



Jefferson City
News Tribune
Jefferson
City, MO
Circ. 19483
From Page:
1
7/18/2009
14205



800 241
**AG to review
E. coli complaint
against DNR**

By Chris Blank
Associated Press

Missouri Attorney General Chris Koster will review a complaint that the Missouri Department of Natural Resources withheld a report showing unsafe levels of E. coli in the Lake of the Ozarks.


A spokeswoman for Koster said Friday that the office would examine how the Department of Natural Resources handled the E. coli report after receiving a complaint from the Missouri Clean Water Campaign, which is part of the Sierra Club.

“The Legislature’s intent is very clear. Open government is in the best interest of Missouri, never more so than when concerns over public health are at issue,” said Koster, a Democrat, in a written statement.

The Clean Water Campaign says state officials refused to turn over public documents about bacteria levels in the lake. Water was tested May 26, but the findings weren’t released until June 26, when lower E. coli levels from later testing also were reported.

A Natural Resources Department spokeswoman initially told The Kansas City Star the report wasn’t released earlier because of concerns that it could harm tourism and business around the lake. Officials have since said the report should have been released immediately and will be in the future.

Clean Water Campaign Chairman Ken Midkiff told The Associated Press on Friday that not releasing the study sooner violated

Please see E. coli, p. 2 

County:
Cole





Jefferson City
 News Tribune
 Jefferson
 City, MO
 Circ. 19483
 From Page:
 2
 7/18/2009
 14205



E. coli: Sunshine Law cited in complaint

Continued from p. 1

state open records laws.

"A public agency cannot pick and choose what information it keeps," said Midkiff, who lives in Columbia. He added that: "It's disturbing that that information was withheld and not known by the public."

Midkiff said he had not requested information about report from the state agency but said he spoke with several people who did.

He said the primary goal of the complaint is to ensure state government follows Missouri's Sunshine Law rather than to prompt lawsuits and fines against the Department

of Natural Resources.

DNR Director Mark Templeton said that the agency on Friday provided Koster's office with internal information related to the E. coli report.

Asked if he believes DNR followed the Sunshine Law, Templeton said the determination now is up to the attorney general's office.

Templeton said the initial report was delayed because there were questions about the affect of taking samples around a heavy rainfall.

"The No. 1, fundamental, bedrock priority of the Department of Natural Resources is the protection of Missouri's

environment," he said.

The Sunshine Law requires government agencies to respond to requests for public documents within three business days.

Agencies that "knowingly" violate the law can be fined up to \$1,000. Those that "purposefully" violate the Sunshine Law can be fined up to \$5,000.

Koster spokeswoman Nanci Gonder said Midkiff's complaint is the only one received so far by the attorney general's office. Gonder said the attorney general's office typically reviews citizen complaints about Sunshine Law violations.