

## **RISE St. James**

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Eric Wolverton  
Planning & Permitting Supervisor

Glen Millet  
Chairman, St. James Planning Commission

Alvin St. Pierre  
Chairman, St. James Parish Council

November 28, 2018

Dear Sirs:

The St. James Parish Code states that the residents have the right to appeal the Planning Commission's decision approving FG LA, LLC's proposal for land use within 30 days from the date of the decision. Because the Planning Commission approved FG LA's proposal on October 30th, the residents have until November 29th to file an appeal with the Planning Commission per Section 86-37(m) of the St. James Parish Code. This letter serves as that appeal for the following three reasons:

- (1) Whether the impacts would be substantially different from the impacts of allowable uses for the district, which includes air emissions, noise, traffic, effect on property values, etc.;**

RISE St. James and residents of the parish question the residential/ future industrial classifications of the 2014 Land Use Plan.

- (2) Public benefits of proposed use and**
- (3) Physical and environmental impacts with particular attention to whether the public benefits are commensurate with those impacts.**

When the vote was taken, the chair of the commission stated that "public benefits outweigh the impacts." However, the hearing that preceded the vote did not detail those public benefits. Only a single speaker, the FG LA public relations staff member, spoke in favor of the facility and she did not provide detail on the public benefits. In fact, in referencing hotels for out of town workers, she confirmed that FG LA does not plan to hire locally.

### **JOBS**

There is a presumed jobs benefit to the parish, but the Advocate newspaper story about the project emphasized that workers would come from outside of the parish. The story said that

a. Housing would be built for temporary construction workers: “Less than an hour and a half after the FG LA announcement was made, Roussel said someone reached out to him with interest in buying the center for \$1.2 million and turning it into a dormitory to house construction workers.”<sup>i</sup>

b. Workers would come from other states and cities: “To fill jobs at the plant, FG LA will draw workers from as far away as Lafayette and Hancock County, Mississippi, Hecht said.”<sup>ii</sup>

## **HEALTH AND LOSS OF PROPERTY**

In contrast, St. James residents detailed the potential harm of the facility and the ongoing pollution burden from existing plants. Pastors, a retiree from parish government, educators, and other community members noted the following problems from the current facilities:

- Skin rashes
- Difficulty breathing
- Eye irritation
- Cancer
- Inability to grow gardens because of the poor soil, air and water
- Lack of a future in the parish for young people who don’t want to live among toxic facilities; youth will move away and the community of St. James will die.
- FG LA’s track record of accidents, pollution and violations of the law in Texas, Baton Rouge and Vietnam.

## **FLOODING**

The FG LA site will pave over sugar cane fields that absorb water and act as drainage. The Planning Commission failed to discuss this issue. At a minimum the parish should have requested that the Coastal Protection and Restoration Authority (CPRA) assess how the fill for FG LA will worsen flooding in the area.

CPRA’s “St James -Vacherie” project is part of the State Master Plan for 2017. The planning commission should also ask CPRA to review the FG LA project in light of its removal of wetland benefits from the Ama Diversion project. CPRA should assess the increased costs to this project due to the fill of wetlands.

## **POLLUTION AND CLIMATE CHANGE**

FG LA’s permit applications detail that it will release over 23 million pounds of air pollution. Much of that is greenhouse gases that will contribute to climate change. The Trump Administration released a National Climate Assessment, a 1,656 page document detailing how such emissions will harm our economy, public health, coastlines and our infrastructure resulting

in millions and billions of dollars of losses. FG LA's emissions would exacerbate this situation, a dire problem for St. James.

## **TAX EXEMPTIONS**

FG LA would receive an estimated \$1.5 billion in tax credits, much of which would otherwise go to fund much-needed public services in St. James Parish, like schools, hospitals, and police.

## **PLASTIC POLLUTION**

FG LA is proposing to manufacture plastic. Plastic pollution in the Mississippi River and the Gulf of Mexico is a growing problem.<sup>iii</sup> Ocean plastic pollution has been documented in seafood essential to Louisiana's economy and culture, such as clams, oysters, and fish.

Recycling will not solve the plastic pollution problem. Despite years of advertising and infrastructure development, Louisiana's recycling rate is only 6% - a drop from previous years.<sup>iv</sup>

There was no discussion by the planning commission weighing any of these harms in the context of the public purpose.

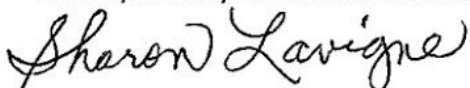
### **(4) Vested property rights and other constitutional protections.**

We have lived in St. James for generations, and FG LA threatens to force us out for many reasons, including the sheer volume of pollution. We will not be able to enjoy our property – no more gardens or picnics or barbecues. These activities are already limited by the ongoing pollution. What's more, while industrial property values may rise, our property values are plummeting because FG LA will destroy the quality of life for residents of the parish.

There is also a significant question of equal protection before the law. FG LA is slated for the 5<sup>th</sup> district, the district with the highest percentage of African Americans in the parish. The burden of industry and pollution is very clearly falling on the black community. This is a clear civil rights violation as well as a public relations nightmare for the parish.

On the night of the commission's vote, I submitted a petition with 537 signatures of local residents who oppose the facility. Please know that we stand together in this appeal.

Thank you for your time and consideration.



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Lucia Blacksher, Tulane Civil Rights Law Clinic  
Blake Kopcho, Center for Biological Diversity  
Adrienne Bloch, Earthjustice  
General Russel Honore, GreenARMY

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<sup>i</sup> [https://www.theadvocate.com/new\\_orleans/news/business/article\\_4ee148fa-4715-11e8-a53b-2b350073db9d.html](https://www.theadvocate.com/new_orleans/news/business/article_4ee148fa-4715-11e8-a53b-2b350073db9d.html)

<sup>ii</sup> Ibid.

<sup>iii</sup> Friends of the Mississippi River, 2016 Annual Report. Available at:  
[https://adobeindd.com/view/publications/08491389-e1d2-4844-87d7-f592b8ab49ca/1/publication-web-resources/pdf/FMR\\_AnnualReport2016\\_with\\_hyperlinks.pdf](https://adobeindd.com/view/publications/08491389-e1d2-4844-87d7-f592b8ab49ca/1/publication-web-resources/pdf/FMR_AnnualReport2016_with_hyperlinks.pdf)

<sup>iv</sup> Louisiana Department of Environmental Quality. "Annual Recycling Report - Calendar Year 2016." Feb 2018. Available at: <https://www.dropbox.com/s/qmwxw1txy27liwk/2016%20LDEQ%20recycling%20report.pdf?dl=0>



