Atchafalaya Basin

History behind the conflict

By JAN GRIFFEY
Organizations Editor

First part of a two part series

Because of the many ways in which the Atchafalaya Basin touches all who live in Acadia, it is important to understand the history behind the present conflict.

Most of us realize that a question exists concerning the sale of private land to the state of Louisiana, but we aren’t sure how this conflict came about.

Kai Midboe, executive assistant to Gov. Dave Treen, explained that the present Atchafalaya problems can be traced back to a massive flood that took place throughout the lower Mississippi Valley in 1928. Because of this flood, in 1929, Congress passed the Flood Control Act. This act provided for mainline levees and the Atchafalaya floodway. The Old River Control Structure, provided for in this Flood Control Act, diverts water from the Mississippi River into the Atchafalaya.

During normal stages, one-third of the water carried by the Mississippi is diverted into the Atchafalaya. During times of flooding, about one-half of all the water carried by the Mississippi is diverted down into the Atchafalaya, at a rate of about 1,600,000 cubic feet per second.

This diversion of water protects Baton Rouge and New Orleans from flooding. “It’s interesting to note, by the way, that if the Old River Control Structure had not been built, the Atchafalaya would have captured the Mississippi in 1975, rerouting it away from Baton Rouge and New Orleans,” Midboe said.

Midboe explained that along with the floodwaters, silt is also being deposited in the Atchafalaya. “A lot of the Atchafalaya, north to south, is slowly filling in. As it fills in, the land is becoming available for agricultural uses,” Midboe said.

Members of the conservation community became concerned about the agricultural uses bringing harm to the forest in the Atchafalaya, which is one of the last stands of bottomland hardwood forests in the country.

The Corp of Engineers was also concerned with the depositing of silt because of flood reasons. In 1968, the Corps of Engineers proposed dredging the main channel of the Atchafalaya. The environmentalists objected to this step.

In 1972, Congress passed a resolution for the Corp of Engineers to come up with a multi-purpose plan for an agency management group.

The agency management group which came about because of this resolution is composed of members from the Environmental Protection Agency, the Federal Fisheries and Wildlife, the Federal Corps of Engineers and the State of La. office of Public Works.

This agency tried to draft a plan to deal with the problems of the Atchafalaya Floodway. They (the agency) came up with eight different elements or areas concerning the Atchafalaya that need to be resolved, the most prevalent of these being the real estate option.

“What kind of real estate rights, from an ecological and flood control point of view, should be taken in the Basin,” was the question posed by the agency, Midboe said.

“The Federal Fisheries and Wildlife originally advocated total acquisition of the land. To the land ownership, this was totally unacceptable.”

“In Jan. of 1979, a St. Mary Parish hearing was held in Morgan City about the Atchafalaya land in question. It (the hearing) lasted from 8 a.m. one morning to 4 a.m. the next and it was vicious.”

The history of the Atchafalaya will be concluded in the Feb. 11, 1983 issue of the Vermilion.
Part II
Atchafalaya basin: history behind the conflict

By JAN GRIFEY
Organizations Editor

As the story went in last week's issue of the Vermilion, the hearing held in St. Mary Parish concerning the real estate question in the Atchafalaya was a vicious one. Witnesses were booed off the witness stand.

Midboe said the situation in the courtroom was so bad that one witness, a Baton Rouge high school student who was in favor of acquisition of the Atchafalaya lands, was verbally abused by the crowd on hand.

“Rhe hearing was most controversial,” Midboe said.

The previous administration didn’t want to get involved and just left (the question of the Atchafalaya lands) to the federal government.

“Gov. Treen was determined that the Federal government was not going to determine the uses of land in Louisiana. He (Gov. Treen) put together a working group of state agencies for the Atchafalaya. Thus far, they have announced two plans,” Midboe said.

The first of these plans was introduced in November of 1980.

“The new plan was received well, but problems were still left in it.

“In November of 1981, the agency announced a new plan which has been endorsed by everyone involved. It (the plan) has been incorporated by the Corp of Engineers into the General Design Memorandum which was developed by the New Orleans Corps of Engineers.

“The plan is now on the desk of the assistant secretary of the Army for Civil Works in Washington. From there, it will go before the Office of Management and Budget and then to Congress,” Midboe said.

Midboe said the Governor’s proposal is basically composed of four elements:

1. Dow Chemical Co. has donated in excess of 46,000 acres in and around the Atchafalaya Basin.
2. The state of Louisiana will purchase 48,000 acres in the Atchafalaya from landowners who are willing sellers.
   a. There will be no expropriation of this land, and
   b. landowners will be allowed to retain the mineral rights of the land which they sell.
3. The state of La. will agree to cost sharing in the price of this land.
4. A-7 Easement - This element provides for the Corp of Engineers to take over the entire Atchafalaya flood control and conservation.

“We are willing to share costs (on purchasing the land in the Atchafalaya) on the willing vendor program.”

“The flood control aspects of the Atchafalaya is basically a federal issue, although the state of Louisiana contributes 40 to 40 percent of the flood control monies,” Midboe said.

“An outer limit of $50 million to $55 million has been set on the purchase of the lands. We will agree to share with the federal government one-half of the purchase price. The group of landowners gave the state a Dec. 31, 1982 deadline in which to strike a deal with the federal government on the purchase of the land.

“When no commitment came from the federal government by that date, the landowners extended the deadline to Jan. 31, 1983.

On Jan. 31, the Federal Administration had still not given its approval to share in the funding in the willing vendor program.”

Midboe said Pres. Reagan’s announcement of a price freeze may have something to do with the funds not being allocated.

“Gov. Treen announced on Jan. 31, a commitment to the land owners to purchase 51,000 acres in the Atchafalaya, 3,000 more acres than in the original plan. The commitment is subject to change depending on the approval of state and federal funds for the program.

“We are trying to get a commitment from the federal government on the willing vendor program. The rest of the basin issue will go to Congress. We just want a commitment from the President,” Midboe explained.


“The president asked us if we would go to Washington and talk with his staff about the issue,” Midboe said.

On Jan. 21, Gov. Treen and his staff met with Sec. of the Interior James Watt, Bill Gionelli, of the Civil Works Dept., and Joe Wright, the number one man under David Stockman.

“The state of Louisiana is ready, willing, and able to participate in its share (of the willing vendor program),” Midboe said.

There is a total of 593,000 acres in the Atchafalaya Basin. The state of Louisiana presently owns 150,000 acres in the Attakapas Refuge. With the addition of 46,000 from the donation of DOW Chemical Co., and the purchase of 51,000 acres under the willing vendor program, the state would own approximately 247,000 acres, about 40 percent of the Atchafalaya Basin. The rest is privately owned.

The land purchased by the state would be used for wildlife management and public access.

What will happen if the Reagan administration doesn’t give the go-ahead on the Atchafalaya purchase?

“We will go back to the drawing boards,” Midboe said.

“We have several options to fall back on.”

Will the Reagan administration approve the funding for their share of the purchase of the Atchafalaya land?

“You never know,” Midboe said.