

## NEWS RELEASE

**For Immediate Release:**

October 19, 2006

**Contacts:**

Marilyn Wall, (513) 226-9235  
Eric Partee, (513) 965-9344  
Mike Fremont, (513) 761-4003

### **Leading Environmental Groups Seek to Prevent Damage to National Wild and Scenic Little Miami River**

#### **Rivers Unlimited, Little Miami, Inc., and Sierra Club File Suit on Behalf of the Little Miami River and Local Citizens Directly Affected by Serious Water and Air Pollution**

(October 17, 2006 - Cincinnati) - Three leading environmental groups filed suit today over the proposed Eastern Corridor transportation project against the U.S. Department of Transportation (DOT) and Federal Highway Administration (FHWA) for failure to adequately address impacts of the project on the Little Miami River, a nationally designated Wild and Scenic River. The Little Miami National Wild and Scenic River is a local treasure valued for its wildlife, beauty and family recreation. Over 100,000 canoeists and 350,000 hikers and bikers enjoy annually what is effectively our region's longest park. The U.S. Department of the Interior recognized its unique scenic and recreational attributes in the 1973 Recommendation for Inclusion in the National Wild and Scenic Rivers Act System, noting that "[t]he Little Miami River corridor contains some of the most scenic, interesting, and diverse natural features in the State of Ohio [and that] the Little Miami and its immediate surroundings are of major importance for open space and natural beauty in southwestern Ohio, where urban growth is rapidly destroying the few remaining natural areas." The threat of encroaching urbanization recognized in 1973 remains today and the scenic and recreational attributes recognized as worthy of preservation under the Wild and Scenic Rivers Act are now being jeopardized by the Eastern Corridor project. Rivers Unlimited, Little Miami, Inc (LMI) and Sierra Club filed the suit, anticipating it to be one of the most important environmental battles in the Little Miami River's history.

Throughout the Eastern Corridor process, the DOT and FHWA have incredulously maintained that a massive multi lane bridge over a scenic section of the Little Miami River will have no negative impacts to the Little Miami National Wild and Scenic River or those who recreate on it. DOT and FHWA, in part base this assertion on their belief that the section of the river where the proposed crossing is to be located is neither pristine nor scenic, despite the fact that this section is part of the National Wild and Scenic Rivers system and was designated as such for its scenic and recreational qualities.

DOT and FHWA have staunchly adhered to their unsupported position despite numerous critiques and comments to the contrary from the public, as well as the National Park Service and the Environmental Protection Agency. DOT's and FHWA's refusal to acknowledge the impacts identified by NPS and EPA has resulted in a seriously flawed analysis and has forced Rivers Unlimited, LMI, and the Sierra Club to bring this suit. The lawsuit focuses on the DOT and FHWA's faulty and lacking analysis and includes claims that they have failed to comply with the basic requirements of the National Environmental Policy Act by not considering all reasonable alternatives in their analysis, including alternatives that do not involve the construction of a new bridge crossing over the Little Miami Wild and Scenic River, as well as their failure to comply with the Transportation Act by refusing to consider the impact of the newly proposed bridge over a stretch of the Little Miami River that is known by those who recreate as an exceptional scenic section of the river where one can enjoy its exceptional peacefulness.

This action follows numerous failed meetings with the DOT and FHWA and formal comments sent to the DOT and FHWA regarding their refusal to consider other alternatives and adequately address the impacts of the project on the river. Other federal agencies including the NPS and the EPA have expressed serious concerns over the project and have continuously questioned why the FHWA removed from review consideration of transportation corridors that would not include construction of a multi-modal bridge over a scenic and serene portion of the Little Miami River.

For decades, Rivers Unlimited, Little Miami, Inc. and Sierra Club - who collectively have over 21,500 members in Ohio – have worked to defend the Little Miami from pollution, damage to its National Wild and Scenic qualities and improve the regional economy by protecting the Little Miami River as a community asset. Little Miami, Inc. and others have permanently protected close to 50% of the riparian forest along the Little Miami River, which can thankfully be enjoyed by the public for generations to come. Sierra Club has promoted transportation alternatives to new highways- an effort crucial to stopping global warming and air toxics, and won a legal battle to stop raw sewage from entering the National Wild and Scenic Little Miami. Rivers Unlimited has worked to prevent damage to the river from the highway and documented the economic benefit of protecting and cleaning up rivers.

“We are seeking a solution that preserves the outstanding qualities of the Little Miami National Wild & Scenic River and addresses transportation needs in the area” said Eric Partee, Executive Director of Little Miami Inc. “It is regrettable that this process has had to find its way into the courts, but we are left with no alternative. The Little Miami is a nationally recognized treasure - this region's only National Wild & Scenic River. LMI will continue its 39-year history of doing everything we can to protect this irreplaceable natural gem.”

“Sierra Club supports transportation alternatives because they provide solutions to the high cost of gas, global warming, air and water pollution”, said Marilyn Wall, member of the Board of Directors of Sierra Club. “Global warming is threatening our future and we have the opportunity now to invest in transit which is more economical and far cleaner than a new truckway. Building another highway and destroying a river in the process is the wrong direction to take”.

“The Eastern Corridor bridge and highway will invade natural floodplain land and forest and the Little Miami National Wild and Scenic River that is already a de facto park. The National Park Service – the final authority! - considers it such in its 15-page letter of concern about this intrusion that will drive out wildlife, pollute the air with thousands of trucks and cars a day, bring noise and lights 24/7 and pollute the river.” said Mike Fremont, President Emeritus of Rivers Unlimited and long time canoeist on the Little Miami River. “It’s where we fish, swim, paddle, hike and picnic. The Park Service’s charter is to leave parks ‘unimpaired for the enjoyment of future generations.’ Years ago Cincinnati protectively zoned its section of the river 500 feet back from the water’s edge. Magrith Park is on the river, Armleder Park at Duck Creek was just dedicated September 23<sup>rd</sup>, many other parks are along or nearby the river. The Little Miami is Southwestern Ohio’s Central Park.”

"We want to do everything we can to make sure that the National Wild and Scenic Little Miami River is kept wild and scenic and that we invest now in transportation choices that are clean and are part of the solution to global warming,” said Enid Nagel, Ohio Sierra Club Chapter Chair.

###