



United States  
Department of  
Agriculture

Farm and Foreign  
Agricultural  
Services

Risk  
Management  
Agency

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**BULLETIN NO: MGR-11-004**

**TO:** All Approved Insurance Providers  
All Risk Management Agency Field Offices  
All Other Interested Parties

**FROM:** William J. Murphy /s/ *William J. Murphy* 5/4/2011  
Administrator

**SUBJECT:** Flooding of the Birds Point-New Madrid Floodway

**BACKGROUND:**

The Birds Point-New Madrid Floodway (Floodway) is a component of the Mississippi River and Tributaries Project located on the west bank of the Mississippi River in southeast Missouri just below the confluence of the Ohio and Mississippi Rivers. The purpose of the Floodway is to lower flood stages during major flood events. The Floodway is approximately 35 miles in length and varies from 4 to 12 miles in width. It comprises about 205 square miles of alluvial valley land.

The primary features of the Floodway are the setback levee, which extends from Birds Point, Missouri, to New Madrid, Missouri, and the frontline levee, which is located on the west bank of the river and generally follows its alignment. Within the frontline levee, there are two fuse plug sections. The upper fuse plug section is 11 miles in length and is located in the northernmost reach of the frontline levee. The lower fuse plug is 5 miles in length and is located in the extreme lower end of the frontline levee. In addition, there is an existing 1500-foot gap, which is located between the setback levee and the end of the frontline levee. This opening provides a drainage outlet for interior run-off and allows flood backwaters to enter the Floodway.

According to the U. S. Army Corps of Engineers (USACE), with the heavy rainfall experienced over this past weekend, in addition to the historic amount of rainfall the area has already received, the frontline levee began overtopping at the upper fuse plug. This caused additional flooding and would likely lead to 100 percent of the agricultural land in the Floodway being flooded. In addition, flood waters were backing up into the Floodway through the 1500-foot gap on the south end of the Floodway, near the city of New Madrid, Missouri causing cropland to flood in between the frontline levee and the setback levee.



The Risk Management Agency Administrators  
And Oversees All Programs Authorized Under  
The Federal Crop Insurance Corporation

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The USACE also reported the levee system upstream and adjacent to the Floodway has been compromised by the significant flooding further degrading the integrity of the levee system.

**ACTION:**

The Common Crop Insurance Policy Basic Provisions (11-BR) (Basic Provisions), Section 12 Causes of Loss., states as here pertinent:

“Insurance is provided only to protect against unavoidable, naturally occurring events.”

Notwithstanding the actions by the USACE to breach the Floodway levee, the existing flooding of crop land, the overtopping of the frontline levee, and the impending failure of the levee system from flooding and saturation is due to excess rainfall and is an unavoidable, naturally occurring event insurable under the Basic Provisions and the individual Crop Provisions for crop insurance programs available in this impacted area.

Any additional flooding issues that may arise regarding compliance with applicable policy provisions and the insurability of crop losses will be reviewed and assessed by the Risk Management Agency.

**DISPOSAL DATE:**

December 31, 2011