

Formosa plant opponents sue against zoning

By **BOB WARREN**
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Opponents of the planned Formosa Plastics Corp. rayon and petrochemical plant in St. John the Baptist Parish sued the parish and the South Louisiana Port Commission on Monday in an effort to block construction.

The lawsuit was filed at the Parish Courthouse in Edgard by Save Our Wetlands, a vocal opponent of the \$2 billion plant. The suit names as defendants parish President Lester Millet, all Parish Council members and the Port Commission.

Millet said the suit doesn't come as a surprise. But he responded with some fighting

words. "The citizens of St. John need to file suit against Mr. Fontana for \$300 million," he said. "I might do it as a businessman if I can find legal grounds."

Luke Fontana is a New Orleans lawyer and environmental activist representing Save Our Wetlands.

The suit comes at a time when Formosa had expected to finish buying about 90 percent of the west bank land in Wallace for the plant.

Among other things, the suit asserts:

► The council acted outside its powers in rezoning an 1,800-acre area for the plant and that the

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► The site was picked over another one already zoned for heavy industry because it would be cheaper for Formosa.

► The parish and Port Commission, a state-created agency that sold \$25 million in revenue bonds to build a deep-water port for Formosa's use, are conspiring to expropriate land needed for the company's pier.

► The council's agreement to rezone the land was made without considering the "large tracts of wetlands in the rear of the proposed location, especially in regard to the flooding and flushing of the area."

The council rezoned the land in an 8-0 vote April 19. The hearing before that vote — and the two Planning and Zoning Commission hearings that preceded it — erupted into sometimes bitter debate over the question of jobs versus the environment.

► Parish officials sided with Formosa on grounds the plant promised 1,600 jobs and as much as \$280 million in additional tax

revenues over the next 10 years.

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The lawsuit seeks to throw out the rezoning and return the land to its original residential and light industrial zonings.

The suit was assigned to the District Court division presided over by Judge G. Walton Caire. Millet said he expected Caire to recuse himself from the case, as the judge did for a similar suit filed over rezoning some east St. John land for a proposed Aristech Chemicals Corp. plant. At that time the judge cited the heavy work load as his reason for stepping aside.

In August 1989, the Parish Council rezoned this land to industrial to accommodate Aristech. A group called Save Our Neighborhoods sued the council and Millet. The case is pending.

Millet said he didn't expect the Formosa lawsuit to thwart the company's plans. "No matter what they do, the plant's coming," he said.

Alden Andre, a Formosa vice president, has said he expects that all of the land needed will be bought by the end of May.