



GREAT RIVERS
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The legal resource for natural resources.

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Great Rivers Files Suit Against City of St. Charles *Suit Alleges City Illegally Declared Flood Plains Blighted Area*

On Tuesday, February 9, 2010, Great Rivers Environmental Law Center filed suit on behalf of Great Rivers Habitat Alliance against the City of St. Charles and Attorney General Chris Koster, alleging that the City illegally adopted a development plan for an area consisting of 99 acres of vacant, formerly agricultural land within the Confluence flood plain. The Confluence is the area where the Missouri and Mississippi Rivers merge. The suit was filed in the Cole County Circuit Court.

The City declared the land blighted under the state statutes found in Chapter 353 of the Missouri Revised Statutes (the Urban Redevelopment Corporations Law). Great Rivers Environmental Law Center alleges that the term “blighted area” as used in that law is unconstitutionally vague and violates the United States and Missouri Constitutions. “Blighting” allows cities to give developers a break from taxes they would otherwise have to pay, diverting revenue away from essential services like schools and emergency response at the same time that the development increases the need for such services.

“Chapter 353 allows governments to destroy flood plains and other natural areas by declaring them ‘blighted,’” said Kathleen Henry, an attorney with Great Rivers Environmental Law Center. “Subsidizing flood plain development through tax incentives is corporate welfare that ends up costing taxpayers far more than they likely realize,” said Dan Burkemper, Executive Director of Great Rivers Habitat Alliance. “In addition to the cost in dollars and cents, the City is paving over lands that are vital to clean air and water for the St. Charles region and entire Confluence area.”

Great Rivers Habitat Alliance is a nonprofit organization that seeks to save our natural flood plain and rural agricultural heritage and whose primary focus is on the Confluence Flood Plain in St. Charles County.

Great Rivers Environmental Law Center is a nonprofit public interest environmental law firm in St. Louis that provides free and reduced-fee legal services to those working to promote preservation of open space, clean energy, clean air and clean water. Its web address is: www.greatriverslaw.org.