

STATE OF ILLINOIS)
) ss
COUNTY OF SANGAMON)

AFFIDAVIT

I, Arlan Juhl, having been duly sworn upon oath, do hereby depose and state:

1. I am of legal age and would be competent to testify to the matters and things set forth herein if called as a witness in this case.

2. I am a licensed professional engineer with over 37 years experience in water resource engineering in Illinois and am the Acting Director of the Office of Water Resources at the Illinois Department of Natural Resources.

3. I have previously toured and am familiar with the levees and communities affected by the current emergency flooding situation in southern Illinois related to the Ohio and Mississippi Rivers, and their tributaries.

4. I am also familiar with the U.S. Army Corps of Engineers Birds Point-New Madrid Floodway Project and how it impacts flood control in Illinois. Releasing flood waters into the Birds Point-New Madrid Floodway helps reduce flood conditions in southern Illinois.

5. I have staff inspecting and reporting to me on current flooding conditions of levees and communities in southern Illinois. They have already reported existing flood problems along the Mississippi River, the Ohio River, and the Cache River.

6. These conditions exist because elevated stage of flood water is backing up from the confluence of the Ohio and Mississippi Rivers. The Birds Point-New Madrid Floodway Operations Plan (“Plan”) is designed to reduce the flood stage at that juncture when water elevation reaches approximately sixty (60) feet at the Ohio River stream gage at Cairo. Any delay or failure in implementing the U.S. Army Corps of Engineers’ Plan will cause elevated

flood stages inconsistent with the Plan thereby increasing flooding, stress on the levees, property damage, and risk of loss of lives in Illinois. (Missouri would also realize similar benefits near the Village of Commerce on the Mississippi River from implementing the Plan.)

7. The levees that will be impacted by the inconsistent elevated flood stage are Len Small Levee on the Mississippi, Cairo Levee on the Mississippi and Ohio Rivers, the Mound City Levee on the Ohio River, the Brookport Levee on the Ohio, the Golconda Levee on the Ohio, the Rosiclair Levee on the Ohio, and the Old Shawneetown Levee on the Ohio. Other affected levees not directly on the Mississippi or Ohio Rivers, but impacted by the inconsistent elevated flood stages include the Karnak Levee on the Cache River and the Reevesville Levee separating the Cache River from Bay Creek.

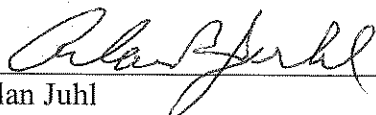
8. In conjunction with the levees listed, there will be areas in at least five Illinois counties (Alexander, Pulaski, Massic, Pope, and Hardin) severely impacted by inconsistent elevated flood stages. All of these counties include communities, some that are protected by an existing levee and some that are not. For example, Cairo, population 2831, has a levee protecting it; so does Mound City, population 692, Brookport, population 1054, and others. On the other hand, Metropolis, population 6490, Olive Branch, population 864, and Tamms, population 619, do not have any levee protection.

9. At present flood stages, the Ohio River flood waters are now flowing north instead of west through the breached Karnak Levee and into the Lower Cache River flooding the communities of Karnak, Ullin, Sandusky, Unity, Tamms, and Cache. This flooding will worsen as flood stages increase. Delay, or failure to implement the Plan would cause continued elevated flood stages along with associated hardship and damage along the Lower Cache River.

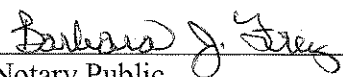
10. Likewise, delay, or failure to implement the Plan, as flood stages increase, will cause additional hardship and damage in southern Illinois.

11. Nowhere in Illinois does the U.S. Army Corps of Engineers have floodway projects like they do in Missouri at the Birds Point-New Madrid Floodway. Therefore, the Plan is the only engineered method to address this flood emergency.

FURTHER AFFIANT SAYETH NOT.


Arlan Juhl

Subscribed and sworn to before me
this 28th day of April, 2011.


Notary Public

