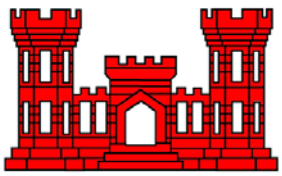
Volume 2
Part 2

Socioeconomic References



U.S. Army Corps of Engineers
Memphis District

DECLARATION OF HERSCHEL LOTT

State of Missouri

County of New Madrid

Declarant, Herschel Lott, declares under penalty of perjury, on personal knowledge as follows:

1. I am over 21 years of age and am competent to declare to the facts contained in this Declaration.

2. I live at 319 Powell St.., New Madrid, Mo. 63869. I was born in New Madrid Missouri and have lived here all of my life.

3. I own and operate a welding and machine shop in New Madrid. My occupation has made me familiar with the equipment needs and repair needs of farmers and people who work and live in New Madrid.

4. In my lifetime, I have witnessed many times the devastation caused by flooding in Saint John's Bayou and particularly, the impact on the City of New Madrid and the farmers who live within Saint John's Bayou.

5. During periods of heavy rain fall, particularly in the spring and early summer, the ditches within the SJB area funnel the water into the bottle neck at the flood gates just out side of New Madrid.

6. When the water reaches flood levels within SJB, it is typical that the City of New Madrid is threatened by flooding as well. I have experienced flood waters so high that Main Street New Madrid could only be reached by motor boat.

7. During those times, the only way to save the city has been to force pump water across the levee into SJB. I have seen farmers working around the clock with their tractors running non-stop to operate pumps pulling water out of the city into SJB. Were it not for their work, the city would many times have been inundated with the rising waters causing significant destruction to the populace, infrastructure and business. In 2011, farmers from SJB brought in 8 to 10 tractors to operate pumps to save the city. Without that work round the clock work, the city would have been devastated. If it had not been for the farmers, there would have been 3 or 4 feet of water in New Madrid. Even

8. If the Mississippi River is rising at the same time that flooding is occurring within SJB, which often happens during high water in the spring and early summer when there are heavy rains all the way up to Benton, Missouri, the floodgates at the base of SJB are closed, causing the SJB flood waters to rise with no escape into the river. When the flood waters from the city are forced into the SJB at the same time the flood gates are closed, the resultant flooding inside SJB is increased causing substantial additional devastation to the towns and farms within SJB.

9. If there were pumps at the base of SJB, the flood devastation within SJB would be substantially decreased.

10. We have experienced problems throughout the years by not having the key to access the flood gate controls. I am personally aware of times when the Mississippi River fell below the elevation

that had required the gates to be closed and it took several hours and, in some circumstances, days before the gates could be opened to release flood waters from SJB into the river.

11. Also, when there have been mechanical problems with the gates or damage to them, the SJB Levee Board has taken charge to fix the problems and repair the gates. We have had difficulty in getting the
Floodway Levee Board to the gates quickly to open the gates or to repair them when needed. For many years the Floodway Levee Board operated the gates with an old transmission off a Model A Ford automobile. The mechanism was completely inadequate.

12. In 1993, the gates were jammed by a log and could not be closed. Members of the SJB Levee Board had to break into the gate to pry the cover off the control box to reach a damaged screw. Farmers from farms in SJB assisted in straightening a screw that had been bent. The gates then had to be closed by hand because the mechanism was inoperable. However, there was backflooding into SJB for many days when the gates could not be closed. The backflooding occurred at the same time water was being pumped from the west levee out of the city into SJB. The results caused significant damage to the farmers and cities within the SJB. Thousands of acres were flooded far longer than should have happened.

13. I believe that if control of the gates had been in the hands of the SJB Board, the time delays and maintenance problems associated with operating the gates would have been significantly less. Even though the Floodway Levee Board ultimately paid the costs of the repair, I did not see anyone from the Board working on and repairing the damage. The keys to the gates are controlled by the Floodway Levee Board and when needed can only get them from the superintendent of the Board. This is a very inefficient process. In my opinion there is no reason not to allow the SJB Board, which is directly impacted by the timing of opening and closing the gates, to have a set of the keys.

14. In my line of work in the equipment repair business, I suffer great losses during the times of heavy uncontrolled flooding in SJB. When farmers are not working they do not use their machinery and I do not repair equipment. My business falls to a standstill until the flooding recedes. The installation of pumps would greatly improve my economic performance.

15. Further, declarant sayeth not. This Declaration is made by me under penalty of perjury.

Herschel E. Lott

Herschel Lott

Dated: 3-22-12

DECLARATION OF DAVID O. EDDY

State of Missouri

County of New Madrid

Declarant, David O. Eddy, on personal knowledge states the following to be true and correct under penalty of perjury:

1. I am 62 years old and am competent to make this declaration.

2. I have been farming inside of St. John's Bayou Basin for 38 years. I am a third generation farmer and farm in LaForge.

3. Water has been so high in SJB that people have had to go by boat or by mule to get to the grocery stores.

4. Dry Run Ditch cannot hold the water. With the huge storms in 2011, we had to pump water constantly to save the town of New Madrid. The pumping put the water into SJB and further raised the water level there.

5. We need to have pumps at the south end of St. John's Bayou to lower the water level during the high water years.

6. In 2011, I lost 200 acres of wheat and could not plant corn. Because I could not plant until July, I could only put in Soy Beans. Our revenues were down a lot because of the flooding.

7. My son, Daniel, is starting to farm in the SJB. He is concerned that the huge cost of investment in technology and equipment could wipe him out if he cannot get productive crops planted in time in SJB. The flooding puts his life investment in peril. An event like 2011 can wipe out a man like Daniel who is just starting a family.

8. In the high water years, the St. John's Floodway can get planted faster than the St. John's Bayou Basin. The water drains faster from the Floodway. In the Basin it does not run through the gates fast enough and flooding lasts much longer. It causes later planting. The rice land does not dry out fast and makes it impossible to plant rice.

9. If we could start pumping water out of the SJB as soon as the river level starts to recede, the time for putting in crops would be longer. We could put in many varieties of crops if the land were to dry out sooner.

10. It is necessary to starting getting the water out of the SJB as soon as the rain stops. If not, then when the next rain comes, it will be too late, you cannot keep up with the flooding.

11. It is necessary for us to be able to have direct access to the flood gates to control water and to have pumps installed at the south end of SJB to get water removed.

12. Otherwise, we will continue to be devastated by the floods. Our families and our communities need the pumps in place to protect our homes and our livelihood.

13. Further Declarant sayeth not. This Declaration is given under penalty of perjury.

David O. Eddy

Dated: 3/22/12

Declaration of Sean Rutledge

State of Missouri

County of New Madrid

Declarant, Sean Rutledge, states that he has personal knowledge of the contents of this Declaration and he declares his statements to be true under penalty of perjury:

1. I am 36 years old and am competent to declare to the facts contained in this Declaration.
2. J. M. Rutledge is my father and I live in a house next to his.
3. He and I farm together. I have been farming with him since 1995. Farming is all we know and all we do for a living.
4. I have read my father's Declaration and am familiar with the information he has said. It is all true.
5. I also attend Mt. Olive Missionary Baptist Church like many of my neighbors and my family. The floods prevent us from attending services.
6. When our cotton crop last year could not be put in, I had to share with my father, the cost of the payments made to Allenburg Cotton Company.
7. Getting flooded out year after year in the St. John's Bayou has been hard on me and other members of the community. I believe that putting in the pumps would stop the devastation to our community and our livelihoods. We were told they would be put in and we need them to be.
8. Declarant, Sean Rutledge, declares under penalty of perjury that the facts stated in this affidavit are true and correct.

Further, Declarant sayeth not.

Sean Rutledge

Sean Rutledge

Dated: 3-22-12

DECLARATION OF J. M. RUTLEDGE

State of Missouri

County of New Madrid

Declarant, J. M. Rutledge, declares, on personal knowledge, under the penalty of perjury, as follows:

1. I am 64 years of age and am competent to state the facts contained in this declaration.

2. I live at 23241 County Rd. 772, in the Parma Area of southern Missouri, at zip code 63070.

3. I own and farm approximately 220 acres in the St. John's Bayou. Part of the farm land I bought and part of it is the Bell Farm, with 66 acres in SJB. My wife is a Bell and the Bell Farm property has passed down through her family.

4. I have been farming in SJB since 1975. The Bells, and members of the African American community, have farmed in St. John's Bayou for many years.

5. I also started farming the Glass farm in 1982. I rented that farm. In about 1995, the part of the Glass farm east of the Farrenburg Levee in the St. John's Bayou area was put in conservation reserve. I still farm part of the Glass farm west of the Levee. During bad flood years, I could not get my crop in on time at the Glass farm in SJB. That caused me to lose substantial revenues in those years.

6. Almost every year, flooding has prevented me from getting my crop into the ground on time. Because of the flooding, in many years I have late crops and it is hard to get the crop in and hard to get it out. Many years, I have not been able to plant until around the 4th of July. That prevents me from planting double crop acres. In those bad flood years, I can only plant late soy beans.

7. Other farmers I know in the St. John's Bayou cannot get their crops in because of the floods. We are always running behind.

8. My son, Sean, and I farm land together in the SJB. Last year we had a contract with Allenburg Cotton Company in Memphis, Tennessee, to sell cotton. Because of the floods, we could not make the crop. My son and I had to pay $35,000.00 on the contract to Allenburg. This was a total loss to us and a big percentage of our total net profit off of our farming operation. That was a very difficult economic result for us.

9. I am a member and Deacon of Mt. Olive Missionary Baptist Church, an active church with African American members located about a quarter of mile off of Dry Run Ditch in SJB. Many of church members live in the area. Some of the members travel from outside the SJB area to attend Church services.

10. During the bad flood years inside SJB, water has risen around the Church and has even gotten inside the Church building.

11. Many times during the bad flood years, Church members have been blocked from going to Church. Last year, for example, people could not attend services for over a month. The floods ran over the area roads and washed them out. The road that runs by the Church is Highway 720 that was under water for weeks last year. During high flood years, the road is frequently impassable.

12. Mr. William Bell is my brother in law. He lives on the Bells Farm on Highway 726, east of the Church. He does not farm, but is retired from the highway department. The floods occur all around the area where his house is located. Almost every road around his house has been flooded out in the bad flood years. He and his wife, Vera, had to leave home and live in a Sikeston Motel this past year. They both also attend the Mount Olive Church.

13. The flooding, year after year, causes me and my family members severe personal and economic hardships.

14. Putting a pumping station at the base of St. John's Bayou to get the flood waters out and into the river would protect our farms, our livelihoods, our homes, our church and our community from this terrible destruction.

15. Further declarant sayeth not. The facts set out in this in this declaration are true and correct and are stated as true under the penalty of perjury.

J. M. Rutledge 3-22-2012

J. M. Rutledge

DECLARATION OF LOUIS JOSEPH BROUGHTON

State of Missouri

County of New Madrid

Declarant, Louis Joseph Broughton, on personal knowledge states the following to be true and correct under penalty of perjury:

1. I am 67 years old and am competent to make this declaration.

2. I live at 735 Mitchell Avenue, New Madrid, Missouri 63869.

3. I have been a farmer all my life and grew up working on my father's farm. I have experienced the terrible flooding year after year in St. John's Bayou Basin.

4. In the high water flood years, I have seen where people who live in St. John's Bayou Basin have had to come to New Madrid to get their groceries by boat, because the roads are flooded over. I have had to go through Mr. J.W. Rice's yard by boat. His carpets and furniture have had to be taken up in his house to keep them from being ruined because of the high water.

5. I have been involved in pumping water from New Madrid over the Farrenburg Levee to save the town. I have seen sixteen pumps set up and running for three to four weeks at a time.

6. In 2011, we farmers put over 800 hours on our tractors pumping water 24 hours a day to save the town.

7. All of the water that was pumped into the SJB from New Madrid was concentrated in the south end of SJB and could not get out because the gates were closed and there were no pumps to get the water out.

8. This past year, I spent $10,000.00 on diesel fuel that has not been reimbursed. I hope FEMA will pay that. I know other farmers who spent $20,000.00 on fuel to run the pumps.

9. We lost our corn crop. Some farmers lost their wheat crop. We could not plant rice because of the flooding.

10. Planting was delayed until July. We lost substantial revenue because of the bad crop years during high floods.

11. I have watched the water levels for 20 years to read the gauges at the SJB flood gates for the Corps of Engineers. When the gates have to be opened or closed, the Floodway Levee Board has to be contacted to bring the key for access to the gate area. Many times there are delays waiting for the Levee Board to respond. Sunday is always a bad day for getting a rapid response. Sometimes the Levee Board has to go find someone to open the gates.

12. I live about two minutes from the gates and could operate them almost immediately if I had the key to get to them.

13. We need to have the pumps put in place inside SJB to remove the high flood waters and we should have the ability to access the flood gates to open or close them on a minutes notice.

14. Further Declarant sayeth not. This Declaration is given under penalty of perjury.

Louis J. Broughton

Louis Joseph Broughton

Dated: 3-22-2012

DECLARATION OF J. W. RICE

State of Missouri

County of New Madrid

Declarant, J. W. Rice, makes this declaration under penalty of perjury on personal knowledge as follows:

1. I am over 21 years of age and am competent to swear to the facts set out in this declaration.

2. I live at 77 County Highway 727, New Madrid, Missouri 63869. I have lived in New Madrid all of my life except for the time I served in the Army in the Pacific during World War II.

3. My family first began farming in 1866, when my grandfather bought land in what is now St. John's Bayou.

4. I remember when the front line levee was first built and when additional levees were constructed. I remember the 1927 flood, the 1937 flood, the 1953 flood, the 1958 flood, the 1973 flood, 1993 flood, 2011 flood. I remember how flooding in those years and other years destroyed our crops, our roads and our community.

5. My father told me that when the Farrenburg Levee was put in by the Corps of Engineers, pumps were supposed to be built to get the confined water out of the SJB area as soon as possible. When the flood gates were built in 1953 we were promised that pumps would be put in. They never have been. Because there are no pumps, the back-up of flood waters in the SJB has disrupted our farming operations and caused us substantial losses over the years.

6. Until the land dries after flood waters go down, we are not able to plant. In 2011, there was no planting in SJB until beginning in July. I could not raise corn or wheat. I did not get beans planted until the third week in July. In 2010, I got paid $60.00 a bushel for beans. In 2011, I got paid $10.00 a bushel for beans. If I could have planted earlier in 2011, I would have put in other crops and would have made a lot more money on my land.

7. There have been many times when flood waters have backed up into my yard. In 1937, water was 3 feet in my house. In 1973, the flood got to within 6 inches of my floor. In 2011, the water backed into my yard.

8. We pay for protection and do not get it. The flood gates at the base of the St. John's Bayou need to be properly maintained and operated. In my opinion the Floodway Levee Board does not respond fast enough when we need help. The Levee Board does not take care of the farmers in SJB.

9. If the pumps were installed at the base of the St. John's Bayou, in my opinion, all of the destruction to our homes, farms and communities in St. John's Bayou Basin would be stopped to a large degree.

Further, Declarant sayeth not. This Declaration is given under the penalty of perjury.

J. W. Rice

Dated: 3-21-12

DECLARATION OF DAVID WADE

Declarant, David Wade, declares under penalty of perjury, on personal knowledge, as follows:

1. I am over 21 years of age and am competent to declare to the facts contained in this Declaration.

2. On February 24, 2012, I interviewed Mr. Louis Wilburn, Jr., who lives at 3830 Highway 80, Matthews, Missouri 63867. The facts set out herein were stated to me by Mr. Wilburn.

3. Mr. Matthews reported to me that he is 88 years old and a lifelong resident in the St. John's Bayou Basin. His father lived in the Basin since 1880 and his grandfather moved to the Basin right after the end of the American Civil War.

4. He remembers his mother talking about the flood of 1913. He personally remembers the flood of 1927. It was cold in the winter with sleet and frozen rain. People had to drive their livestock north to get to high ground. Pigs had iceballs as big as a baseball frozen to their tails. There was a second rise of the flood waters in June and the farmers could not get feed for their livestock.

5. During the flood of 1937, his father had planted a winter supply of feed corn. When the water began to rise, his father had to get wagons and teams of horses to haul the corn out to gravel roads. Mr. Wilburn was a young boy at the time and had to stay all night at the corn crib to load up the wagons as they came in. His father was able to get the corn out before the flood waters got too high.

6. In 1937 the family was forced to move to a high ridge and took up residence in Dogwood Church.

7. After he married, he and his wife moved south of 80 highway in St. John's Bayou Basin. During the flood in 1950, he was forced to leave his home and his family moved into his sister's house. Every day he had to get to his farm by boat to feed chickens in the barn. He and his wife checked on their parents by boats. He remembers the waves in the field whitecapping and water freezing on him. His family was in the upstairs part of their house with a stove pipe running out of the upper window. Hogs were swimming in the waters and they could not pick them up.

8. In 2011, Mr. Wilburn stated that the flood waters in St. John's Bayou Basin topped over Highway 80. He had to sandbag around his house to keep water out. After the gates at the south of the St. John's Bayou Basin were closed, the water backed up in the Basin due to heavy rains. He could not get to Highway 80.

9. He has experienced problems because the flood gates have not been operated in a timely manner.

10. In the high flood years, his farming operations have been seriously affected by the flood waters. In 2011, Mr. Wilburn said he had 150 acres of corn planted and fertilized and all was lost. He lost $20,000.00 in fertilizer costs alone. He lost half his revenue production on his corn crop. Because of the flooding, he had to plant soy beans.

11. The towns of East Prairie and Matthews were seriously impacted by the flood waters.

12. Further Declarant sayeth not.

David Wade

David Wade

USDA

United States Department of Agriculture

Office of the Secretary
Washington, D.C. 20250

JUN 2 1 2011

Mr. T.W. Medlin
President
St. John's Bayou Basin Drainage District
Post Office Box 95, 501 Virginia
New Madrid, Missouri 63869

Dear Mr. Medlin:

Thank you for your letter of May 11, 2011, concerning the need for a pumping station at the New Madrid floodgates on the Mississippi River. I apologize for the delayed response.

I recognize the devastating effect the recent flooding has had on property and lives, and understand the recovery effort will take time and resources.

Also, I appreciate your many efforts to secure flood protection for your community through proactive inquiries of available funds and resources. Implementing and constructing any structural feature, such as this proposed pumping station, requires careful planning and coordination with all Federal, State, and local agencies.

Although the U.S. Department of Agriculture (USDA) does not have financial resources to provide immediate, direct relief, USDA's Natural Resources Conservation Service is working with the Memphis District U.S. Army Corp of Engineers and the Environmental Protection Agency to develop a long-range solution to this problem.

I share your concern and interest in the availability of assistance to construct a pumping station. I urge you to use all authority available as a legal entity in Missouri and continue your pursuit of a pumping station for the St. John's Bayou Basin Drainage District.

Again, thank you for writing. I appreciate that you took the time to contact me about this very important issue.

Sincerely,

Thomas J. Vilsack
Secretary

Missouri Department of Transportation

MoDOT

16894 State Highway 25
Chaffee, MO 63740
(573) 794-2986

www.modot.state.mo.us

Stan Johnson, Area Engineer

June 21, 2011

Mr. Scott Matthews
St. John's Drainage District
717 Tanner St.
Sikeston, MO 63801

Dear Mr. Matthews:

As you know, MoDOT has exerted quite an effort to keep Interstate 55 safe and passable during the recent flooding.

The existing system of levees and pump protecting I-55 was designed after the historic 1973 floods when the interstate almost closed. We have activated it a few times since then when St. John's ditch is high because the gates are closed and there is significant rainfall in the St. John's basin. We activated the system again this spring.

The difference this year was the continued rise of the water. Thus year, we had to raise the levees approximately two feet and add additional sandbags along the interstate to keep it passable. There were locations where the water was almost a foot higher than the high side of the curve. If these levees had failed, we would not have been able to keep the interstate open and would have had to detour traffic up US 61, a two lane roadway. The cost so far for these flood relief efforts is approximately $163,000.

Any efforts that the Drainage District could make to alleviate the potential for flooding at I-55 would go far to enhance motorist safety.

If you have any questions or need further information, please feel free to call me at (573) 225-3401.

Sincerely,

Stan Johnson

cc: File

U.S. Department of Transportation
Federal Highway Administration

Missouri Division

3220 W. Edgewood, Suite H
Jefferson City, Missouri 65109
(573) 636-7104
Fax (573) 636-9283
Missouri.FHWA@fhwa.dot.gov

June 21, 2011

T.W. Medlin
T.W. Medlin Farms, Inc.
P.O. Box 95
New Madrid, MO 63869

Dear Mr. T.W. Medlin:

Thank you for your letter of June 17, 2011, inviting us to a meeting between the St. John's Bayou Basin Drainage District and the United States Army Corps of Engineers (USACE) on June 22, 2011. Unfortunately were unable to meet with you on this short notice due to other commitments. We could meet with you at a future date and time to discuss the flooding issues with I-55, and offer the following comments concerning this flooding.

The Federal Highway Administration is concerned with the flooding of I-55 near mile marker 59 due to backwater trapped within the St. John's Bayou Basin Drainage District. This flooding creates disruptions to traffic on the interstate system, forcing interstate traffic to utilize detours on routes with less traffic capacity and fewer lanes. The flooding also creates a situation where the decision is required as to when to continue pumping and when to abandon pumping for safety, and succumbing to the flooding. During the flooding event in the past months the work to keep the interstate open to traffic required substantial resources in sandbagging and pumping operations. Luckily, this time, the efforts and the backwater elevation allowed I-55 to remain open. In 1972-73, this section of interstate was closed due to backwater flooding.

FHWA would be in support of solutions to eliminate or reduce the likelihood of flooding on I-55 at this location.

If you desire additional information please contact me by mail or by telephone.

Sincerely yours,

Edgardo Cordero
Assistant Division Administrator

Waters Engineering, Inc.

Civil Engineering & Land Surveying

Post Office Box 567
908 S. Kingshighway
Sikeston, Missouri 63801

E-mail: main@waterseng.com
573/471-5680
Fax: 573/471-5689

June 17, 2011

Mr. Ted Medlin
President
St. John's Bayou Basin Drainage District
501 Virginia Avenue
New Madrid, MO 638698

Re: St. John's Bayou Basin

Dear Mr. Medlin:

This letter is offered in response to your request for an opinion from our firm regarding the effects on public infrastructure resulting from the absence of a pumping system for the St. John's Bayou Basin.

Our firm has a 90-year history of providing engineering services in Southeast Missouri, and we have been involved in the development of the roads, drainage, bridges, water and sewer system of every public body in the St. John's Bayou Basin.

Based upon our first-hand knowledge of these systems we offer the following observations on the impacts of prolonged flooding caused by the lack of a St. John's Bayou pumping station:

1. Roadways.

   Extended submergence of road beds is detrimental to the integrity of both the surfacing and structural bases of roadways. Repair of these types of failures cannot be properly made with a simple surface topping, but rather requires restoration of the entire support base.

   Most often the local governments do not have adequate funds or staff to make proper repairs, and the results are a long-term degradation of the quality of the roadway system and continued high maintenance expenses.

2. Drainage Ditches.

   As flow backs-up in the Bayou, the drainage ditch side slopes become saturated, then lose strength and become prone to subsidence failures. The velocities induced along these saturated ditch bank slopes when the outlet at New Madrid re-opens compounds the failure problem.

Once slope failures occur they are difficult to repair and each failure point becomes an on-going liability for the drainage authorities, and again more increases in the costs for maintenance are generated.

3. Bridges.

Innundation of bridges promotes both structural damage and approaching roadway failures.

There are still a significant number of bridges with timber decks and structural members, and these bridges do not fare well with submergence, and some substantial repair or replacement generally results.

Bridge and approaching roadway failures present safety issues that often result in the need for bridge closures. These closures can be for extended periods that can have serious impacts on the ability to access homes, farm operations and farmland around those failures.

One of the main drains on the budget for County governments is the up-keep of their bridges, and the effects of the lack of a pumping station is to add further needs to an already challenging list for needed bridge improvements.

4. Rural Water & Sewer Systems.

Much of the St. John's Bayou Basin is still not served by a Public Water Supply District, and the residences in such areas rely upon individual shallow wells, 15 to 30 feet in depth, for drinking water.

These wells are generally located near on-site sewage disposal systems. During flooding periods the areas where drinking water is obtained and the areas used for on-site sewage disposal become directly linked through the common high ground water.

Wastewater treatment in the rural areas is provided by individual septic tanks with tile fields. During periods of flooding in the St. John's Basin these tile fields do not work which results in surfacing of wastewater.

The surfacing of waste water and the contamination of the drinking water supplies represent very serious public health issues that can be directly attributed to high ground water conditions enhanced by the prolonged innundation in the St. John's Bayou Basin.

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5. Public Sewer Systems.

High water tables are the enemies of public sewer systems. The prolonged innundation from the backwater in the St. John's Bayou Basin results in such high water tables.

The infiltration of groundwater through pipe joints and leaking manholes cause excessive flows at wastewater treatment plants. These flows can result in the need for substantial sewer system rehabilitation programs and for the upgrading of treatment plants to handle the added flow.

With high water tables the soil around the underground sewer system migrates through leaks and enters the sewer system. The results are that the sewer collection system and treatment works become engorged with sand which must be removed to restore the system to proper service.

The migration of soil also causes holes to develop over sewer mains, which causes the functional failure of the collection system. These problems are expensive to repair, cause disruption of the land use above and around the sewer failures and also bring untreated wastewater within the proximity of people.

6. Economic Impact on Public Bodies.

The total economic impact of the extended high water levels in the St. John's Bayou Basin are difficult to determine because expenses are required to cope with both short and long-term costs.

The short-term costs to correct the immediately noticeable damage to public infrastructure are normally readily identified and quantified. Unfortunately it is our opinion that the long-term costs for operation, maintenance and replacement of public works facilities due to the effects of the long-term flooding may be just as high.

7. Combined Economic Effects.

It is generally accepted that the economy of Southeast Missouri is rooted in agriculture, and that the fate of the balance of the economy in the region follows that of agriculture.

There should be little argument that the ability of the agricultural industry to thrive is threatened by the lack of a pumping station outlet for the St. John's Bayou Basin.

The ability of public bodies to generate the income needed to operate is tied to their tax income or the ability of their customers to pay for services. Both of these income sources depend on a flourishing economy.

The adverse economic impacts of long-term flooding increase operational costs while diminishing the capabilities to generate revenue for public bodies. This combination of factors has placed many of the public bodies in difficult financial situations.

8. Recommendation Solution.

To significantly reduce the adverse impacts from the long-term flooding in the St. John's Bayou Basin would require the construction of a pumping system. The system should be designed to flow to New Madrid and should have adequate pumping capacity to prevent objectionable long-term ponding of water.

We would suggest that the flow rainfall and flow data from the 2011 flooding event be considered as the design event for the pump station design.

We hope you will find this information to be helpful. The lack of pumps in the St. John's Bayou Basin generates a multitude of problems for our public sector clients, and life would certainly be better for all if they could be constructed.

Sincerely,

WATERS ENGINEERING, INC.

John Chittenden, PE
President

United States Department of Agriculture

NRCS

Natural Resources Conservation Service
480 West Jackson Trails
Jackson, Missouri 63755-2665

June 8, 2012

Mr. Ted Medlin,
501 Virginia Avenue
New Madrid, MO 63869

Dear Mr. Medlin,

I understand you are gathering information to support the installation of pumps at the St. John's Ditch outlet works. It's my pleasure to provide any information I have regarding flood damages.

On March 18 2008 the bootheel suffered a catastrophic single day rainfall event of 8" to 14", falling on already saturated soils. NRCS and your district, St. John's Bayou Basin, partnered in the completion of eight projects through USDA's Emergency Watershed Program (EWP) to restore district drainage ditches. Your district completed work totaling $3,131,143 in total project cost. The project was very well managed by your drainage district. I was honored to accompany you as we hosted US Secretary of Agriculture Tom Vilsack in 2009. Secretary Vilsack commended the projects for their efficiency and timeliness.

In 2011 the Mississippi Valley suffered another record flood. I've attached my daily flood report from 5/11/2011 where I estimated that 85,000 acres were flooded within the St. John's Bayou Basin area. I was on the helicopter flight referenced in the report and assure you that the 85,000 acre figure is an accurate estimate. I estimate that flooded cropland acreage totaled about 76,000 acres. All of these acres suffered from delayed planting. There were significant acreages of wheat destroyed by flooding, but I don't have a figure for those losses. I heard estimates of average cropland economic losses of $100 to $150/acre. The midpoint of these values would yield an estimated crop loss of $9,500,000 based upon field estimates.

This spring USDA and St. John's Bayou Basin entered into a EWP project agreement to repair some of the damages caused to district ditches by the 2011 flood. The $517,061 project is only for the smaller ditches. We did not inventory the damage to St. John's Ditch, but based on damage to other ditches in the region, I would not be surprised if at least 50% of the 2008 improvements were destroyed, or $1,550,000 in damages.

Summary of Estimated Damages due to 2011 St. John's Bayou Basin flooding (Agricultural damages, not counting agricultural structures)

$9,500,000	Cropland damages
$1,550,000	St. John's Ditch estimated damage
$517,061	Damages to other district drainage ditches

You asked for my thoughts as to whether the installation and operation of a pumping station at the St. John's Bayou Basin outlet would have reduced flooding. In my opinion the presence and operation of suitably sized, permanent pumps would have substantially reduced flooding in the basin in 2008 and 2011. Interstate 55 would not have been threatened with closure, significantly fewer homes and businesses would have been flooded, and agricultural damages would have been measurably reduced. I believe that the 2011 mobilization of temporary pumps by the US Army Corps of Engineers, executed at considerable cost and effort by the Corps, illustrates that pumps are the only viable means to address the flooding problem. The St. John's Bayou Basin has suffered two severe floods in the past five years. The installation and operation of suitably sized, permanent pumps would serve to prevent a re-occurrence of large scale flooding in the future.

Thank you,
Mark E. Nussbaum, P.E.
Area Engineer, USDA-NRCS, Jackson, MO

cc. Nancy Walker, District Conservationist, New Madrid, MO

MARTIN, TATE, MORROW & MARSTON, P.C.

ATTORNEYS AND COUNSELORS

INTERNATIONAL PLACE, TOWER II
SUITE 1000
6410 POPLAR AVENUE

MEMPHIS, TENNESSEE 38119-4839

(901) 522-9000
FAX (901) 527-3746

DAVID WADE
DWADE@MARTINTATE.COM

June 27, 2012

Via E-Mail and U.S. Mail

Danny Ward
Project Manager
U.S. Army Corps of Engineers
CEMVM-PM-P
167 N. Main, Room B-202
Memphis, TN 38103-1894
daniel.d.ward@usace.army.mil

Re: St. John's Bayou Basin

Dear Mr. Ward:

On behalf of the St. John's Bayou Basin Drainage District, I am forwarding the listed documents for consideration by the Corps of Engineers in preparation of the Environmental Impact Statement regarding the pumping stations to be located in the District.

The documents are:

1. Report dated June 21, 2012, from Dr. Michael Aide, Chair of the Department of Agriculture for Southeast Missouri State University, detailing damages to the crop production due to flooding in the Drainage District including his opinion that the damages would have been minimized had there been in place a system to remove impounded backwater flooding.

2. Report dated June 8, 2012, from Mark E. Nussbaum, Area Engineer, USDA-NRCS, Jackson, MO, summarizing estimated agricultural damages due to 2011 St. John's Bayou Basin flooding including his opinion that the installation of permanent pumps would have substantially reduced flooding.

3. Letter of June 15, 2012, from Anita J. Dunning, State Director of the United States Department of Agriculture Rural Development Missouri stating that after the flood of 2011, the St. Johns Bayou Basin pumping station should be a top priority.

4. Declarations of William J. Cavins, Richard Phillips, Jr., Robert Henry, Bryan Palmer, and Karen Jones. They detail the destruction the flooding has caused to wildlife and wildlife habitat, business, commercial and agricultural interests, subdivisions and residential areas and to the community as a whole. The emphasis is on the obvious need for the pumping station to alleviate the damage caused by the flooding. I am able to obtain many more declarations that will substantiate the statements made by these witnesses and the others previously provided to you.

Please consider these materials as you complete your work on the proposed EIS. Should you have any questions, please feel free to contact me.

Very truly yours,

David Wade

Enclosures
cc: St. John's Bayou Drainage District Board

Report dated June 21, 2012, from Dr. Michael Aide

Southeast
Missouri State University

ONE UNIVERSITY PLAZA · CAPE GIRARDEAU, MISSOURI 63701-4799 · (573) 651-2000 · www.semo.edu

June 21, 2012

Mr. David Wade
Martin, Tate, Morrow & Marston P.C.
International Place, Tower II
6410 Poplar Avenue, Suite 1000
Memphis, TN 38119-4839

Dear Mr. Wade,

The following data is generated using a simulation program developed for the St. John's watershed. The intent of the simulation is to determine the crop production in the St. John's watershed based on a normal cropping year and compares that data with the actual production patterns of 2011. Table 1 represents the estimated crop values of the St. John's watershed partitioned by the acreages of the counties within the watershed. The percent of non-cropland in those land parcels were subtracted from the county-watershed acreages. Table 2 represents crop production values for the actual St. John's watershed 2011 cropping year.

The crops selected were corn, soybeans, wheat, rice, cotton, and grain sorghum. These six crops represent more than 90% of the crops cultured in the watershed. Crop prices were established for May 5, 2011. First planting dates were optimum for the normal year simulation and for the actual 2011 planting year were established at July 1, 2011 for the southern portion of the watershed and June 1 for the northern portions of the watershed. These dates correspond to discussions with large-sale growers in the watershed. The delay in planting in 2011 was attributed to water saturated soil conditions as a result of backwater flooding.

The wheat crop in the watershed was an extremely poor yielding crop in 2011 because of cool temperatures during tillering, water saturation during grain fill, inability to apply fungicides and Septoria (*Mycosphaerella graminicola – a wheat disease promoted by wetness)*.

Crop yields were affected by two conditions present in 2011. Cotton, rice and corn production was not advised because of the late planting date, particularly in the southern portion of the watershed. Acres not planted to corn, rice and cotton were allocated to soybeans. This switch is collaborated with discussions with CCA advisors and land owners. The corn, soybeans and other crops that were planted manifested yield reductions because of post-ideal planting dates. The algorithms employed to predict post ideal planting date yields were adapted from publications arising from the University Missouri and Ohio State University. The acreage devoted to soybeans increased proportionally to the transition away from cotton, rice and corn.

The production reductions were greatest in the southern portion of the St. John's watershed because of water transport from the northern portion of the watershed. Additionally the soils of the northern portion of the watershed have better drainage, higher elevation and a course texture (sandy loam to loam), whereas the soils of the southern portion of the St. John's watershed are poorly-drained, heavy-textured Vertisols (silty clay loam, silty clay, clay). If a system to vacate impounded backwater flooding in the St. John's Basin watershed has been in place and timely activated, the damages sustained in 2011 from delayed planting, low yields and loss of profits would have been minimized.

Very truly yours,

Michael Aide Ph.D, CPSS
Chairperson, Department of Agriculture
Southeast Missouri State University

Table 1. Estimated crop values for a normal year by county in St. John's Watershed crop **($ million)**

County	Corn	Soybean	Cotton	Rice	Sorghum	wheat	total
New Madrid	$29.01	$39.83	$37.24	$14.79	$2.07	$3.97	$126.91
Mississippi	$45.45	$69.43	$0.00	$1.37	$2.89	$14.52	$133.66
Scott	$33.32	$22.86	$2.20	$0.75	$0.74	$8.72	$68.59
total	$107.78	$132.12	$39.44	$16.91	$5.70	$27.21	$329.16

Table 2. Estimated crop values for 2011 because of delayed planting by county in St. John's Watershed crop **($ million)**

County	Corn	Soybean	Cotton	Rice	Sorghum	wheat	total
New Madrid	0.00	84.95	0.00	0.00	2.07	0.00	87.02
Mississippi	23.44	69.43	0.00	1.37	2.89	0.00	97.13
Scott	17.19	24.39	0.00	0.75	0.74	0.00	43.07
total	40.63	178.77	0.00	2.12	5.70	0.00	227.22

Table 3. Estimated crop value differences between normal and 2011 by county in St. John's Watershed crop **($ million)**

County	Corn	Soybean	Cotton	Rice	Sorghum	wheat	total
New Madrid	-$29.01	$45.12	-$37.24	-$14.79	$0.00	-$3.97	-$39.89
Mississippi	-$22.01	$0.00	$0.00	$0.00	$0.00	-$14.52	-$36.53
Scott	-$16.13	$1.53	-$2.20	$0.00	$0.00	-$8.72	-$25.52
total	-67.15	46.65	-39.44	-14.79	0	-27.21	-101.94

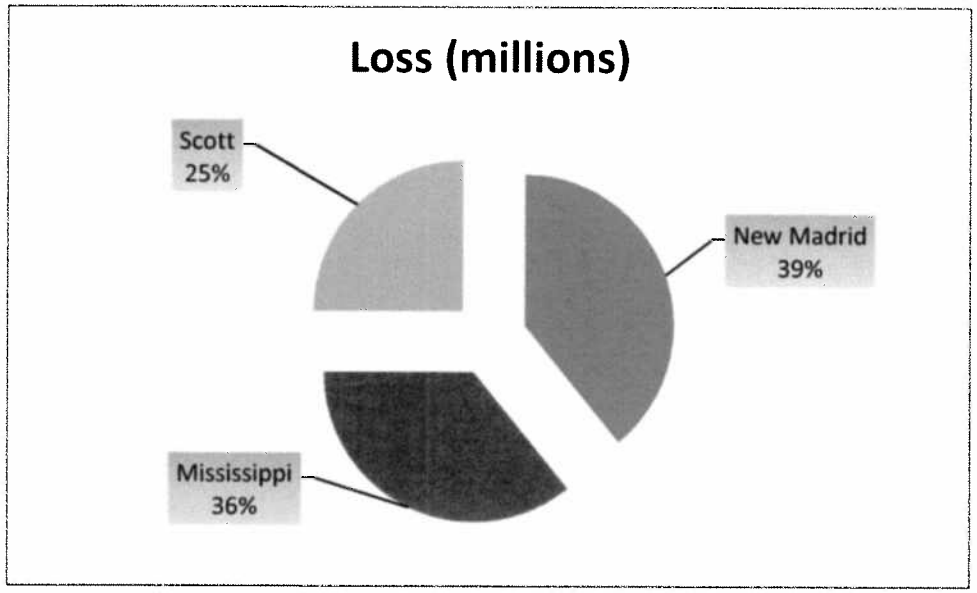

Figure 1. Crop loss estimates for selected counties in the St. John's watershed.

Report dated June 8, 2012, from Mark E. Nussbaum

United States Department of Agriculture

NRCS

Natural Resources Conservation Service
480 West Jackson Trails
Jackson, Missouri 63755-2665

June 8, 2012

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501 Virginia Avenue
New Madrid, MO 63869

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Thank you,
Mark E. Nussbaum, P.E.
Area Engineer, USDA-NRCS, Jackson, MO

cc. Nancy Walker, District Conservationist, New Madrid, MO

Letter of June 15, 2012, from Anita J. Dunning

United States Department of Agriculture
Rural Development
Missouri

June 15, 2012

Colonel Vernie L. Reichling
Commander, Memphis District
Corp of Engineers, Memphis
167 N. Main, B202
Memphis, TN 38103-1894

Dear Colonel Reichling:

Please make the St. Johns Bayou Basin pumping station a main concern as an early component of the St. Johns/New Madrid Floodway Project. After the flood of 2011, it became evident that the pumping station should be a top priority. Your attention to this matter is greatly appreciated.

Sincerely,

Anita J. Dunning
State Director

601 Business Loop 70 West · Parkade Center, Suite 235 · Columbia, MO 65203
Phone: (573) 876-0976 · Fax: (573) 876-0977 · TDD: (573) 876-9480 · Web: http://www.rurdev.usda.gov/mo

Committed to the future of rural communities.

Declarations

DECLARATION OF WILLIAM J. CAVINS

State of Kentucky

County of Lyon

Declarant William J. Cavins makes this declaration under penalty of perjury and states as follows:

1. I am over 21 years of age and am competent to set forth this declaration of facts based on my own personal knowledge.

2. I live in Eddyville, Kentucky.

3. In 2003, I purchased over 2000 acres of land within the St. John's Bayou Basin Drainage District (the "Basin"). After some sales of the land, I now own approximately 1600 acres in the Basin.

4. I granted a permanent easement to the United States Government under the federal Wetlands Reserve Program ("WRP"). All of the acres owned by me in the Basin were put under the WRP.

5. The acres are set aside to create environmentally sensitive wetland areas for preservation of wildlife habitat. They have been permanently removed from crop production under WRP.

6. The federal government allocated approximately $2 million for the cost of the original restoration project that included planting native trees and grasses, placement of levees to retain water, and basic habitat re-creation.

7. After the purchase of the WRP site, we acquired a lodge and installed a levee around the lodge to protect it from flooding. After the flood of 2008, I increased the height of the levee to make it at least a foot higher than the 2008 flood stage. In spite of that additional construction, the flood of 2011 topped the levee by over one and a half feet. Over 5 feet of water standing flooded into the lodge, causing extensive damage.

8. The 2011 flooding ruined many of the habitat structures that had been developed under the program to protect wildlife. Natural grasses and nesting areas were washed away. Native bird populations, including wild quail and turkey, lost their natural nesting grounds and were displaced. The deer population was forced out of its nesting grounds into higher ground to escape the flood waters. Many deer sought high ground on the levees and became stranded due to the high water. The levees did not contain enough food to sustain them. Many deer starved as a result.

9. The destruction to wildlife was devastating.

10. This kind of destruction should never have happened. When the levees were originally built, all of the drainage waters were directed to a narrow point into the southern part of the Basin. During heavy rains that frequent the area, the run-off waters course south through the drainage district and back up into the Basin, where the water is retained because it has no escape route when the Mississippi also is at high

levels. An important part of the plans for creating the Basin included a pumping system to remove the backed up water as quickly as possible. As currently operated without a pumping system the engineering design for the correct operation of the Basin flood controls is thwarted.

11. It is absolutely essential to the natural fauna and flora in the Basin that the pumps be installed to remove the flood waters out of the Basin as soon as possible. Installation of the pumps will minimize the negative impact on wildlife that make home in the forests and fields of the St. John's Bayou Basin Drainage District. Getting water out of the Basin as soon as possible is imperative to save the wildlife and their habitats.

12. I am also a farmer and I have witnessed the terrible destruction on the lives of those who farm in the Basin due to the retention of water in it for much longer than should be necessary. The installation of pumps will greatly reduce the amount of time water stands in this vital agricultural district and will significantly reduce the suffering of those living and working there.

13. On May 12, 2009, Mr. Medlin, a large land owner who has purposely set aside habitat areas on his farms, and I, together with other area farmers and members of the NRCS staff, met with U.S. Secretary of Agriculture Tom Vilsack in the NRCS office in New Madrid. We discussed with Secretary Vilsack the recurring problem of habitat destruction and damage to the agriculture complex in St. John's Bayou Basin Drainage District. Secretary Vilsack could not personally tour the area because of road closures and flooding but, after reviewing satellite pictures of the area provided by the Corps of Engineers, he quickly affirmed the need of a pumping station in the Bayou Basin and offered his support.

14. Further, Declarant sayeth not.

William J. Cavins

6/26/2012
Date

State of Missouri

County of New Madrid

Declarant, Richard Phillips, Jr., declares under penalty of perjury, on personal knowledge as follows:

1. I am 86 years of age and am competent to declare to the facts contained in this Declaration.

2. I live at 401 Kings Highway, New Madrid, Missouri. I have lived all of my life here except when I was at school and in the Navy (Pearl Harbor from 1944 to 1946). My father was in the oil business furnishing farmers with fuel, lubricants and the like and he had a grocery store operation. I was the Mayor of New Madrid for 10 years. I was on the board of the town of New Madrid when the industrial park was built and when the town assembled the bond financing to enable Noranda Primary Aluminum Smelter and Associated Electric's Power Plant to locate in the town. I and my extended family are substantial owners of farm land in Bayou Basin. I own over 160 acres.

3. I am keenly aware of the impact of the flooding on the commercial, industrial and agricultural base in New Madrid and the St. John's Bayou Basin.

4. Plainly, when the river is up, the gates at New Madrid at the south end of the Bayou Basin are closed. Many times the gates are closed when there is substantial rain fall in the Basin causing acres and acres to flood. Because there is no natural way for the water to escape, it stands in place, creating a huge lake that saturates the ground. When the water finally recedes, Bayou Basin is the last to get relief.

5. During excessive rainfall water threatens the town of New Madrid and Farmers have to pump water away from the town over the levee. This necessary action causes additional flooding build up in the Bayou Basin causing a much longer delay before the water can recede. It is a recurring problem and pumps have been needed for years. There have been times that if the farming community had not pumped water over the levee, the town would have been subject to homes being flooded.

6. Although I am retired now, I was in the fertilizer and chemical business for about 25 years and was the only person in the business for many years. I sold fertilizer to many farmers in the Bayou Basin. Flooding in the Basin was a constant economic threat to my business and to farmers because it would cause farmers to delay purchasing my products or in some cases not to purchase at all. Many times the flood waters would wash away fertilizer that had been spread over the farm land.

7. I estimate that over the time I operated my business the economic losses were approximately $250,000. I sold the business in 1998, but I kept the office and I see farmers every day.

8. My family and I were big rice growers. The backwater flooding causes it to be too late to plant rice and rice is a good cash crop.

9. If pumps were installed at the gravity gates, it would significantly alleviate the damage. If water were released from pumps instead of being pumped into the area, the water's rapid out flow would reduce

saturation and cause much quicker drying of the land. For years, we have been in dire need of the pumps to go straight into the river. When they close the gates, the water backs up in a hurry when it rains.

10. I know that the pooling in the Basin during times of high rainfall causes problems for the wildlife in the area. When the water gets up and remains high, the wildlife take to the high ground to save their lives. The flooding destroys their natural habitat and nesting grounds in the spring time and the levees where the wildlife retreat provide little shelter or forage.

11. Further, declarant sayeth not. This Declaration is made by me under penalty of perjury.

Richard Phillips Jr.

Richard Phillips, Jr.

Dated: 06-27-2012

DECLARATION OF ROBERT HENRY

State of Missouri

County of New Madrid

Declarant, Robert Henry, declares under penalty of perjury, on personal knowledge as follows:

1. I am 67 years of age and am competent to make this declaration.

2. I was born east of New Madrid, Missouri and I live in the City of New Madrid. I am a life-long resident and went to school here. My office is located in New Madrid.

3. I am one of the largest independent seed dealers in the United States. Annually my sales approach 6,000 tons of bean, corn, and wheat seed in the United States. As a seed dealer, I sell certified seed to over 600 farmers from Berryville, Missouri to below Memphis, Tennessee and as far west as West Point, Iowa. My seed sales approach 15 million annually.

4. Close to 40% of my total seed sales are made to over 100 farmers in the St. John's Bayou Basin Drainage District.

5. I have been a farmer all my life. My father farmed and cut timber. I currently have a small farm in the Bayou Basin.

6. Ever since I have been old enough to remember flooding has been bad in the Basin. The flooding caused substantial damages to row crop production in our farming operation.

7. I recall one year the damage was so bad because we could not get the crops in the ground, my father had to sell every hog he owned to pay off his loan. He sold 600 hogs. He kept 40 shoats to rebuild his stock.

8. In 2011, in the Basin, many people had corn, wheat and beans planted before the rains and the bad flooding came. The wheat was all but made and not too far from being harvested. The loss of those crops was devastating to the farmers. Because the land was not able to dry out, it was too late to replant the wheat and corn crops. Farmers had to plant beans. I observed crop losses all the way north from New Madrid to Commerce in Benton Hills.

9. The roads were cut off by the water and people were pumping water to keep it out of their homes.

10. If there were pumps in the basin to get the water out quicker, it would help significantly. Pumping would prevent the water build up and wide-spread saturation of the area.

11. We had a tractor pumping for several days to keep the water from flooding into the town of New Madrid. Other farmers were assisting in the effort to divert the gathering rain water away from the town. If there had been one more rain during this time, we could not have held it back.

12. My office is in the town of New Madrid and our staff had packed all of our files in a dry box ready to leave if we had to go.

13. The flooding of 2011 almost shut down Interstate 55 and the Town of Sikeston. If the water had closed the Interstate, then the lifeline to the whole central portion of the nation would have been affected. I also have an office at East Prairie and, during the high water, I was unable to get there except by routing through Sikeston and Charleston. This route added significant extra distances to my office.

14. The flooding is devastating to wildlife. Within the Basin, the deer, turkey, rabbits, and quail have no place to go when the floods destroy their habitat. Many farmers have gone to significant expense to create wildlife habitat reservation areas and the destruction of habitat causes substantial hardship on the animals and also the human population in the attempt to preserve it.

15. The placement of the flood water removal pumps that were planned for the south end of the Bayou Basin is necessary to prevent the backup of drainage water and the consequent flooding caused by the blockage.

16. Further, declarant sayeth not. This Declaration is made by me under penalty of perjury.

Robert Henry

Robert Henry

Dated 6-25-2012

DECLARATION OF BRYAN PALMER

State of Missouri County

of SCOTT

Declarant, Bryan Palmer, declares the following statements of fact to be true to the best of his knowledge, information and belief, under the penalty of perjury.

1. I am over 21 years of age, have personal knowledge of the facts state herein and am competent to give this Declaration.

2. I live in Sikeston, Missouri, and have been a resident in the St. John's Bayou Basin Drainage District area all of my life.

3. My father and I were partners with other investors in a 1,000 acre Dairy Farming business located one mile east of I-55, along Mo. Highway SO, and all within the St. John's Bayou Basin Drainage District. ("St. John's").

4. Together with international investors, we developed the concept for our Dairy Farm of having free ranging dairy cattle with specially prepared and grown pastureland in order to produce high quality milk for consumers. The economic power of the plan was driven on the concept that the cattle would free graze and would not require an expensive special feeding regimen.

5. The preparation of the pastureland, acquisition of dairy cattle, and construction of dairy farming facilities and infrastructure involved millions of dollars of initial capitalization.

6. In 200S, the record flooding within St. John's devastated the project. Over SO of the farmland was underwater. The water backed up into the ditches (Ash Slough and St. John's Ditch), overflowing the banks and supersaturating the pasturelands. At one time the fence posts on our land were totally under water.

7. The operation had a little island of higher ground and our 1100 head of dairy cattle all herded into that spot. We had to find ways to transport the cattle off the Ranch to another Ranch that had not been flooded out.

S. The flooding ruined the pastureland for the free ranging cattle. We were forced into purchasing expensive prepared cattle feed. The cost was so exorbitant that we ended up loosing the entire business.

9. In the process the partners put in an additional 2 to 3 million in capital to try to save the business. We tried tc reseed the pastureland, but could not get it back to its prior state of providing an ample home grown food supply for the cattle.

10. We ended up selling most of the cattle because the loss of the pastureland destroyed the business. Ultimately the Dairy Farm was sold at auction.

11. My father personally lost over a half-million dollars in this innovative investment.

12. The flooding destroyed the business. Had there been pumps in the lower end of St. John's to remove the water that backed up in the ditches, the flooding would not have ruined our pastureland and the plan to provide
3. healthy milk from free range cattle would not have failed.

13. **In** my opinion the loss of this farm had a huge negative economic impact for the local and statewide business, industrial and agricultural community and the flooding caused the end of an innovative idea to provide healthier milk products for the county. **In** addition to our own loss, the 480 acre Medlin farm, just a mile north of our dairy operation, and a highly-improved, graded and irrigated rice farm, was also completely under water and unable to plant rice in the 2010 and 2011 crop years.

14. Further, Declarant sayeth not.

Bryan Palmer

Dated: 06/25/2012

DECLARATION OF KAREN JONES

State of Missouri

County of .SCOTT

Karen Jones, declares on personal knowledge, that the facts set forth in this Declaration are true to the best of her knowledge, information and belief, under the penalty of perjury.

1. I am over 21 years of age and am competent to declare of the truth the facts set out herein.

2. My home is in the Mini Farms Subdivision outside of Sikeston, Missouri. The Subdivision contains approximately 200 hundred homes and each home is on an acre sized lot in the St. John's Bayou Basin Drainage District ("St. John's"). The St. John's Ditch runs to the east side of the subdivision.

3. I have lived through four floods that have impacted my home and the homes of my neighbors. Every year the floods come, the high water gets worse.

4. In May 2011, the entire subdivision was under water. My neighbor's home 3 doors down from me had two feet of water standing in her home. She had to tear her house down and rebuild.

5. My neighbor two houses down from me, Mrs. Alcorn, is 90 years old. The flooding buckled her floor and she had to move out while the work was being done to replace the bad flooring.

6. Flooding routinely comes into my yard when the St. John's Ditch backs up. In 2011 there was two feet of standing water under my house. The water pressure cracked and buckled my garage pad.

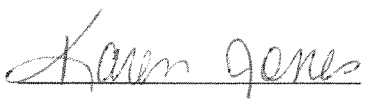
7. My neighbor to the north had to have the toilets removed from the house because the septic tank filed with water and raw sewage backed up into the house. Throughout the subdivision, the septic tanks quit functioning.

8. The subdivision has four north-south roads and 2 east-west roads servicing the neighborhood. This past year three north-south roads and the northern most east-west road were impassible due to the flooding. The roads were out for one and a half to two weeks. People either had to move out or live with relatives. Grocery shopping was all but impossible.

9. The problem is caused because water is not allowed to drain out of St. John's at the south end. The drainage ditches fill and back up to the north. If pumps were installed in the south end of St. John's the relief would enable us to stay in our homes and would prevent the devastating flooding back-up into our subdivision.

10. Our homeowners association has written many letters over the years begging for the pumps to be installed.

11. Further, declarant sayeth not.



Karen Jones Date: 06/26/2012

13. The flooding of 2011 almost shut down Interstate 55 and the Town of Sikeston. If the water had closed the interstate, then the lifeline to the whole central portion of the nation would have been affected. I also have an office at East Prairie and, during the high water, I was unable to get there except by routing through Sikeston and Charleston. This route added significant extra distances to my office.

14. The flooding is devastating to wildlife. Within the Basin, the deer, turkey, rabbits, and quail have no place to go when the floods destroy their habitat. Many farmers have gone to significant expense to create wildlife habitat reservation areas and the destruction of habitat causes substantial hardship on the animals and also the human population in the attempt to preserve it.

15. The placement of the flood water removal pumps that were planned for the south end of the Bayou Basin is necessary to prevent the backup of drainage water and the consequent flooding caused by the blockage.

16. Further, declarant sayeth not. This Declaration is made by me under penalty of perjury.

Robert Henry

Robert Henry

Dated: 6-25-2012

Declaration of John Byrd

State of Missouri

County of Scott

John Byrd declares on personal knowledge under penalty of perjury that the facts set out in this Declaration are true and correct to the best of my knowledge, information and belief.

1. I am over 21 years of age and am competent to declare the truth of the facts set out herein

2. I live just northeast of Sikeston, Missouri and farm 3 miles north of Highway 60. I grow row on farms throughout the area primarily north of Highway 60 and North of Highway 62. My farms approximately 3,600 acres in St. John's Bayou Basin Drainage District. ("St. John's").

3. Our family moved into the area from Alabama in 1925 to the same farm I live on now.

4. We now plant corn and soy beans mainly. We had to quit growing cotton because of wetne from saturated flooded fields. We don't grow wheat anymore because the flooding makes i doubtful whether it can make a wheat crop.

5. There has been flooding in St. John's for as long as I can remember. I think the flooding is getting worse, primarily because the ditches in St. John's fill up when we have heavy rains. is caused by a number of factors. The river is staying up longer and the gates at New Madric closed longer leaving no escape for the waters from heavy rains in St. John's. Also, there is r asphalt with more homes, driveways, parking areas and streets causing more water to run o faster into the ditches and sloughs in St. John's.

6. Basically, we get the flooding from the bottom of St. John's with the rains. The St. John's dit get full and the water backs up from New Madrid to Sikeston.

7. There has been flooding during heavy rains as long as I can remember, but it is getting worse have seen water between my house and highway 62 over 22 inches deep in the middle of th road. In 2011, the water was standing 12 inches deep in the road.

8. I could not get my crops in in 2011 on time. We were 45 to 60 days late getting the crop plar

9. Often, if we get a crop in the ground, flooding will take it out and we have to replant. When river is up, it pushes the water table up and there is no place for the water to go.

10. 2012 is the first year in a long time that we have not had to replant our corn crop.

11. I also own a business on Highway 61, south of Sikeston called Irrigation Central. I bought this business over 10 years ago. I help farmers build wells, install pivots and put in pumps.

12. The flooding causes farmers to suffer significant damage because of needed repairs to pivc control boxes and motors. I have replaced a lot of electrical equipment, motor starts and r that were damaged because of the floods. These costs to farmers have easily exceeded a h million dollars.

13. The proper solution to alleviate this economic disaster to the region is the installation of th pumps at the south end of St. John's. The water must be removed and the ditches must be drained as quickly as possible in the flood years. We need the pumps badly.

14. Further, Declarant sayeth not.

John Byrd

Date: June 27, 2017

DECLARATION OF THEODORE W. MEDLIN

STATE OF TENNESSEE

COUNTY OF SHELBY

Declarant, Theodore W. Medlin, declares under penalty of perjury that the facts set out in this Declaration are true and correct to the best of his knowledge, information and belief.

1. I am over 21 years of age, have personal knowledge of the facts stated herein and am competent to give this Declaration.

2. I reside at 720 Scott Street, New Madrid, MO. 63869. I also have a residence in Memphis, Tennessee. My family owns 3,903.74 acres of land in St. John's Bayou Basin Drainage District as calculated by the NRCS, New Madrid, MO. 3,303.78 acres are leased by my family to farmers for farming operations. 599.96 acres have been voluntarily and purposely set aside for wildlife habitat as the land was being developed for agricultural purposes. This set aside is voluntary and was dedicated by my family before the creation of any local, state or federal governmental programs for the preservation of wildlife habitat.

3. As fifth generation land-owners and farmers in the Bayou Basin, it has always been my family's intention to be good stewards of the land. In addition to our farming operations, we are committed to ensuring the preservation of a significant portion of the land for the protection and conservation of the native fauna and flora. Fully 15% of our land in the Bayou Basin is exclusively dedicated to that purpose. In addition, the remaining acreage is operated so as to be conducive to wildlife preservation. In addition to the set aside acreage, our family participates in the NRCS-CSP program creating significant additional acreage planted specifically for wildlife habitat.

4. I have attached to this Declaration an aerial photograph of Medlin Family wooded areas that comprise the 600 acres of the set aside. The protected land is shown as the white plots on the map. This photographic map was prepared by NRCS.

5. During the times of high flooding backwaters as the ST. John's Ditch rises, the deer population is forced out of natural habitat to escape the rising waters in a northward migration. It is quite common during backwater flooding to see herds of deer forced out of their habitat onto the levees where there is no natural food source. Seeing 200 to 300 deer stranded by the rising water is not unusual. These conditions diminish the food supply for the animal population. I have observed trapped and drowned deer floating in the flood waters.

6. The high waters also force native turkeys, foxes, rabbits and raccoons out of the protected habitat. The displacement of these species destroys their natural nesting grounds and the rising waters in the spring time cause the young of these species to be drowned.

7. I have had first-hand experience of the devastating flooding going back to 1957. It is impossible to understand any justification for allowing these conditions to exist for over sixty years.

8. The depletion of human capital due to flooding is as dramatic as the impact on wildlife. Young farmers trying to develop their chosen profession are often forced out of farming because of the destructive power of the flooding in the St. John's Bayou Basis Drainage District. The flooding in the Basin is one of the critical factors leading to the depopulation of this rural area. Young people and more experienced farmers cannot stand the economic impact year after year.

9. The failure of the farming operations also has a drastic negative impact on small businesses and business owners trying to support farmers in the Basin. This is the result of the repeated and unnatural back-water flooding that disrupts normal farming operations.

10. As a landlord devoted to protecting the families that lease farming operations from us and to protecting wildlife in its natural habitat, I am committed to rectifying the conditions that cause the devastating floods. Without a consistent method to remove the flooding backwaters, then the Bayou Basin area cannot be protected nor can it realize its greatest environmental potential.

11. It is essential that the pumping station be installed at the south end of the Basin to get the impounded rainwater out, to enable the land to dry out in time for proper planting and to return the wildlife habitat as soon as possible to its natural state to protect our animals.

12. The landowners in the St. John's Bayou Basin Drainage District have seen fit to elect me to be president of their board of supervisors. We are committed to taking all steps to have the pumps installed for the protection of our land, our families, our children and their children, the extended communities in the St. John's Bayou Basin watershed to the north and the wildlife and natural flora we hold so dear.

13. Further declarant sayeth not.

Theodore W. Medlin

Dated: June 28, 2012

Medlin Controlled Woods Area's

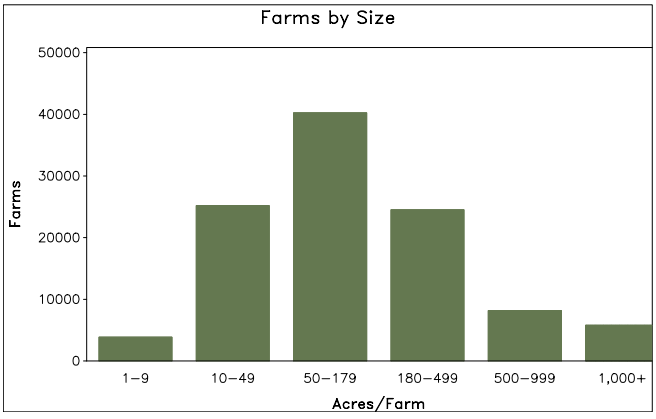
1 inch equals 8,000 feet

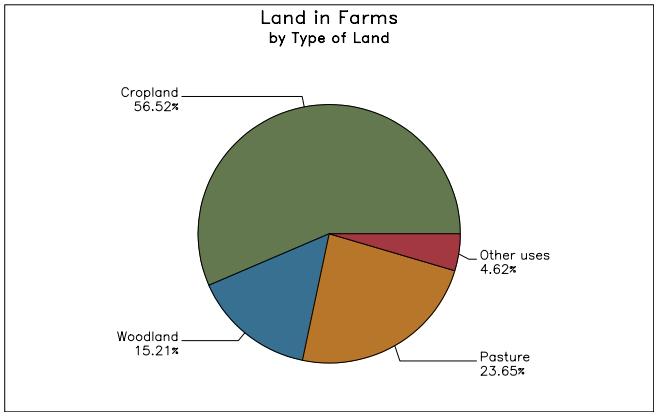
2007 CENSUS OF AGRICULTURE

State Profile

Missouri

	2007	2002	% change
Number of Farms	107,825	106,797	+ 1
Land in Farms	29,026,573 acres	29,946,035 acres	- 3
Average Size of Farm	269 acres	280 acres	- 4
Market Value of Products Sold	$7,512,926,000	$4,983,255,000	+ 51
Crop Sales $3,494,938,000 (47 percent) Livestock Sales $4,017,988,000 (53 percent)			
Average Per Farm	$69,677	$46,661	+ 49
Government Payments	$319,519,000	$264,475,000	+ 21
Average Per Farm Receiving Payments	$7,084	$6,097	+ 16





2007 CENSUS OF AGRICULTURE

State Profile

Missouri

Ranked items within U.S., 2007

Item	Quantity	U.S. Rank	Universe [1]
MARKET VALUE OF AGRICULTURAL PRODUCTS SOLD ($1,000)			
Total value of agricultural products sold	7,512,926	12	50
Value of crops including nursery and greenhouse	3,494,938	13	50
Value of livestock, poultry, and their products	4,017,988	13	50
VALUE OF SALES BY COMMODITY GROUP ($1,000)			
Grains, oilseeds, dry beans, and dry peas	2,963,208	10	50
Tobacco	5,022	12	17
Cotton and cottonseed	164,714	8	17
Vegetables, melons, potatoes and sweet potatoes	61,705	29	50
Fruits, tree nuts, and berries	4,315	41	50
Nursery, greenhouse, floriculture, and sod	121,280	28	50
Cut Christmas trees and short rotation woody crops	1,078	30	49
Other crops and hay	173,618	18	50
Poultry and eggs	1,265,166	9	50
Cattle and calves	1,676,632	9	50
Milk and other dairy products from cows	302,684	22	50
Hogs and pigs	725,738	7	50
Sheep, goats, and their products	9,580	19	50
Horses, ponies, mules, burros, and donkeys	21,369	18	50
Aquaculture	9,506	24	50
Other animals and other animal products	7,313	33	50
TOP CROP ITEMS (acres)			
Soybeans for beans	4,672,738	5	40
Forage - land used for all hay and haylage, grass silage, and greenchop	3,895,401	2	50
Corn for grain	3,256,195	9	49
Wheat for grain, all	881,227	13	47
Cotton, all	377,960	9	17
TOP LIVESTOCK INVENTORY ITEMS (number)			
Broilers and other meat-type chickens	46,654,478	10	50
Turkeys	8,604,222	4	50
Layers	7,249,420	15	50
Cattle and calves	4,292,702	6	50
Hogs and pigs	3,101,469	7	50

Other State Highlights

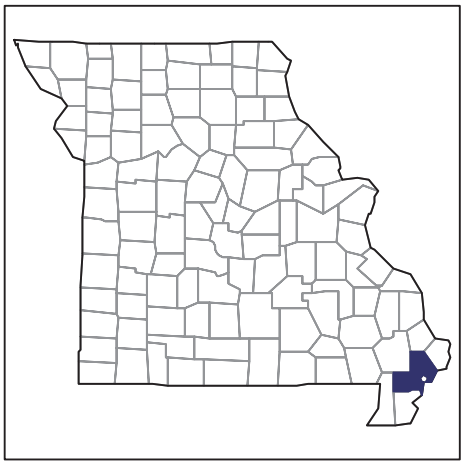
Economic Characteristics	Quantity
Farms by value of sales:	
Less than $1,000	30,541
$1,000 to $2,499	8,938
$2,500 to $4,999	10,172
$5,000 to $9,999	12,872
$10,000 to $19,999	12,377
$20,000 to $24,999	3,884
$25,000 to $39,999	7,346
$40,000 to $49,999	3,217
$50,000 to $99,999	6,634
$100,000 to $249,999	5,688
$250,000 to $499,999	2,959
$500,000 or more	3,197
Total farm production expenses ($1,000)	6,135,205
Average per farm ($)	56,900
Net cash farm income of operation ($1,000)	1,959,854
Average per farm ($)	18,176

Operator Characteristics	Quantity
Principal operators by primary occupation:	
Farming	45,031
Other	62,794
Principal operators by sex:	
Male	95,071
Female	12,754
Average age of principal operator (years)	57.1
All operators by race [2]:	
American Indian or Alaska Native	826
Asian	413
Black or African American	226
Native Hawaiian or Other Pacific Islander	45
White	158,187
More than one race	1,463
All operators of Spanish, Hispanic, or Latino Origin [2]	736

See "Census of Agriculture, Volume 1, Geographic Area Series" for complete footnotes, explanations, definitions, and methodology.
(D) Cannot be disclosed.
[1] Universe is number of states in U.S. with item. [2] Data were collected for a maximum of three operators per farm.

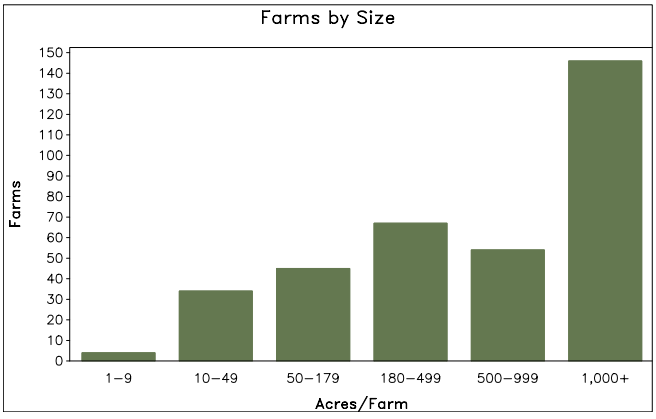
2007 CENSUS OF AGRICULTURE

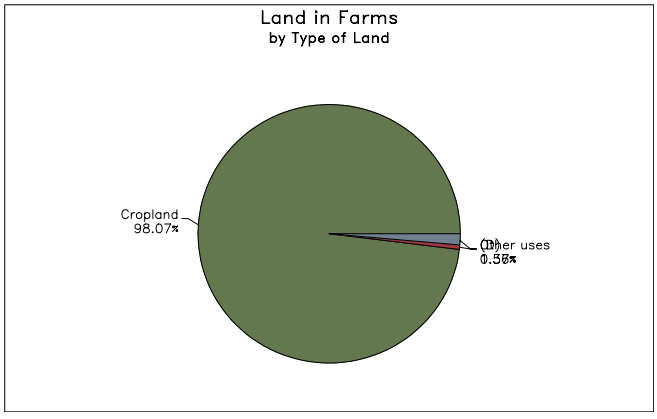
County Profile



New Madrid County
Missouri

	2007	2002	% change
Number of Farms	350	364	- 4
Land in Farms	380,687 acres	394,946 acres	- 4
Average Size of Farm	1,088 acres	1,085 acres	0
Market Value of Products Sold	$141,262,000	$98,559,000	+ 43
Crop Sales $141,223,000 (100 percent) Livestock Sales $39,000 (0 percent)			
Average Per Farm	$403,606	$270,765	+ 49
Government Payments	$13,667,000	$7,281,000	+ 88
Average Per Farm Receiving Payments	$42,845	$28,894	+ 48





2007 CENSUS OF AGRICULTURE

County Profile

New Madrid County – Missouri

Ranked items among the 114 state counties and 3,079 U.S. counties, 2007

Item	Quantity	State Rank	Universe [1]	U.S. Rank	Universe [1]
MARKET VALUE OF AGRICULTURAL PRODUCTS SOLD ($1,000)					
Total value of agricultural products sold	141,262	7	114	585	3,076
Value of crops including nursery and greenhouse	141,223	2	114	189	3,072
Value of livestock, poultry, and their products	39	114	114	3,056	3,069
VALUE OF SALES BY COMMODITY GROUP ($1,000)					
Grains, oilseeds, dry beans, and dry peas	96,497	4	114	228	2,933
Tobacco	-	-	11	-	437
Cotton and cottonseed	44,555	2	8	24	626
Vegetables, melons, potatoes, and sweet potatoes	(D)	54	109	(D)	2,796
Fruits, tree nuts, and berries	-	-	97	-	2,659
Nursery, greenhouse, floriculture, and sod	(D)	97	109	(D)	2,703
Cut Christmas trees and short rotation woody crops	-	-	63	-	1,710
Other crops and hay	(D)	113	114	(D)	3,054
Poultry and eggs	(D)	113	113	(D)	3,020
Cattle and calves	(D)	114	114	(D)	3,054
Milk and other dairy products from cows	-	-	106	-	2,493
Hogs and pigs	-	-	112	-	2,922
Sheep, goats, and their products	-	-	112	-	2,998
Horses, ponies, mules, burros, and donkeys	(D)	111	113	(D)	3,024
Aquaculture	-	-	45	-	1,498
Other animals and other animal products	(D)	(D)	110	(D)	2,875
TOP CROP ITEMS (acres)					
Soybeans for beans	144,817	3	104	43	2,039
Cotton, all	93,830	2	8	22	627
Corn for grain	92,506	8	107	315	2,634
Wheat for grain, all	23,982	10	108	452	2,481
Rice	19,320	5	10	45	135
TOP LIVESTOCK INVENTORY ITEMS (number)					
Cattle and calves	286	114	114	2,992	3,060
Horses and ponies	207	112	114	2,850	3,066
Colonies of bees	(D)	(D)	109	(D)	2,640
Layers	(D)	(D)	113	(D)	3,024
Mules, burros, and donkeys	(D)	(D)	113	(D)	2,998

Other County Highlights

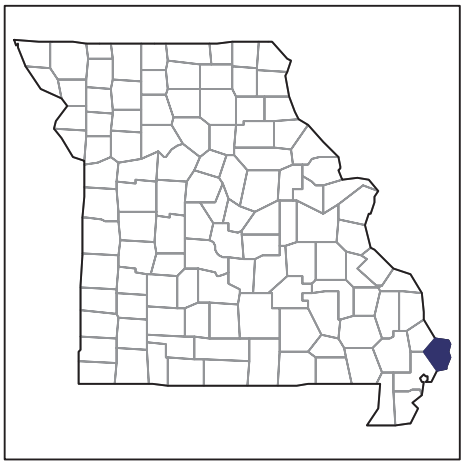
Economic Characteristics	Quantity
Farms by value of sales:	
Less than $1,000	26
$1,000 to $2,499	1
$2,500 to $4,999	8
$5,000 to $9,999	15
$10,000 to $19,999	19
$20,000 to $24,999	8
$25,000 to $39,999	27
$40,000 to $49,999	6
$50,000 to $99,999	37
$100,000 to $249,999	35
$250,000 to $499,999	68
$500,000 or more	100
Total farm production expenses ($1,000)	108,298
Average per farm ($)	309,422
Net cash farm income of operation ($1,000)	49,098
Average per farm ($)	140,281

Operator Characteristics	Quantity
Principal operators by primary occupation:	
Farming	254
Other	96
Principal operators by sex:	
Male	330
Female	20
Average age of principal operator (years)	54.5
All operators by race [2]:	
American Indian or Alaska Native	-
Asian	-
Black or African American	9
Native Hawaiian or Other Pacific Islander	-
White	495
More than one race	6
All operators of Spanish, Hispanic, or Latino Origin [2]	3

See "Census of Agriculture, Volume 1, Geographic Area Series" for complete footnotes, explanations, definitions, and methodology.
(D) Cannot be disclosed. (Z) Less than half of the unit shown.
[1] Universe is number of counties in state or U.S. with item. [2] Data were collected for a maximum of three operators per farm.

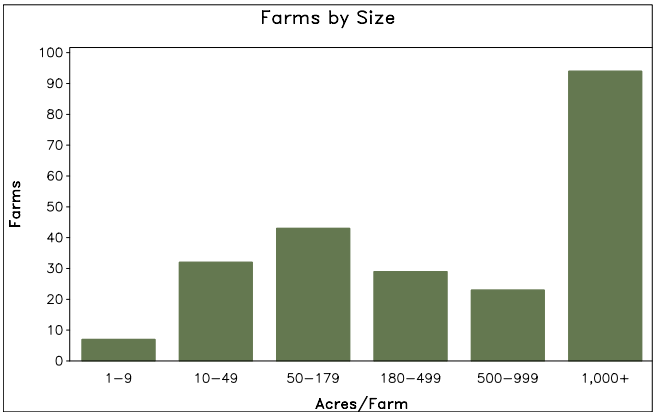
2007 CENSUS OF AGRICULTURE

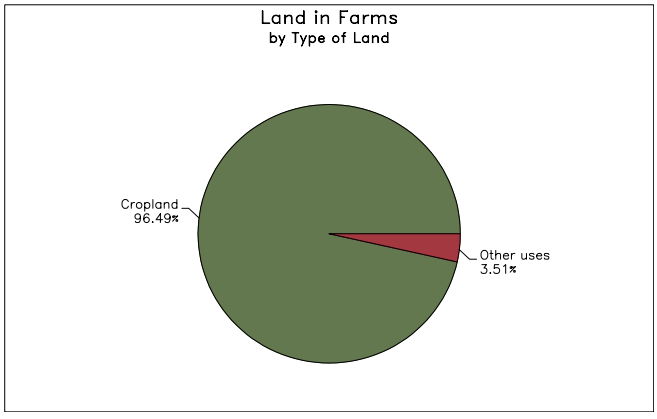
County Profile



Mississippi County
Missouri

	2007	2002	% change
Number of Farms	228	247	- 8
Land in Farms	258,456 acres	271,713 acres	- 5
Average Size of Farm	1,134 acres	1,100 acres	+ 3
Market Value of Products Sold	$108,420,000	$66,009,000	+ 64
Crop Sales $104,434,000 (96 percent) Livestock Sales $3,986,000 (4 percent)			
Average Per Farm	$475,525	$267,244	+ 78
Government Payments	$4,459,000	$2,878,000	+ 55
Average Per Farm Receiving Payments	$22,294	$17,654	+ 26





2007 CENSUS OF AGRICULTURE

County Profile

Mississippi County – Missouri

Ranked items among the 114 state counties and 3,079 U.S. counties, 2007

Item	Quantity	State Rank	Universe [1]	U.S. Rank	Universe [1]
MARKET VALUE OF AGRICULTURAL PRODUCTS SOLD ($1,000)					
Total value of agricultural products sold	108,420	18	114	817	3,076
Value of crops including nursery and greenhouse	104,434	5	114	345	3,072
Value of livestock, poultry, and their products	3,986	107	114	2,542	3,069
VALUE OF SALES BY COMMODITY GROUP ($1,000)					
Grains, oilseeds, dry beans, and dry peas	92,341	5	114	260	2,933
Tobacco	-	-	11	-	437
Cotton and cottonseed	(D)	7	8	(D)	626
Vegetables, melons, potatoes, and sweet potatoes	11,220	2	109	171	2,796
Fruits, tree nuts, and berries	(D)	(D)	97	(D)	2,659
Nursery, greenhouse, floriculture, and sod	(D)	(D)	109	(D)	2,703
Cut Christmas trees and short rotation woody crops	-	-	63	-	1,710
Other crops and hay	(D)	112	114	(D)	3,054
Poultry and eggs	3,650	25	113	769	3,020
Cattle and calves	331	111	114	2,868	3,054
Milk and other dairy products from cows	-	-	106	-	2,493
Hogs and pigs	-	-	112	-	2,922
Sheep, goats, and their products	(D)	109	112	2,820	2,998
Horses, ponies, mules, burros, and donkeys	-	-	113	-	3,024
Aquaculture	-	-	45	-	1,498
Other animals and other animal products	(D)	103	110	(D)	2,875
TOP CROP ITEMS (acres)					
Soybeans for beans	143,739	4	104	45	2,039
Corn for grain	83,300	9	107	366	2,634
Wheat for grain, all	49,564	2	108	292	2,481
Sorghum for grain	6,237	4	89	225	1,158
Vegetables harvested for sale	4,874	2	109	174	2,794
TOP LIVESTOCK INVENTORY ITEMS (number)					
Broilers and other meat-type chickens	(D)	13	105	(D)	2,476
Pullets for laying flock replacement	(D)	11	110	(D)	2,627
Cattle and calves	1,334	111	114	2,863	3,060
Horses and ponies	100	113	114	2,974	3,066
Colonies of bees	(D)	(D)	109	(D)	2,640

Other County Highlights

Economic Characteristics	Quantity
Farms by value of sales:	
Less than $1,000	32
$1,000 to $2,499	3
$2,500 to $4,999	10
$5,000 to $9,999	7
$10,000 to $19,999	9
$20,000 to $24,999	3
$25,000 to $39,999	15
$40,000 to $49,999	3
$50,000 to $99,999	17
$100,000 to $249,999	20
$250,000 to $499,999	36
$500,000 or more	73
Total farm production expenses ($1,000)	77,512
Average per farm ($)	339,965
Net cash farm income of operation ($1,000)	38,935
Average per farm ($)	170,768

Operator Characteristics	Quantity
Principal operators by primary occupation:	
Farming	168
Other	60
Principal operators by sex:	
Male	216
Female	12
Average age of principal operator (years)	57.0
All operators by race [2]:	
American Indian or Alaska Native	1
Asian	-
Black or African American	10
Native Hawaiian or Other Pacific Islander	-
White	325
More than one race	2
All operators of Spanish, Hispanic, or Latino Origin [2]	6

See "Census of Agriculture, Volume 1, Geographic Area Series" for complete footnotes, explanations, definitions, and methodology.
(D) Cannot be disclosed. (Z) Less than half of the unit shown.
[1] Universe is number of counties in state or U.S. with item. [2] Data were collected for a maximum of three operators per farm.