



GREAT RIVERS' LAND USE PROGRAM COMES HOME!

Great Rivers advocates for the rights of people to grow sustainable gardens without being penalized by their municipalities.

Native plants offer habitat for the endangered monarch butterfly and use less fossil fuels for their upkeep than does grass.



This is the garden of Alice Hezel. The City of Maplewood has issued her citations over the vegetation.

Letter from the President:



In Gratitude to our Donors!

Your donations make a difference! Great Rivers provides its services for free or reduced fees, and we could not do that without your help. Citizens who cannot afford to pay for attorneys need somewhere to go for legal representation, and we are able to be that resource thanks to the generosity of our supporters.



Our work affects more than our clients. Climate change, clean air and clean water are issues that directly impact the lives of everyone. Your support of Great Rivers allows us to work on the matters that are critical to all of us. When we fight for the renewable energy law, we are fighting for the reduction of greenhouse gas causing pollutants. When we fight for the right to grow sustainable gardens, we are fighting for clean air and clean energy.

Great Rivers accepts no donations from government or polluters. We work to have governmental bodies enforce the laws as written. Your support enables us to carry on. We are extremely grateful to all of the individuals and foundations who support our work.

Kathleen Henry



Your donations helped citizens in Olivette, MO, preserve beloved Warson Park.

BOARD NEWS

Great Rivers welcomes **Hugh Law** and **Jill Silverstein** to its Board of Directors. They are both attorneys in private practice in St. Louis. We are grateful for their experience and commitment to our mission and look forward to their service.

Great Rivers Environmental Law Center *Lawyers for the Environment*

(a 501(c)(3) tax-exempt nonprofit corporation)

Mission Statement

We provide free and reduced-fee legal services to citizens' groups, organizations and individuals who seek to protect and preserve the environment.

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(1924 - 2003)

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Office Address

319 North Fourth Street, Suite 800
St. Louis, MO 63102
(314) 231-4181
(314) 231-4184 (facsimile)
e-mail: khenry@greatriverslaw.org
Website: www.greatriverslaw.org

GREAT RIVERS' LAND USE PROGRAM

GREAT RIVERS FIGHTS FOR THE RIGHTS OF PEOPLE TO GROW SUSTAINABLE GARDENS AT HOME

Challenging an Ordinance in the City of Maplewood, MO



Bruce Morrison is Great Rivers' General Counsel and is working to promote sustainable gardens.

Alice Hezel lives in the City of Maplewood, Missouri, a suburb of St. Louis. The City of Maplewood issued a citation to her accusing her of violating its ordinance prohibiting

weeds over 12 inches high from growing in people's yards. Great Rivers has been helping Ms. Hezel defend herself against the City of Maplewood and will take her case to a jury in St. Louis County this winter.

Maplewood charges Ms. Hezel with growing weeds more than 12 inches high in violation of its ordinance. Ms. Hezel tends her garden fastidiously and does grow plants that are more than 12 inches high. She grows native species that provide food for butterflies (including

the endangered monarch) and bees. She avoids the use of fossil fuels for their maintenance, thereby preventing the release of climate change-causing emissions.

There is a growing movement nationwide for people to raise native species in their yards as an alternative to growing grass, which is fossil fuel intensive. With



climate change worsening daily, our need to rid ourselves of fossil fuels takes on greater urgency. Cities and municipal governments must take it upon themselves to acknowledge the

urgency of the problem and allow people to maintain gardens that do not rely on fossil fuels.

GREAT RIVERS TAKES APPEAL OF REZONING ALLOWING CONCRETE PLANT ON LAND NEAR SHAW NATURE RESERVE TO THE COURT OF APPEALS

Citizens Ask the Missouri Court of Appeals to Overturn County Commission of Franklin County

On behalf of citizens in Franklin County, Great Rivers has appealed the trial court's judgment upholding rezoning, which allows a concrete plant to be built on land near residences and the world-renowned Missouri Botanical Garden's Shaw Nature Reserve.

Landvatter Ready Mix, Inc. proposes to build a ready-mix concrete plant on tree-covered hills just 600 feet from the Nature Reserve in Franklin County. There are houses and apartments in the area between the Nature Reserve and the proposed plant. The homeowners believe the proposed plant will cause them to breathe in dust, suffer from noise

and increased traffic, and that the wildlife, fish, birds, flora and fauna in the Nature Reserve will also suffer.

In their appeal to the Court of Appeals, the citizens argue that the rezoning is invalid because it violates Franklin County zoning codes and state and federal law since the proposed concrete plant endangers public health and safety and decreases the value of adjoining property. The citizens also argue that the rezoning is illegal because the County is allowing industrial plants in commercially zoned districts without requiring them to obtain special permits, and because the Planning and Zoning Commission failed to hold a public hearing before it issued its recommendation. The citizens request the Court of Appeals to reverse the decision of the County Commission of Franklin County.

GREAT RIVERS' ENVIRONMENTAL JUSTICE, PUBLIC HEALTH AND CLEAN AIR PROGRAMS

Bring Environmental Justice to North St. Louis

St. Louis City residents of the Old North, Hyde Park and College Hill neighborhoods live in close proximity to dozens of businesses that emit pollutants into the air, water and soil. For several years, Great Rivers has been investigating the pollutants emitted by fifteen these companies. The people in these neighborhoods have very low average household incomes, as well as above average health problems. They suffer from environmental injustice, as the City of St. Louis urges businesses that emit pollutants to locate along the Mississippi River north

of the arch, in close proximity to these old neighborhoods.

Great Rivers has identified one major polluting business that has not received a proper air permit for nineteen years, effectively shutting the public out of the permitting process for two decades. The Clean Air Act requires this type of permit to be renewed every five years. Nineteen years is too long for the state Department of Natural Resources to sit on the permit application. We are investigating this delay and will take action to assure that polluting businesses have required permits.

GREAT RIVERS' CLIMATE CHANGE, ENERGY AND CLEAN AIR PROGRAMS

It's time for Missouri's government and electric utilities to take climate change seriously. Great Rivers works for efficiency, and conservation.

Great River Continues Its Work Protecting Missouri's Renewable Energy Law



Henry Robertson is Great Rivers' Climate and Energy Program Director. He wrote the Renewable Energy Act that the voters overwhelmingly passed in 2008.

Renewable energy laws have been attacked all over the nation, and Missouri is no exception. Here, the legislative Joint

Commission on Administrative Rules ("JCAR") knocked out a key provision of the Public Service Commission's ("PSC") rule for implementing the Renewable Energy Standard passed as Proposition C. That provision required utilities to obtain renewable energy that was delivered to Missouri and not just purchase renewable energy certificates representing wind or solar energy from anywhere in the nation. The PSC had agreed with us that Prop C was intended to boost Missouri's economy and clean energy.

On behalf of the **Missouri Coalition for the Environment** ("MCE"), **Missouri Solar Applications** and **Tom Sager**, Great Rivers went to court to undo the damage wrought by JCAR and the utilities. We are building on a 1997 decision by the Missouri Supreme Court, brought by us on behalf of the Missouri Coalition for the Environment (MCE), which held that JCAR's interference in executive agencies' rulemaking process violated the separation of legislative from executive powers in Missouri's system of government.

Our new case is now in the Missouri Supreme Court! We expect to receive a decision next spring.

Fighting to Bring Wind Energy to Missouri and Beyond

Clean Line is a Houston company with plans to build wind-only transmission lines from the windy areas of the Great Plains to the population centers near the coasts. One of these, the Grain Belt Express, would run from Kansas across northern Missouri and on to Indiana. Clean Line offered to drop 500 MW worth of

wind energy in Ameren's territory. Last year the Missouri PSC rejected Clean Line's application, after the other three states on the route all approved it. The company has now reapplied.

Great Rivers represents the **Sierra Club Missouri Chapter** in support of the line. The chances of approval are much greater this time around—a number of municipal utilities would like to buy some of this wind power because it is the cheapest electricity on the market. Municipal utilities were taken to the cleaners buying power from the coal-burning Prairie State plant in Illinois.

Wind and solar power are winning the battle with fossil fuels on straight economic grounds!

Bringing Electric Vehicle Charging Stations to Missouri

Two Missouri utilities, smelling a future market, have made complementary proposals to provide charging stations for electric vehicles (EVs). Kansas City Power &



Light (KCPL) wants to build a network of 1100 charging stations for electric vehicles (EVs) in the Kansas City area. Ameren Missouri is launching a pilot program to put a small number of charging stations along I-70. Between the two, both local and long-distance charging needs will be met.

Most EV owners charge only at home. There's a chicken-and-egg problem with EVs: people can't buy

them without a place to charge, and building charging islands is a risky business because there aren't enough EVs on the road. Charging needs to be made available at workplaces, multi-unit dwellings, and out on the open road.

The PSC opened an educational docket to study the issue. We represent the **Natural Resources Defense Council** ("NRDC") in that docket to ensure the environmental impacts are considered. We also wrote comments in favor of EV charging on behalf of Renew Missouri.

The issue has now moved to KCPL's rate case and a special case to consider Ameren's tariff for the service. Great Rivers represents the **Sierra Club** and **NRDC**, which are both broadly supportive of EVs. Both organizations see broad public benefits in addition to the interests of the EV owners. EVs completely eliminate the tailpipe pollution that gets spewed in our faces every day, and they account for less greenhouse gas because electric motors are far more efficient at energy conversion than gasoline engines.

Given Missouri's coal-heavy electricity mix (80%), EVs aren't that much better than gas-fueled cars, but equivalent to cars that get 36–37 miles per gallon. The ultimate goal is cars that run on renewable electricity!

No Rate Increases without More Energy Efficiency and Conservation

The electric utilities are keeping the PSC and us busy by filing frequent rate increase cases. Great Rivers represents **Renew Missouri**, **NRDC** and the **Sierra Club** in challenging their attempts to raise the fixed charge on residential customers, since a higher fixed charge, which is beyond the customer's control, is a disincentive to save energy.



Wind and solar power are winning the battle with fossil fuels on straight economic grounds!

People should pay based on the amount of electricity they use, which reflects the demand they put on the grid. A more equitable kind of rate allows everyone a basic amount of electricity, while energy hogs who use more should pay more for each additional kilowatt-hour. This kind of rate design, called "inclining block rates," encourages conservation and efficiency. Another kind of rate, based on time of use (TOU), encourages customers to use power when demand would otherwise be high; for example, offering lower rates to electric vehicle owners to plug in their cars at midnight instead of in the evening smooths out the "peak demand" that starts when people come home from work. High peak demand requires utilities to have extra generating capacity, which in turn requires us customers to pay for unnecessary power plants.

GREAT RIVERS' WETLANDS AND CLEAN WATER PROGRAMS

Working to stop the St. Johns New Madrid Floodway Project



Bob Menees is Great Rivers' staff attorney working on water, wetlands and floodplain protection issues.

Great Rivers continues its work to stop this most destructive project that will separate the Mississippi River from its last remaining floodplains in the southeastern part

of the State. We have met with the Missouri NAACP leaders to work with them to ensure that the needs of the community of Cairo, Illinois, are taken into consideration. The U.S. Army Corps of Engineers plans to build a 1,200-foot levee in the St. Johns Bayou which could lead to increased flooding of the low-income community

of Cairo. This project is a colossal waste of taxpayers' funds and will lead to destruction of large areas of habitat for fish, birds and amphibians.

Halting Gravel Mining Near the Meramec River in Franklin County, Missouri

Great Rivers is working to stop two mines near the Meramec River in St. Clair, Missouri. There are endangered Gray Bats and a maternity cave in the area of the mines. The Gray Bats come out at night and eat the insects that live on gravel beds and riparian corridors along the Meramec. Preservation of endangered species is not always a high priority with local governments in Missouri, but Great Rivers is working to change that.

Great Rivers welcomes Sarah Willey, our new Director of Development and Community Outreach



We are delighted to announce the hiring of Sarah Willey to serve as our Director of Development and Community Outreach. Sarah comes to us with a master's degree in Nonprofit Management from Washington University and years of experience in environmental activism in Missouri. In

this position, she will be seeking to increase donations from individuals and foundations to support the continued

efforts of Great Rivers in the community. She is also here to help our friends and supporters stay connected to our work, and to increase our visibility in the community.

In her free time, she enjoys practicing yoga and running, as well as reading, and likes to get out and hike. She lives in Florissant with her spouse Brian and two cats Daisy and Pinto. Please don't hesitate to contact Sarah with any questions about Great Rivers fundraising. She can be reached at sarah@greatriverslaw.org or by calling our office.

Great Rivers' Young Professionals Board is Open and Hard at Work!

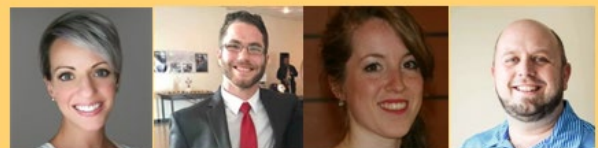
Earlier this year, we launched our new Young Professionals Board, and are pleased to announce we have eight young men and women who are already jumping in as the inaugural members: President Anna Leavey, Secretary Adam Field, Brian Arnold, Bram Boettge, Christa Gayle, Dan McFarlane, Tony Zebrowski, and Ségolène Renazé. From finance, law, sustainability, research, marketing, public health and community mobilization, these individuals bring a wealth of diverse experience to Great Rivers Environmental Law Center. They will play an active role in educating the community, raising funds and continuing to develop our outreach to and partnerships with the communities we serve.

If you or someone you know is between the ages of 22 and 35 and is interested in getting involved, we are accepting applications for additional members. See our website for details!

We are pleased to announce the founding members of our
Young Professionals Board:



Brian Arnold / Adam Field / Anna Leavey / Bram Boettge
Secretary / President



Christa Gayle / Dan McFarlane / Ségolène Renazé / Tony Zebrowski

Great Rivers Environmental Law Center Presented Lewis C. Green Environmental Service Awards to Coldwater Creek - Just the Facts Please and Just Moms STL



Mark Behlmann and Carl Chappell accepted the award on behalf of Coldwater Creek-Just the Facts Please. Photo courtesy of Diane Anderson.

On September 25, 2016, Great Rivers Environmental Law Center presented its Lewis C. Green Environmental Service Awards to the citizens' groups Coldwater Creek-Just the Facts Please, and Just Moms STL. Great Rivers presents this award annually to individuals or organizations that have shown long-time commitment to the preservation of the environment. The event was held at the lovely estate of David Mesker, Jr., on a replica of a riverboat on the Missouri River.



Coldwater Creek - Just the Facts Please is the creation of former and current residents of North St. Louis County who began to notice the high incidence of birth defects, cancer and other illnesses among people who live there now and who used to live there. A group of former residents created a health survey and are mapping and circulating the results. This collection and publication of cancer clusters and other diseases helped the group open a dialogue with local, state and federal agencies about remediation and health care. The group is pushing for cleanup of the area in and near Coldwater Creek, which became contaminated by atomic weapons wastes.

Just Moms STL is a citizens group that advocates for removal of the radioactive waste at West Lake Landfill and neighboring areas. Concerned citizens formed the group after they learned that World War II era radioactive waste had been illegally dumped at the unlined West Lake Landfill just a mile and a half from the Missouri River. Just Moms STL serves as a source of information for concerned citizens and is urging the federal government to remove the waste from the floodplain. The citizens hold meetings, conduct demonstrations, and provide people with information about the hazards of the long-lived wastes generated during WWII and the Cold War. Thousands of people have learned of the radioactive threat through this group's posts on social media.



Dawn Chapman and Karen Nickel accepted the award on behalf of Just Moms STL. Photo courtesy of Diane Anderson.

The award is named after the founder of Great Rivers Environmental Law Center, the late Lewis C. Green, a leading environmental litigator in Missouri for many decades.

Special thank you to EFS Solar, who sponsored this event.

Great Rivers Environmental Law Center Held its Spring Cocktail Party at the Busch Family Mansion

In April, 2016, Great Rivers held its annual Spring Cocktail Party at the Busch Family Mansion. Over 100 people enjoyed the beautiful Mansion and grounds, and fine food and drinks. Webster Groves High School provided classical string musicians and people had their photos taken up close to a Clydesdale.

Great Rivers extends its sincere appreciation to Adolphus Busch, Don Musick and the Great Rivers Habitat Alliance for their generosity in making this event possible.

Great Rivers Extends its Appreciation to All of Its 2016 Donors

We could not provide legal services without your help, as we are dependent on contributions from individuals and foundations to do our work. We will list our donors for the year 2016 in the Spring 2017 newsletter so that we can thank everyone for the year at one time.

There's Still Time!

Donate today and help us meet our goal for 2016! There are many ways to donate to Great Rivers. You can donate through our website, or by U.S. Postal Service, or online through Network for Good. Donate in memory of or in honor of someone if you wish. Consider making a bequest to Great Rivers. Since we accept no money from government or polluters, we depend on concerned individuals and foundations. In addition, you may dedicate your donation toward a particular program or project. Your gift helps us help others.



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www.greatriverslaw.org
(314) 231-4184 phone
(314) 231-4184 fax
St. Louis, MO 63102
Suite 800
319 North Fourth Street

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