



House of Representatives

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June 2, 2008

Col. Byron Jorns, Commanding
U. S. Army Corps of Engineers
Mobile District
109 St. Joseph St.
Mobile, AL 36602

RE: Environmental Justice – West Point Lake Project

Dear Col. Jorns:

I am writing to you today as the Founding President of the 100 Black Men of West Georgia. The 100 Black Men of West Georgia is a 501(c)3 non profit organization whose mission is "to provide quality experiences for youth in order to develop good moral values, ethical values and a positive attitude towards the educational process."

We are aware that the Mobile District of the U. S. Army Corps of Engineers (USACE Mobile) has been actively engaged in various environmental review processes and a proposed Environmental Impact Statement for the Apalachicola- Chattahoochee- Flint (ACF) River basin. Of specific concern to our organization are those actions taken by USACE Mobile that relate to operations at West Point Lake, a federal project under your command.

As you know Executive Order 12898 addresses the issue of Environmental Justice for minority and low income populations as a result of a proposed federal action. Any decision by the Corps of Engineers to modify operations is of particular concern to our organization. Actions which result in lower elevations of West Point Lake represent a potential or threat of denial of access to recreational resources for minority and low income populations in the West Georgia and East Alabama area.

In addition, Section 4-4 of E.O. 12898 provides that any actions by your Agency that could impact "consistent consumption of fish and wildlife" must be considered with any Federal action.

As you are aware, the West Point Lake Project was the first Corps project to carry a specific authorization by the United States Congress to provide for recreational purposes as well as sport fishing and wildlife development. What you may not be aware of is the large numbers of minority and lower income persons that reside in the vicinity of West Point Lake in west Georgia and east Alabama that are directly affected by the Corps' operations at the West Point Project. When the lake was built, a significant amount of the shoreline was

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reserved and set aside for use for recreational activities for picnicking, camping, swimming and fishing. Each of these elements has been severely impacted by the Corps' continued maintenance of low lake elevations at the project since its inception.

The framework for our concern regarding environmental justice lies in the foundational issue of "environmental policy and civil rights" outlined by the EPA in 2004. The executive order anticipated that peoples of all races, colors and income levels are treated fairly with respect to development and enforcement of protective environmental laws and policy. It also anticipated that potentially affected communities would be "meaningfully involved in the decisions that affect their environment and health."

It has been observed that many of the environmental assessments undertaken by your office thus far that incorporate consideration of actions relative to operations at the West Point project have acknowledged the responsibility of USACE Mobile to comply with E.O.12898. What we question is the magnitude of study, and the management of the project in such a manner that would assure a minimal impact on populations as a result of decisions made by USACE Mobile.

West Point Lake is a prime recreational fish and fishery resource for all segments of the population surrounding the reservoir. However, due to its proximity and use of access, the lake provides substantial and in most cases the only opportunity for outdoor recreation such as picnicking, swimming, fishing, hiking and camping to the segment of the society surrounding West Point Lake that falls within a definition of minority and low income populations. You are also aware that West Point Lake was assigned a cost allocation of 44.3% of its allocated investment to recreation and sport fishing and wildlife development. This represents the highest cost allocated to any of the Congressional purposes authorized for the lake. But at the same time, the Corps of Engineers has consistently utilized West Point Lake "as it's workhorse" to provide for other demands throughout the river basin, while ignoring the original authorized purpose of recreation, and the needs and expectations of minority and lower income households in west Georgia and east Alabama area.

Our non-profit has a lease on 31 acres with a one an one-half mile of shoreline on Lake West Point with anticipation of providing camping, day and night retreat activities for our inner city youth to achieve our mission. Although, we are still in the planning stage, our potential is hampered by the uncertainty of lake level.

The Corps of Engineers is required to identify disproportionately high and adverse human health and environmental affects on minority and low income populations, to coordinate research and data collection, to conduct public meetings, and to develop inter-agency model projects with regards to the matter of environmental justice.

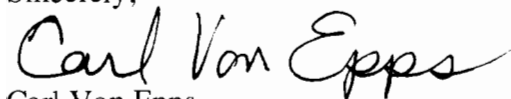
We ask that the Corps reconsider and more fully address the impacts that have resulted thus far under the Interim Operating Plan (IOP) established for the ACF basin that has so detrimentally impacted water elevations especially during late summer (2006 and 2007) on West Point Lake. We further ask that the project be managed in such a way to assure a viable and usable winter and summer pool elevation that more closely approximates and assures use of the lake at the initial recreational impact level of 632.5 MSL.

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As your office begins its processes associated with conducting in a new Environment Impact Statement for the new Water Control Plan for the ACF basin, we respectfully request that your office engage far more intensely and with a great deal more thoroughness in addressing Environmental Justice issues at West Point Lake than it has in the past. We further ask that this letter be incorporated in the all subsequent environmental review processes that may be undertaken by your office that may have an impact on the West Point Project and that this letter be retained as part of the Environmental Record for the ACF basin Water Control Plan EIS.

We stand ready to work with you as you pursue the matter of environmental justice and improvements to West Point Lake project elevations and operations. Please don't hesitate to contact us in regards to this matter.

Sincerely,



Carl Von Epps
Founding President
100 Black Men
West Georgia Chapter

cc: Lynn Westmoreland, Representative, U. S. Congress
Senator Johnny Isakson, U. S. Senate
Senator Saxby Chambliss, U. S. Senate
Randy Nix, Georgia House of Representatives
Mayor and City Council, City of LaGrange
Troup County Board of Commissioners
Brian Zettle, Inland Environmental Team, USACE, Mobile
Jeff Brown, West Point Lake Advisory Committee, LaGrange Chamber of Commerce
Dick Timmerberg, West Point Lake Coalition
Joe Maltese, Assistant to City Manager, City of LaGrange
Sally Bethea, Upper Chattahoochee River Keeper
Gil Rogers, Southeast Environmental Law Center