREASING THREAT TO THE MISSISSIPPI SOUND AND FISHERIES

The Commission is familiar with the extensive literature documenting nutrient pollution in the Mississippi River and the resulting area of hypoxia – the “dead zone” - in the Gulf of Mexico. Despite efforts through a federal task force and voluntary measures, the dead zone continues and is documented

¹⁰ Wiggert, J. D., B. N. Armstrong, M. K. Cambazoglu, and K. K. Sandeep (2022), Mid-Breton Sediment Diversion (MBrSD) Assessment - Final Report, 96 pp, The University of Southern Mississippi.

to cover up to 8,000 square miles.¹¹ Nitrate flux from the Mississippi to the Gulf has tripled since the 1950's, causing not just the well-known dead zone off the mouth of the Mississippi River, but also algae blooms in Lake Pontchartrain and the Mississippi Sound when the Bonnet Carré Spillway is opened.

Despite over 30 years of best management practices and other efforts to control fertilizer runoff from industrial agriculture and other sources, nitrate pollution has remained stubbornly high, and phosphorus pollution has according to some studies actually increased. The increased precipitation and flooding identified in the National Climate Assessment exacerbates nutrient runoff. The effect on habitat for marine species, and the resulting impacts on the fisheries economy, is enormous.

The dead zone was commonly thought to cover an area to the west of the mouth of the Mississippi. However, in July 2024 Louisiana State University researchers found a hypoxic area extending to the east of the Mississippi to the area just south of the barrier islands bordering the Mississippi Sound. The full extent of this area of the dead zone was not documented.¹²

The Mississippi Sound Coalition recognizes that the Commission currently has no direct regulatory authority over sources of pollution in the Mississippi River. However, the Commission must take pollution in the river into account in its management, including in assessing alternatives for operation of the Mississippi River and Tributaries Project. As noted above, the extended 2019 opening of the Bonnet Carré Spillway resulted in algae blooms in Mississippi waters.

IV. RECOMMENDATIONS FOR MISSISSIPPI RIVER MANAGEMENT

To address the issues outlined above, the Mississippi Sound Coalition urges the Commission to take the following actions:

¹¹ *E.g.* Rabalais and Turner, Gulf of Mexico Hypoxia: Past, Present and Future (2019), available at <https://doi.org/10.1002/lob.10351>.

¹² Louisiana State University, Report from the 2024 Hypoxia Cruise East of the Mississippi River, available at <https://gulfhypoxia.net/wp-content/uploads/2024/08/new-REPORT-FROM-2024-HYPOXIA-CRUISE-EAST-OF-THE-MISSISSIPPI-RIVER.pdf>.

1. Amend policies of the Commission and the U.S. Army Corps of Engineers regarding the Mississippi River and Tributaries Project to require that the Commission and the Corps of Engineers shall, to the maximum extent consistent with safely passing the Project Design Flood, operate the Bonnet Carré Spillway, the Morganza Spillway, and all other Mississippi River spillways, river-water diversions, backwater areas, and floodways to prevent adverse impacts, mitigate any unavoidable adverse impacts, and improve the natural and economic values of the estuaries of the northern Gulf of America in Louisiana, Mississippi, and Alabama, including without limitation the Mississippi Sound.
2. Recommend to Congress that it make the following findings and appropriate changes in current law that may be necessary to implement the policy changes recommended in the preceding paragraph and in these findings:
 - a. Recognizing the economic, ecologic, and cultural value of the diverse interjurisdictional fishery resources in the estuaries of the northern Gulf and the complexity and severity of issues facing resource management agencies and flood control by the Mississippi River Commission and the United States Army Corps of Engineers, Congress acknowledges the need for
 - i. amendment to the membership and authority of the Mississippi River Commission and related policies of the United States Army Corps of Engineers regarding management of the Mississippi River and Tributaries Project, collaboration in the establishment of shared management objectives, and
 - ii. collaborative planning, evaluation and implementation of actions with affected state and local governments to provide for long-term biologic, economic, and cultural sustainability of interjurisdictional fishery resources in the northern Gulf as well as sustainability of the seafood and tourism

economies and businesses dependent upon a healthy Gulf.

- b. It is in the long-term interests of the United States economy and United States food security that the Mississippi River Commission and the United States Army Corps of Engineers manage flood control of the Mississippi River not just to protect human life and property from flood waters, but also, and simultaneously, to avoid when possible and minimize when necessary any harm to the estuaries of the northern Gulf in Louisiana, Mississippi, and Alabama caused by Mississippi River water released through River distributaries ,spillways and other elements of the Mississippi River and Tributaries Project, and any other diversions of Mississippi River water.
- c. For the dual purposes of (1) protection of human life and property from flood waters while keeping the Mississippi River navigable for interstate and international commerce and (2) protection of marine and human life and property from negative effects of Mississippi River water on the estuaries of the northern Gulf, Congress should authorize and fund the Mississippi River Commission and the United States Army Corps of Engineers to replace the Bonnet Carré and Morganza Spillways with new, modern structures based on the best engineering and scientific data available, to allow the new structures to be opened and closed in tandem and more cost-effectively, precisely, and quickly in flood fights and to prevent them from leaking.

Respectfully submitted this 3rd day of April 2025,

MISSISSIPPI SOUND COALITION

BY: Robert Wiygul, Counsel
Gerald Blessey, Manager and Co-counsel