



GOVERNOR OF MISSOURI

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GOVERNOR

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March 18, 2009

Brigadier General William E. Rapp
Commander and Division Engineer
US Army Corps of Engineers
Northwestern Division
PO Box 2870
Portland, Oregon 97208-2870

Dear General Rapp:

I am writing to request that the U.S. Army Corps of Engineers (Corps) abandon its plans to conduct an artificial Gavins Point spring rise on the Missouri River in March and May of this year. Missourians have experienced devastating flooding events in 2007 and 2008. In fact, a number of the levees damaged in these floods have yet to be repaired. Further, many of the levees that have been repaired do not yet have established vegetative cover sufficient to protect them from erosion.

With breached levees still vulnerable to high river flows and recently rebuilt levees lacking adequate vegetation, additional releases from Gavins Point dam will increase the risk of additional flood damages to properties along the lower Missouri River. In recent weeks, the state of Missouri has experienced flash flooding from storms that have moved through the region. With saturated soil conditions and high tributary flows already existing, it is totally irresponsible for the federal government to unnecessarily add to the risk of flooding by conducting a "man-made" spring rise. This is especially true given that the Corps has never studied the potential impacts of the planned spring rises with some levees still in disrepair and others totally unrepaired.

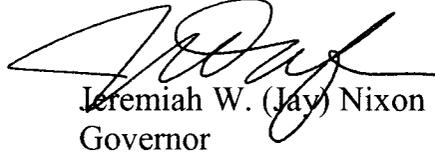
As you are aware, the Gavins Point spring rises were formulated based on an *untested theory that rises in river stages were needed in the spring to cue the pallid sturgeon to spawn. The spring rise operation was adopted with no baseline data and very little factual information regarding the life-cycle requirements of the pallid sturgeon.* Since the adoption of the controversial and potentially damaging experiment, research funded by the Corps and conducted by the U.S. Geological Survey has shown that pallid sturgeon spawn without the Corps' "man-made" spring rise.

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Given the existing increased risk of flooding due to the compromised state of damaged levees, coupled with the fact that pallid sturgeon spawn without a Gavins Point spring rise, I respectfully request that the Corps suspend its planned spring rise experiment in 2009. Valuable research can be conducted without the spring rise. Please contact Mike Wells, Missouri's Chief of Water Resources at (573) 751-4732, with your response to my request.

Sincerely,



Jeremiah W. (Jay) Nixon
Governor

c: Missouri Congressional Delegation
Mike Wells, Missouri Department of Natural Resources