

Part III - Statement Of Program Service Accomplishments

I. AIR QUALITY PROGRAM

An important part of our air quality program involves monitoring actions taken by federal, state and local governments that will impact the quality of the air breathed by the citizens of Missouri and surrounding states. Great Rivers is frequently involved in matters that adversely affect air quality. Measures taken by Great Rivers include commenting on proposed rules, issuing position papers about the pollutants, and, as a last resort, handling litigation for clients seeking to improve air quality.

A. Ground Level Ozone

Great Rivers represents the Sierra Club in its suit against the Environmental Protection Agency (EPA) over the ozone levels present in the City of St. Louis and surrounding areas in Missouri and Illinois. The suit is pending in the U.S. Court of Appeals for the Seventh Circuit. The outcome of the litigation will affect the more than two million people living and working in the St. Louis metropolitan area.

B. Mosquito Spraying

Great Rivers issued a Position Paper on the Mosquito Spraying that St. Louis City and County conducted during the summer and fall of 2003. Great Rivers staff also spoke at hearings in the City and County, informing the local governments and the public about the dangers associated with the toxic chemicals widely used by the governments.

C. Global Warming

Great Rivers is monitoring actions taking place at the federal and state levels, as actions being proposed may have financial and environmental repercussions for the state of Missouri.

II. WETLANDS AND FLOODPLAIN PROTECTION PROGRAM

Our wetlands and floodplain protection program consists of challenging environmentally detrimental floodplain development and the over-engineering of rivers by means of levees and dams which destroy floodplains and aggravate flooding risk. We monitor permit applications to dredge and fill wetlands. Great Rivers issues comments on proposals and assists environmental groups and individuals in their legal challenges to protect wetlands. These activities affect all of the people who inhabit and work in the watersheds of the Missouri and Mississippi Rivers which drain major portions of the central and northwestern United States.

A. Mississippi and Missouri Rivers Basins Watershed Project

Great Rivers represents the Missouri Coalition for the Environment in its suit against the Army Corps of Engineers over the permit issued to itself to allow the clearing and filling of 29.4 acres of wetlands in the Missouri River floodplain in St. Louis County, Missouri, for the construction of a “mega-mall” and adjacent warehouse development.

Great Rivers represents the Sierra Club in its suit against the Army Corps of Engineers (the Corps) over its approval of a 1000-year, “Super-Levee,” in the Missouri River floodplain in Jefferson City, and the filling of 40 acres of wetlands. The wetlands at the site constitute a productive and valuable public resource. They serve significant biological functions such as feeding, nesting, spawning, rearing and resting sites for aquatic and land species. They also serve as valuable storage areas for storm and flood waters, which are purified as they slowly percolate through the soil to nearby water bodies or the groundwater below. The “super-levee” will cause increased flooding downstream, and impose hardships on neighboring communities. In addition, it will lead to further development on wetlands and floodplains.

B. Protection of the Clean Water Act

Great Rivers filed comments on a rule the EPA proposed which would have changed the definition of “waters of the United States” and given greater power to developers and polluters to pollute the nation’s waters.

III. WATER QUALITY PROGRAM

Great Rivers seeks to protect and preserve the waters of Missouri and surrounding states. Our water quality program begins with monitoring proposed federal, state and local actions that will adversely affect water quality. Great Rivers is frequently involved in matters that adversely impact water quality. This includes assisting environmental groups, citizens’ organizations and individuals in their legal challenges designed to protect the quality of the waters.

A. Protection of Scenic Rivers

Great Rivers represents the Missouri Coalition for the Environment and several individuals in their lawsuits against the Missouri Clean Water Commission and the United States Department of the Army arising from the Army’s transfer of chemical weapons training from Alabama to Fort Leonard Wood, Missouri. The negative effects include emissions of chemical, biological and radioactive emissions into the rivers of the Ozarks. The pollutants will impact the quality of waters that flow through hundreds of miles of the Ozark Mountains. Thousands of people use these rivers recreationally and will be affected by the pollutants.

B. Water Quality Standards

Great Rivers represents the Missouri Coalition for the Environment in its suit against the Environmental Protection Agency over the failures of the state of Missouri and EPA to prepare and promulgate water quality standards sufficient to protect public health and the environment.

IV. LAND USE PROGRAM

Our land use program consists of assisting environmental groups, citizens groups and individuals in their efforts to preserve and protect open space, forests and wilderness areas. Great Rivers issues comments on proposed rules that may affect environmentally sensitive areas, and as a last resort, represents environmental groups in litigation to enforce the laws.

A. National Forest Protection

Great Rivers assisted with the legal representation of the national environmental group, Heartwood, in its suit to stop a timber sale in the Mark Twain National Forest. Heartwood sued the U.S. Forest Service after it allowed the sale without first surveying for endangered species. The case is on appeal. The preservation of endangered species is one of the critical issues affecting the human species.

Great Rivers filed comments on a proposed rule to the National Forest System Land and Resource Management Planning Rule, which would have exempted forest managers from preparing environmental assessments and environmental impact statements, and allowed forest managers to categorically exclude new forest plans from evaluation.

B. Waste Disposal

Great Rivers represents the SHOW-ME organization (“Safe Handling of Waste Managed Environmentally”) in a lawsuit demanding that the Department of Natural Resources follow the habitual violator requirements of Missouri’s Solid Waste Management Law. These requirements are in place to ensure that solid waste disposal areas are not operated in a manner detrimental to the environment. SHOW-ME works to protect the health and welfare of all people living in Washington and Jefferson Counties.

C. Preservation of open space and parks

Great Rivers is working with the Friends of Carondelet Park, a citizens’ group which is opposed to the plan of the City of St. Louis Parks and Recreation Department to build a community recreation center at the eastern end of Carondelet Park in south St.

Louis. The group opposes the building because it would destroy open space and ruin the historic character of this Victorian-era park. Great Rivers is assisting the citizens' group in its legal challenges to the ill-advised proposal.

V. ENVIRONMENTAL JUSTICE PROGRAM

Great Rivers is committed to monitoring permitting actions for sites proposed for development that will unfairly burden minority or low income populations. Great Rivers has evaluated proposed developments to determine whether permitting authorities have unfairly targeted disadvantaged populations. Great Rivers has asserted environmental justice claims against the City of St. Louis and the Missouri Department of Natural Resources.

VI. PUBLIC HEALTH PROGRAM

Great Rivers seeks to protect the public health by preventing further deterioration of the region's air and water quality, and by reducing and preventing exposure to toxic substances. Our public health program consists of aiding organizations that seek legal assistance in connection with their work to protect the public health.

A. St. Louis Lead Prevention Coalition

Great Rivers routinely provides legal services to the St. Louis Lead Prevention Coalition, an organization seeking to reduce and eliminate lead exposure in the St. Louis metropolitan area. The work of the St. Louis Lead Prevention Coalition affects thousands of people in the St. Louis metropolitan area.

B. Earth Share of Missouri

Great Rivers is assisting Earth Share of Missouri in its appeal of a denial of its application to be a choice on the Combined Charitable Giving Campaign of the employees of the University of Missouri. In pursuit of this goal, Earth Share sought access to public records of the University and the hearing was postponed while Earth Share pursued the records through a Sunshine Law request and subsequent litigation.