

RESOLUTION TO RESPECTFULLY REQUEST THAT THE CONGRESSIONAL DELEGATION OF THE STATE OF MISSISSIPPI TAKE IMMEDIATE AND ARDENT LEGISLATIVE ACTION TO REPEAL SECTION 20201, TITLE II, OF PUBLIC LAW 115-123, AND TO DEFEAT SECTION 409, HR3697, CURRENTLY IN THE LEGISLATIVE PROCESS OF THE 116th CONGRESS

WHEREAS, the Bonnet Carre' Spillway was opened for flood control purposes for a total of 123 days in 2019, releasing approximately 10 trillion gallons of Mississippi River water from the structure, and;

WHEREAS, the Mississippi River water released from the structure - through flow rate, natural tidal and wind forcing in the Pontchartrain Basin, and stratification of the water column - inundated Mississippi coastal waters in the Mississippi Sound, and;

WHEREAS, this inundation of Mississippi River water caused a total freshening of the Mississippi Sound throughout Mississippi coastal waters, and;

WHEREAS, this inundation has caused massive harm to the City of Bay St. Louis' economy and fisheries, as well as dire effects on the marine mammal population in and around the coastal waters of Hancock County, and;

WHEREAS, the State of Louisiana's Coastal Protection and Restoration Authority (CPRA) has filed Permit Application WQC 190227-01 with the US Army Corps of Engineers for construction of a large-scale Mississippi River Diversion project, and;

WHEREAS, this Louisiana project is proposed for construction in Breton Sound in Plaquemines Parish, LA, near Mississippi River Mile 68 (Wills Point) and extending into the Mid-Breton Sound Basin, and;

WHEREAS, this proposed Louisiana project is designed to be capable of releasing 75,000 cubic feet/second of Mississippi River water, and;

WHEREAS, under the Louisiana CPRA's own published operating regime of this Mississippi River diversion project, this structure will operate non-stop and continuously throughout the year in various ranges and could have operated at full 75,000 cubic feet/second release capacity for over 200 days from January – July 2019, releasing approximately 9.74 trillion gallons of Mississippi River water into the Breton Basin, similar to the amount of the aforementioned Bonnet Carre' Spillway release, and;

WHEREAS, scientific studies and traditional environmental knowledge of the Breton Basin recognize that through flow rate, natural tidal and wind forcing and stratification of the water column, water outflow from this project will reach Chandeleur Sound, the Biloxi Marsh area, and upwards into the western end of the Mississippi Sound, and;

WHEREAS, scientific studies and actual occurrences in 2019 have already vastly demonstrated the potential for harm caused by released Mississippi River water including, but not limited to, hypoxic conditions, harmful algae blooms, high marine mammal mortality, extreme devastation to commercial and recreational fishing resources, beach closures, and other extended economic and ecological effects, and;

WHEREAS, scientific studies, letters from multiple federal agencies to the Louisiana CPRA, and actual occurrences in receiving basins of Mississippi River water have confirmed the potential for harm caused by inundation of Mississippi River water to salt and brackish marsh grasses, their soil strength and root

system compositions, and their ability to withstand scouring from storm fronts and storm surge which is vital to Mississippi coastal areas for hurricane protection, and;

WHEREAS, just prior to passage, Section 20201, a single paragraph inserted into a last-minute, large amendment to the Bipartisan Budget Act of 2018 (Public Law 115-123), mandated a very specific waiver of the Marine Mammal Protection Act review process for certain Louisiana projects, and;

WHEREAS, this waiver deliberately dismantled the important environmental review the Marine Mammal Protection Act affords during the Environmental Impact Statement phase of the projects' permitting process, and;

WHEREAS, HR3697, currently in the Legislative process of the 116th Congress, contains Section 409 which alters the definition of "Essential Fish Habitat" in the Magnuson Stevens Act in a way intentionally designed to exempt the aforementioned Louisiana proposed Mid-Breton large-scale Mississippi River Diversion project from yet another important environmental review during the Environmental Impact Statement phase of the project's permitting process.

THEREFORE, BE IT RESOLVED, that the City Council of the City of Bay St. Louis hereby respectfully requests that the entire Congressional Delegation of the State of Mississippi take immediate and ardent legislative action to repeal section 20201, Title II, of Public Law 115-123, and;

BE IT FURTHER RESOLVED, that the City Council of the City of Bay St. Louis does hereby respectfully request that the entire Congressional Delegation of the State of Mississippi take immediate and ardent legislative action to defeat Section 409 of the proposed HR3697 which is currently in the Legislative process of the 116th Congress.

After being reduced to writing, the foregoing Resolution was read and considered, section by section, and then as a whole, whereupon Council Member DeSalvo moved for its adoption, and after a second by Council Member Knoblock, the following roll call vote was had:

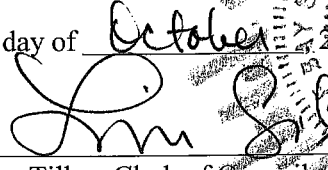
Council Member Doug Seal	✓ YEA / NAY
Council Member Gene Hoffman	✓ YEA / NAY
Council Member Jeffrey Reed	✓ YEA / NAY
Council Member Larry Smith	✓ YEA / NAY
Council Member Buddy Zimmerman	✓ YEA / NAY
Council Member Josh DeSalvo	✓ YEA / NAY
Council Member Gary Knoblock	✓ YEA / NAY

Passed by the City Council of the City of Bay Saint Louis on the 8th day of October, 2019.

CERTIFICATION

I, Lisa Tilley, Clerk of Council for the City of Bay Saint Louis, Mississippi, do hereby certify that the foregoing Resolution was approved and adopted in the public meeting of the City Council held on October 8, 2019 a quorum being present, in the City Council Conference ~~Chambers~~ and to be recorded in the Minute Books, said Council being the duly elected, qualified, and acting governing body of Bay Saint Louis.

Presented by me to the Mayor on this, the 8th day of October, 2019.


Lisa Tilley, Clerk of Council

Approved/Disapproved, and signed by me on this, the 8th day of October, 2019.


Michael Favre, Mayor