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 06.24.2009 10:58 AM
 SW Illinois Flood Prevention Districts' Council Officially Up and Running
 By: pek123

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COLLINSVILLE, ILL., JUNE 24, 2009 . . . The Flood Prevention Districts (FPDs) for Madison, St. Clair and Monroe counties today announced the official formation of the Southwestern Illinois Flood Prevention Districts' Council and the appointment of three council members to serve as officers of the board. The joint Council will facilitate continued collaboration between the three FPDs as they work together to oversee the restoration of the Metro East levee system.

Jim Pennekamp, special assistant to SIUE's chancellor for regional economic development and executive director of University Park, will serve as president. Pennekamp chaired the Levee Task Force formed in the wake of the Federal Emergency Management Agency's August 2007 announcement that it would no longer accredit the region's five levees at the 100-flood year level. He also is the chairman of the Madison County Flood Prevention District. Dan Maher, director of administration for St. Clair County, Ill. and chair of the St. Clair County Flood Prevention District, will serve as vice president of the Council. John Conrad, editor and publisher of the Monroe County Independent and chair of the Monroe County Flood Prevention District, will serve as secretary/treasurer. The two additional FPD commissioners from each county round out the nine-member Council.

At the urging of the Task Force last summer, the County Boards of Madison, St. Clair and Monroe counties each created an independent flood prevention district with the authority to collect a ¼ cent sales tax to help fund the levee repairs. Over the past year, representatives from the East-West Gateway Council of Governments have assisted with setting up these individual FPDs and preliminary work on the levee restoration initiative. The newly formed Council will provide greater coordination of effort between the three counties and help expedite the decision making process as the restoration initiative advances.

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Local officials battling bureaucrats and budget on levee repairs

By Alan J. Orbals

Local officials are fighting an uphill battle against rising costs and federal bureaucrats in their effort to repair the levees protecting the American Bottom. The deadline is being cut; red tape is delaying action, and the price tag could jump to as much as \$400 million.

According to Alan Dunstan, Madison County board chairman, one problem has been with the Federal Emergency Management Agency. From the outset, FEMA's District 5 office put the remapping of the American Bottom on a fast track, according to Dunstan. FEMA released preliminary maps of the area last summer showing the entire American Bottom as a high-hazard flood zone. These maps were set to become official this summer, with all owners of real property in the area who have federally backed mortgages being required to buy expensive flood insurance.

However, that deadline was delayed by a deal worked out between U.S. Rep. Jerry Costello (D-Illinois), U.S. Rep. John Shimkus (R-Illinois), U.S. Sen. Dick Durbin (D-Illinois) and FEMA. The agreement, that was subsequently codified into federal law, prohibited FEMA from enacting new maps of the American Bottom until the Missouri side of the St. Louis watershed was also mapped. This, officials estimated, would buy the Illinois side as much as three years to repair the levees and stave off the insurance mandate.

But FEMA has now fast-tracked the Missouri side, Dunstan says. Preliminary maps are due out soon, with the maps becoming official in the summer of 2010.

"Where FEMA threw us a curve ball is they had a different standard in Missouri than they had in Illinois," said Joe Parente, Madison County administrator. "Missouri was allowed to go back and research engineering records to find where they previously had an engineer that certified that their levees met the protection

standards. Based on that, FEMA concluded there's no evidence that deficiencies exist, so the Missouri side qualified as a Provisional Accredited Levee. So, FEMA is going to go ahead and move forward with the mapping based on that."

According to the agreement reached with FEMA last year, when the Missouri-side maps become official (now 2010) the Illinois side will as well, triggering the flood insurance mandate. Officials are suspicious that FEMA green-lighted the Missouri side process to negate the effect of the agreement.

"Clearly, what FEMA did was to speed up the process in Missouri for the purposes of triggering the remapping process in Illinois and, to be honest, we believe that FEMA exercised differential standards in evaluating the Missouri levees," said Les Sterman, executive director of the East-West Gateway Council of Governments. "We made that argument pretty strenuously to FEMA a couple of weeks ago without much effect."

According to FEMA estimates on www.floodsmart.com, flood insurance on a \$100,000 home would jump from \$287 currently to \$1,143 when the maps become official next summer. Local officials say that estimate could be low; they worry about the impact that such a cost could have on the communities of the American Bottom.

"Our complaint to FEMA is that they're not prepared for the impact that the flood insurance mandate will have on the people in the Bottom, particularly people of lower income," Dunstan said. "This creates major consequences, including people possibly being foreclosed on because they don't have flood insurance and can't afford it. There's a ripple effect, but it doesn't seem like they (FEMA officials) care. They're sitting out in Washington D.C. just looking at a bunch of rules and regulations. They need to realize what it's going to be like on the ground here," he added.

Early last year, the EWGCG had submitted an application to FEMA to have the Bottom declared an AR (restoration) zone. This is a designation that means that an area is currently at risk for flooding but has a plan to remedy the problems and is actively working on implementing that plan. Under the AR designation, while flood insurance would still be mandatory, the price would be significantly lower than under the high-hazard designation. The effort to achieve AR status had been moved to the back burner because of the agreement that had been reached with FEMA, but it's being moved to the front burner once again in light of the escalated Missouri timetable, Sterman says.

While the AR zone designation will offer some relief to homeowners, businesses will still be hard hit, according to Sterman.

"I think one of the biggest impacts is going to be on medium-sized businesses that will have to go on the open market for insurance," Sterman said. "The AR zone designation doesn't really help them; their insurance carriers can charge them whatever the market will bear. And institutions like hospitals and all kinds of other entities are going to see flood insurance rates go up dramatically...I mean three, four, five times, maybe more."

While officials are battling FEMA with little effect, they are finding the U.S. Army Corps of Engineers almost equally difficult to deal with. The Corps has to certify the levees and is coming up with rehabilitation requirements. Two problems are raising their heads here, according to local officials. One, the Corps is moving very slowly. Two, cost doesn't seem to be a consideration.

"The Corps now has additional requirements where they have to do peer reviews and scientific analyses and it's just extending the time frame," Parente said. "Before they can spend money, they have to go through all these processes. They're not capable of speeding up the process; what they've demonstrated is that they're very capable of making the process longer and more complex. That's exactly what's happened since this thing started. They increased their regulations rather than trying to streamline it to deal with this emergency in a quicker way."

This go-slow approach, according to Sterman, seems oddly out of kilter with emergency management.

"I think the irony here is they (the Corps) came in in August of 2007 and said that we've got an emergency that we've got to deal with urgently and we did exactly that," Sterman said. "Our local officials have been on this on an urgent basis ever since then. They imposed the tax, put these new flood prevention districts into place and have signed an intergovernmental agreement. Our local officials are acting like it's an emergency. The irony is that the people who effectively triggered this emergency are acting like this is routine, using their same old processes and procedures. It's certainly an inconsistent attitude on their part. If they truly believe that there is a danger to public safety, it is irresponsible to be taking this long to help us fix it," he added.

In 2008, the state of Illinois enacted a law to allow counties to levy up to a quarter-cent sales tax to fund levee repairs. Madison, St. Clair and Monroe counties all adopted the sales tax, effective Jan. 1, 2009. That money is now being collected. Prior to the banking crisis and recession, that revenue was projected to support debt service on as much as a \$180 million bond issue, which was the projected bill for repairs. The cost estimate has now jumped to

as much as \$400 million, however, as more facts are uncovered and the Corps develops more specific plans.

One of the big problems that is driving up the cost is contaminated groundwater in the Sauget area, according to Dunstan. The common way to strengthen levees is to install relief wells that pump out ground water and relieve the pressure on the levee. Significant contamination has been found in the groundwater in the Sauget area, however, Dunstan says, causing the Corps to look at other more expensive alternatives.

Parente says one of these alternate fixes would be to build slurry walls down through the middle of the levees all the way to bedrock - more than 100 feet. The Corps has been looking at installing these slurry walls for a five-mile stretch in the Sauget area, a massive and extremely expensive undertaking.

"What we're asking for are alternatives to this very expensive slurry wall," Parente said. "Is there a way that we can still put relief wells in? Is there a way we can put in some of the relief wells and maybe a shorter distance of slurry walls? Those are the alternatives that we're asking the Corps for, but we're really not getting much information from them."

According to Parente, the Corps' plans do not take into consideration the actual money available to pay for them. At the end of April, the Corps announced that it would be allocating funds from the American Recovery and Reinvestment Act to the Southwestern Illinois levees: \$15.3 million to the Wood River levees; \$11.4 million to the Chain of Rocks canal; and \$3 million to East St. Louis and vicinity, but that still leaves a gap of \$220 million. Meanwhile, local officials are considering another run at seeking relief through the legislative process.

"Basically," said Sterman, "what we would like to be able to do is to say, 'Look, we've got financing in place. We'll do everything we can to encourage people to buy flood insurance, and we'll put an operational plan in place in case of high water so that we can immediately know when there's a potential failure.' We think if we can put those things in place, we can dramatically decrease the threat to public safety and give FEMA and the Corps every assurance that we're going to fix the levees. Nothing's going to slow us down from doing that, other than the Corps itself. We're basically saying that under those unique set of circumstances, we ought to be given something of a pass because I don't think anyone wants to see people thrown out of their homes," Sterman added. "That just doesn't make any sense."