

## MEMO

To: Rita Tell  
From: Kelly Riley  
Date: February 9, 2000  
Subject: James Hodges, 12/22/99 correspondence: Wilkinson County lakes

Mr. Hodges submitted the attached letter voicing his support in keeping Lakes Foster, Mud and Stamp in Wilkinson County public.

I contacted Eli Whittaker, DWFP Enforcement, District 5 (601-835-3050). Mr. Whittaker said that DEQ is currently conducting studies in the area relative to waterways and he referred me to Lloyd Long @ DEQ. Whittaker said that there is a lot of controversy surrounding these lakes because property owners are paying taxes on land covered by the lakes, which continue to be used by the public.

Lloyd Long (961-5209) explained that Fosters Lake is a natural lake formed by siltation of the Buffalo River. Subsequent to a storm event in 1973, DEQ believes the Buffalo River diverted into the Old Homochitto River, effecting the depth, flow and makeup of Lake Foster, as well as Mud and Stamp. DEQ is conducting tests and studies in the area to determine if Fosters Lake meets the statutory standards (MISS. CODE ANN. Section 51-1-4) for a public waterway: a mean annual flow of not less than 100 cubic feet per second as determined by DEQ. Mr. Long said that, upon reaching its decision, DEQ will file a public notice and hold a public hearing for residents of the area.

I have prepared the attached response, per your request to Michael, for the Governor's signature.

Subsequent to the Governor's signature, this file is closed.

February 9, 2000

Mr. James Hodges  
14932 Highway 24 West  
Woodville, MS 39669

Dear Mr. Hodges:

Thank you for your letter regarding Lakes Foster, Mud and Stamp in Wilkinson County. I appreciate your taking the time to voice your support for these lakes to be enjoyed as public waterways.

The Department of Environmental Quality (DEQ) is conducting surveys and tests in the area of these lakes to determine if these bodies of water comply with state law. MISS. CODE ANN. Section 51-1-4 (1972) requires that public waterways have a mean annual flow of not less than 100 cubic feet per second as determined by DEQ. Upon concluding its surveys and testing, DEQ will file a public notice and hold a hearing in your area to announce its findings.

Thank you once again for your concern and comments.

Very truly yours,

Ronnie Musgrove