

Hearing started Monday for appeal of St. John's project water quality permit

By Liz Anderson

The Missouri Coalition for the Environment and Environmental Defense's appeal of the Water Quality Certification granted by the Missouri Department of Natural Resources (DNR) for the St. Johns Bayou-New Madrid Floodway flood control project got underway Monday before Administrative Hearing Officer June Striegel Doughty in Jefferson City.

The appeal was filed by those environmental groups against the DNR, contending they issued the permit without compliance with the State's water quality standards, including the Aquatic Resource Mitigation Guidelines. Ms. Doughty earlier denied a motion from the state's Attorney General's office, representing DNR, to limit testimony to water quality issues.

Terry Ganey, Jefferson City Bureau Chief for *The St. Louis Post Dispatch* filed a story Monday afternoon, with revisions that ran again on Tuesday in the *Post*.

Tim Searchinger, a senior attorney for Environmental Defense, led off with his case and his experts first, according to Ganey's story which you can read in its entirety at the *Post Dispatch's* website: www.stltoday.com. Search for "Corps". This story was at the top of the list both days.

According to Ganey's story, Searchinger in his opening statement, said that "the project would lead to a 'huge reduction' in floodplain habitat at a time when federal policy is supposed to be adding to the nation's wetland acreage.

"He said the New Madrid project alone would eliminate 75,000 acres of

wetlands that are flooded every 10 years. That's more than three times the 22,000 acres of lost wetlands the corps approved on its own last year.

"Searchinger said the project's challenges would prove through testimony of expert scientists and others that:

"The corps miscalculated the number of acres needed to make up for the lost fish habitat.

"The corps underestimated the value of the wetlands in terms of reducing the amount of nitrogen running off into the Mississippi River and contributing to the biologic "dead zone" in the Gulf of Mexico.

"The project's costs are not economically justified in terms of flood protection for the small Mississippi County towns of East Prairie (population 3,400) and Pinhook (population 52). He said the project would raise farmland values by \$12 million, while the project would cost more than six times that amount.

"The New Madrid Floodway is a 132,000-acre expanse of lowlands that begin just south of Cairo, Ill., and extend 33 miles down to New Madrid, Mo. With the exception of Pinhook and East Prairie, the land is uninhabited farm ground that provides room for the river to expand in times of high water. The river water gets into the floodway through a 1,500-foot gap in a river levee.

"The corps' proposal would close that gap and replace it with a concrete culvert and gates that would be opened only a few weeks each year. To prevent flooding, the gates would be closed and pumps would remove water from the floodway and the

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nearby St. John Bayou Basin.

"The Department of Natural Resources had first rejected the corps clean water permit request. However, after heavy pressure from elected officials and as a result of negotiations with the corps, the permit was authorized under certain conditions.

"William J. Bryan, an assistant state attorney general, defended the department, saying safeguards would allow continued monitoring of the project after permit approval. Bryan said that in the event not enough acres were set aside for new wildlife habitat, the project could be stopped.

"Bryan also said the project's plans protect the Big Oak Tree State Park, a 1,000-acre preserve that contains the last remnant of the original swamp forest that once covered the Mississippi Valley down to the Gulf of Mexico. The park needs periodic flooding because it contains tree species that thrive when their roots are wet.

"Bryan said the corps' plan includes a canal that would connect the

park to the river to provide the trees with the water they need. At the same time, an additional 1,800 acres of farmland around the park would be purchased and forested to provide a buffer zone.

"David Sirmans, a lawyer for the Corps of Engineers, said the agency would demonstrate the value of the project with testimony from people who live in the communities that get flooded. Those people, Sirmans said, have to get to school and work by tractors that can carry them over flooded roads."

Opinion

All we can say is there is so much error in what Ganey wrote about what Searchinger said, it is incredible.

Or are the statements truly what Searchinger said? Incredible either way.

We are now eliminating flooding on 75,000 acres of wetlands? Since when are prior converted croplands wetlands? 75,000 acres?

The corps miscalculated the num-

ber of mitigation acres, when they used US Fish and Wildlife and EPA processes and procedures and didn't come up anywhere near the 8,200+ acres of mitigation that are now required for this project?

The "dead zone" in the Gulf of Mexico gets much, much more nitrogen from our local fields when the Mississippi River covers freshly fertilized fields compared with what is discharged normally through ditches.

The projects costs are not economically justified because our towns are small?

The City of East Prairie is now inside the Floodway?

The gates once constructed will be opened only a few weeks each year.

Absolutely incredible. Every paragraph, every sentence, is simply wrong. Inaccurate. False. Incredible.

It will be interesting to watch if Mr. Ganey and the St. Louis Post Dispatch are as eager and willing to write about this project later this week when the Corps takes the stand.

Want to take any bets?