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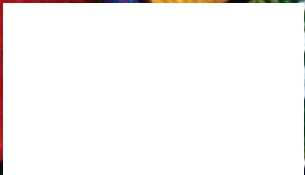
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Volume 4, Number 3

Winter 2008

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Boston, MA New England Aquarium
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Cincinnati, OH Cincinnati Museum Center

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Des Moines, IA Science Center of Iowa
Detroit, MI Detroit Science Center
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WATERKEEPER

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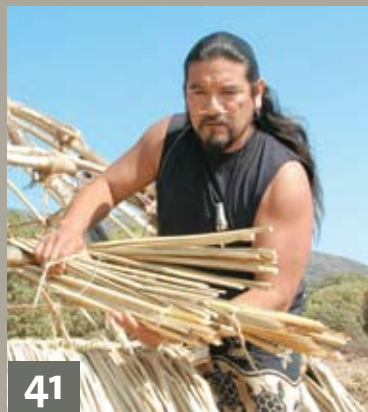
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DONNA KARAN
NEW YORK

Letter from the Chairman

Robert F. Kennedy, Jr.

“Above all else,
pollution is a
human rights
violation.”



Pollution's Chief Victims

Fifteen years ago labor leader Dennis Rivera and I jointly published an op-ed in *The New York Times* titled *Pollution's Chief Victims*. We cited cases around the nation where toxic waste, sewage plants and other hazardous facilities were foisted on minority and low-income communities. In 1994 President Clinton signed an Executive Order requiring the federal government to take race into account in environmental decision-making. But in 2007 things have only gotten worse.

What we wrote in 1992 is just as true today: Inexorably, society's wastes flow toward communities debilitated by social unrest, high illiteracy, unemployment and low voter registration. Those communities have become toxic dumping grounds while receiving few of the safeguards that prudence and decency demand but only political power can obtain.

In 1992 EPA acknowledged that low-income and minority populations shouldered the greatest environmental risks and that the application of environmental controls and enforcement follows racial lines. In the past 15 years, researchers have piled up evidence of unequal protection from the law, of shoddy cleanups of toxic sites and of minority and low-income communities being stuck with our worst polluting facilities. And these communities and all Americans are paying an unacceptable price.

Dr. Robert Bullard, an author of *Toxic Wastes and Race in the United States* the seminal 1987 report on environmental justice, recently testified at the first ever Senate hearing on Environment Justice (he's interviewed on page 46). The evidence of environmental racism that Dr. Bullard cited reads like a trail of tears:

- A 1999 Institute of Medicine study concluded that low-income and people of

color communities are exposed to higher levels of pollution than the rest of the nation and that these same populations experience certain diseases in greater numbers than more affluent white communities.

- In 2000 *The Dallas Morning News* and University of Texas-Dallas reported that nearly half (870,000 of the 1.9 million) of the nation's housing units for the poor, mostly minorities, sit within a mile of factories that reported toxic emissions to U.S. EPA.

- In 2001 the Center for Health, Environment and Justice reported that more than 1,200 schools — serving 600,000 low-income and minority students in Massachusetts, New York, New Jersey, Michigan and California — are located within half a mile of federal Superfund or state-identified contaminated sites.

- In 2003 the U.S. Commission on Civil Rights concluded that “Minority and low-income communities are most often exposed to multiple pollutants and from multiple sources.”

- In 2005 the U.S. Government Accountability Office (GAO) criticized EPA for its handling of environmental justice issues when drafting new clean air rules.

- In 2004 and again in 2006 EPA's Inspector General chastised the agency for failing to consider environmental justice in important decisions.

- And finally, in 2007, the GAO criticized EPA's handling of contamination from the nation's worst ever spill of oil, industrial chemicals and other hazardous materials in post-Katrina New Orleans and Gulf Coast communities.

Dr. Bullard was also a principal author of the 2007 *Toxic Wastes and Race at Twenty 1987-2007* report, which concluded that “environmental injustice in people of color communities is as much or more prevalent today than 20 years ago.”

Hazardous facilities are pushed into minority communities by industry because they receive less scrutiny from government regulators and environmental groups. Environmental injustice is morally equivalent to any other form of racism — it has immediate health impacts and in the longer-term destroys the cultures and vitality of our highest risk communities. Above all else, pollution is a human rights violation. We need to make sure that our laws, our enforcement and all of our institutions recognize, understand and eliminate environmental racism.

The solution to environmental racism remains the same: Better, stronger, environmental enforcement that protects every community and every citizen from pollution. Waterkeepers — fighting to clean up toxic waste sites, fighting to stop coal mining, fighting to protect wetlands, fisheries and communities — are on the frontlines in this battle. But like others throughout the environmental movement we need to do more to diversify our staff and directors racially and culturally, and support the environmental justice movement.

We must pressure Congress to ban the production of toxic materials that cannot be reused or recycled. We must push Congress to reinstate the Superfund tax to ensure that polluters are held responsible for cleaning up their toxic waste. We must fight to restore federal environmental protections that have been systematically stripped from the public by the Bush Administration, to rebuild sewage plants and water delivery systems, revitalize city parks and expand public transportation. Finally, Congress must pass the Environmental Justice Act of 2007 to give the weakly implemented 1994 Executive Order the force of federal law.

Society must recognize that economic and social injustice are a virulent form of pollution. As we endeavor to heal the wounds that afflict our planet, we must also heal the inequities that divide our nation. **W**



ON THE COVER

KUCHINA AWAKEN

Michael Kabotie (Lomawiywesa) is a renowned Hopi painter, jeweler and poet. He incorporates traditional Hopi images, songs and stories into distinctive artworks. www.nativeart.net

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MISSION: Waterkeeper Alliance connects and supports local Waterkeeper programs to provide a voice for waterways and communities worldwide.

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Who is Waterkeeper Alliance?

Our waterways are the source of our drinking water, the fountain of our economic prosperity and the foundation of our culture and heritage.

On more than 170 waterways around the world local Waterkeepers are on patrol, standing up to polluters and enforcing your right to clean water. Waterkeeper Alliance connects and supports these grassroots advocates and fights for clean water and strong communities.

Ventura Coastkeeper Mati Waiya is a Chumash ceremonial priest and native of Ventura County, California. His vision is to preserve the culture, language and history of his native people and link ancient knowledge to present day environmental issues. Ventura Coastkeeper is restoring Nicholas Canyon Stream, which runs through the Chumash Cultural Village on a site that was first inhabited by Native people more than 10,000 years ago.



Join Waterkeeper Alliance—Get **WATERKEEPER**

Join Waterkeeper Alliance and get **WATERKEEPER** for one year. Everyone has the right to clean water. It is the action of supporting members like you that ensures our future and our fight for clean water and strong communities.

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Slime & Thermal Pollution

Dear Waterkeepers,
I just tripped into another element that compounds nutrient pollution and power plant thermal pollution. Here on the Western Lake Erie, a Toledo wastewater treatment plant's outfall sits near the cooling water intake of the massive Bayshore power plant. Eighty percent of the Maumee River, which receives phosphorous-enriched wastewater effluent, is pumped through the power plant in the late-summer early-fall. We are fertilizing and heating our river, creating the perfect algae growth environment and spurring massive algal blooms. It's time our treatment plants start removing phosphorous and our power plants stop using our waterways to cool their engines.



The Bayshore power plant.

SANDY BIHN

Western Lake Erie Waterkeeper

CREDIT

Waterkeeper magazine recognizes Kenneth R. Weiss of the *Los Angeles Times* as part of the inspiration behind the fall 2007 issue. Mr. Weiss' five-part series "Altered Oceans," included "Primeval Tide of Toxins" and popularized Dr. Jeremy Jackson's notion of the "rise of slime." For the outstanding series, Mr. Weiss and other *Los Angeles Times* reporters received the 2007 Pulitzer Prize for Explanatory Reporting.

CORRECTION

Due to an editing error, *Georgia's Precious Blackwaters Turn Green* by Chandra Brown and Gordon Rogers read that Satilla Riverkeeper "won a court order" issued to the City of Douglas. In fact: "Satilla Riverkeeper gave input to and now monitors the consent order."



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State Secrets: Maryland's Chicken Farms, part II

By Jillian Gladstone, Waterkeeper Alliance Advocacy and Outreach Coordinator

On November 1, 2007, Waterkeeper Alliance convened nearly 200 farmers, state and federal officials, industry representatives, scientists and environmentalists on the Eastern Shore of Maryland to talk about the poultry industry and the health of the Chesapeake Bay. The Eastern Shore Poultry Summit was an unprecedented gathering, engaging attendees in a spirited debate, and giving everyone an opportunity to speak and be heard.

Robert F. Kennedy, Jr. gave a rousing speech about the environmental devastation wrought by industrial livestock production, Maryland Attorney General Doug Gansler called for alternative uses for the voluminous waste produced and industry representative Bill Satterfield discussed the strategies the poultry industry is employing to protect local waterways. Since the meeting a fire-storm of debate has raged in local newspapers of the Delmarva Peninsula. Reaction to Kennedy's speech was telling. While much of the audience responded with a standing ovation, others in the room sat quietly with arms crossed before standing and leaving the room.



Waterkeeper Alliance is filing a lawsuit against the Maryland Department of Agriculture, challenging the state policy of keeping poultry farm nutrient management plans hidden from public review [See *Waterkeeper* fall issue, *State Secrets: What are they Hiding on Maryland Chicken Farms.*] These management plans specify how and where manure from livestock facilities will be disposed. They are a key to keeping communities informed about the threats to their waterways and ensuring proper disposal of waste. While most states uphold the Clean Water Act requirement that these plans are available to the public, Maryland's regulators have colluded with the poultry industry to keep them secret.

Each year, nitrogen and phosphorus pollution rob half the bay of oxygen necessary to support life. Big Poultry on the Delmarva Peninsula contributes a significant amount of this nutrient pollution. These large-scale poultry farms produce over 2.5 billion pounds of chicken waste each year – more than three times the waste produced by the human population in the area. Human waste must be treated before it is released into the environment, but the chicken waste is piled up or stored in pits before it runs off into local waters and the Chesapeake Bay. Waterkeeper Alliance's Chesapeake Initiative has brought this issue to the forefront of public discourse – an important step in forcing Maryland and the poultry industry to get their waste out of Chesapeake Bay.

RIGHT TO KNOW

New York citizens have made their right to know loud and clear. Delaware Riverkeeper and the Humane Society filed legal action against the New York Department of Environmental Conservation after the agency refused public access to waste management plans for a duck facility in Sullivan County, NY, called Hudson Valley Foie Gras. Under federal and state law, polluters must share the terms of pollution permits with the public. As a result of the Delaware Riverkeeper and Humane Society's action, this October the state decided to release the withheld documents. Citizens will now be able to hold the facility accountable for pollution.



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BALANDRA'S MANGROVES, BAYS Will be Protected

VICTORY!

La Paz Coastkeeper Peter Paterson and local environmental groups successfully pressured the government to protect Balandra, Mexico, from large-scale development. Growth along the La Paz Coast has soared in recent years, and today, the development of marinas and tourism projects threaten to claim the remnants of publicly accessible, undeveloped coastline. Coastkeeper collected over 18,000 signatures in support of measures to protect Balandra. The public pressure forced the municipal government to modify the law and declare Balandra a natural protected area for the people of La Paz and future generations.

The Balandra coastline with the island of Espiritu Santo in the background.

Delaware Riverkeeper Stops Dredge Dumping

Delaware Riverkeeper and local activists successfully prevented the Army Corps of Engineers from dumping dredge spoils onto 70 acres of a vibrant wildlife preserve and a popular outdoor educational center at Palmyra Cove Nature Park. After onsite protests, an aggressive petition and letter writing effort, and a meeting with local legislators, the New Jersey Department of Environmental Protection significantly reduced the fill acreage. Fifty acres of land will now be protected from dredge spoils dumping. Delaware Riverkeeper is carefully monitoring the process to ensure that the land is permanently preserved.

On September 18, Lake Ontario Waterkeeper released *At the Barricades: Volume 1*, a compilation of music from an all-star roster of artists. The music is impassioned and reflective, emotive and provoking: a powerful companion to the Waterkeeper movement.



www.waterkeeper.ca/barricades/



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John Paul DeJoria, CEO of John Paul Mitchell Systems and supporter of Waterkeeper

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WATERKEEPER FAMILY ALBUM

Coleman Peter Callaway was born on December 1, 2007, (8 lb 14 oz) to Mobile Baykeeper Casi and Jarrett Callaway. Congratulations!



CLEANUPS



OTTAWA RIVERKEEPER

Ottawa Riverkeeper and volunteers after the cleanup.

Volunteers Haul 5 Tonnes of Trash Off Kettle Island

Ottawa Riverkeeper rallied over 70 volunteers for a cleanup on Kettle Island in October. Debris has piled up on the uninhabited island for the past decade. Riverkeeper worked with local businesses and community groups

to haul five tonnes of garbage off the island and will continue to promote stewardship of the island into the future.

Milwaukee Riverkeeper Pulls Trash from Kinnickinnic River

More than 250 volunteers joined Milwaukee

Riverkeeper, Sierra Club and other groups to haul four dumpsters of trash from the Kinnickinnic River, a major tributary of the Milwaukee River. The volunteers were assisted by a 65-ton crane. The October cleanup is part of Riverkeeper's efforts to revitalize the forgotten tributary.



MEGAN UTTER

Ian Penrose, Yarra Riverkeeper, with rescued dogs.

HONORS

Buzzards Baykeeper Accepts Excellence Award

The Coalition for Buzzards Bay, home of Buzzards Baykeeper, was honored by the Land Trust Alliance on October 5 for its successful Bay Lands Campaign. The campaign protected 3,000 acres of land critical for a clean bay and created a Bay Lands Revolving Fund to assist future conservation efforts.



FRANCESCO DALL'O L'LAND TRUST ALLIANCE

Buzzards Baykeeper Mark Rasmussen accepting the award on behalf of the Coalition for Buzzards Bay in Denver, Colorado.

Blackwater Nottoway Riverkeeper Finalist in Volvo Award

Blackwater Nottoway Riverkeeper Jeff Turner was selected as one of ten finalists in the environment category for the Volvo for Life Awards. Turner has been working tirelessly to preserve his two Virginia rivers with limited resources for more than seven years.

Black Warrior Riverkeeper wins Conservation Organization of the Year

Black Warrior Riverkeeper was honored in September as 2007 Conservation Organization of the Year by the Alabama Environmental Council, Alabama's oldest conservation organization.

Upper Chattahoochee Riverkeeper Best Local Fighter

Upper Chattahoochee Riverkeeper Sally Bethea and Co-Founder Laura Turner Seydel were named Best Local Fighters for the Environment for 2007 by Atlanta-based newspaper *Creative Loafing*.

Yarra Riverkeeper to the Rescue

Yarra Riverkeeper Ian Penrose rescued two dogs while patrolling the Yarra River in Melbourne, Australia. Ian and staff member Megan Utter found the dogs struggling in the river, unable to escape. Ian and Megan helped the dogs into the boat and reunited them with their owners. Apparently, the owners had recently moved to Melbourne from rural Australia, where the dogs were used to swimming in less treacherous waters.



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Baykeeper Enforces Anti-pollution Laws in Delta Port

California's Port of Stockton is a major domestic and international shipping hub covering 1,400 acres in the Sacramento-San Joaquin Delta. In 2004, the port proposed a massive expansion that would generate large quantities of air and water pollution. Baykeeper and partner organizations sued the port for failing to accurately address the environmental impacts of the expansion as required by law. This August, Baykeeper and partners reached an agreement with the port that will significantly reduce the project's environmental impacts. The port now must refrain from disruptive activities during migration seasons for endangered and threatened fish, and restore dissolved oxygen in affected rivers. Additionally, the port must reduce diesel pollution from cargo transport and mitigate nuisance to local residents. Earlier, Baykeeper and partners were successful in significantly downsizing the project. The recent settlement demonstrates how the Port of Stockton can serve the economic needs of Northern California and still be held responsible for protecting the environment.



Go Green, Live Rich

David Bach, bestselling author of *Automatic Millionaire* and *Smart Women Finish Rich*, joined forces with Wells Fargo bank to support Waterkeeper Alliance and Santa Monica Baykeeper in their efforts to fight for clean water and strong communities. Bach and Wells Fargo presented Waterkeeper Alliance President Steve Fleischli and Sherise Parker from Santa Monica Baykeeper with a check at the California Governor and First Lady's Conference on Women in October. In April 2008, Mr. Bach will publish *Go Green, Live Rich* to share the undeniable message that good environmental policy is good economic policy. His goal: to get everyone to save money and help the planet at the same time.

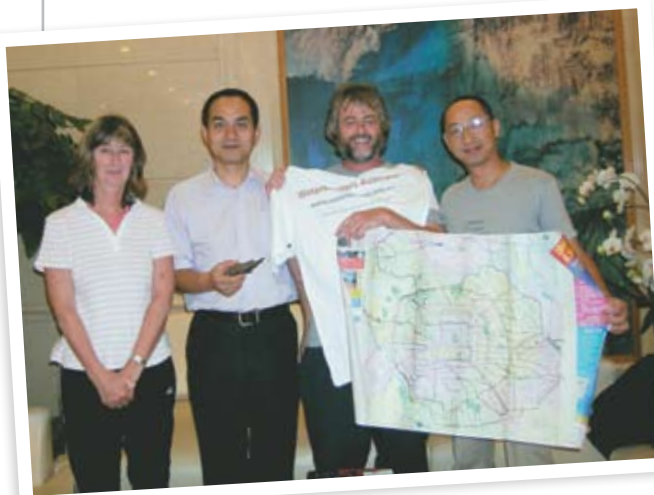
Ash Dump Stopped

Since 1998, American Ash Recycling of Pennsylvania, Inc. has buried 200,000 tons of processed incinerator ash under playgrounds, homes, businesses and parking lots. The ash contains unknown levels of dioxins and high levels of heavy metals and is buried without safety precautions. In some cases, the material is buried near drinking water supplies and valuable wetlands. Lower Susquehanna Riverkeeper Michael Helfrich filed more than 600 pages of documents voicing his concern over the plan, and mobilized citizens and public officials to oppose the dumping. In October, the Pennsylvania Department of Environmental Protection denied American Ash's permit renewal application, stopping two million additional tons of ash from being buried around the state.



Waterkeepers from Australia and China Meet

This September, Australia's South Beach Wetlandskeeper Don Stewart met with Beijing North Canal Waterkeeper Genk Zhang Junfeng in China. "This meeting testifies to the value and strength of the international Waterkeeper movement," said Genk. Don and Genk exchanged gifts and shared stories on their struggles and victories in the fight for clean water. Don commented on some of the positive changes taking place in China. "Fourteen water treatment plants are proposed in the next 12 months to help alleviate damaged waterways." The meeting was a huge success and Don plans to return to trek Beijing's waterways with Genk.



From left to right: Sherril Stewart, North Canal Waterkeeper Volunteer Lawrence Luo, South Beach Wetlandskeeper Don Stewart and Beijing North Canal Waterkeeper Genk Zhang Junfeng in China.

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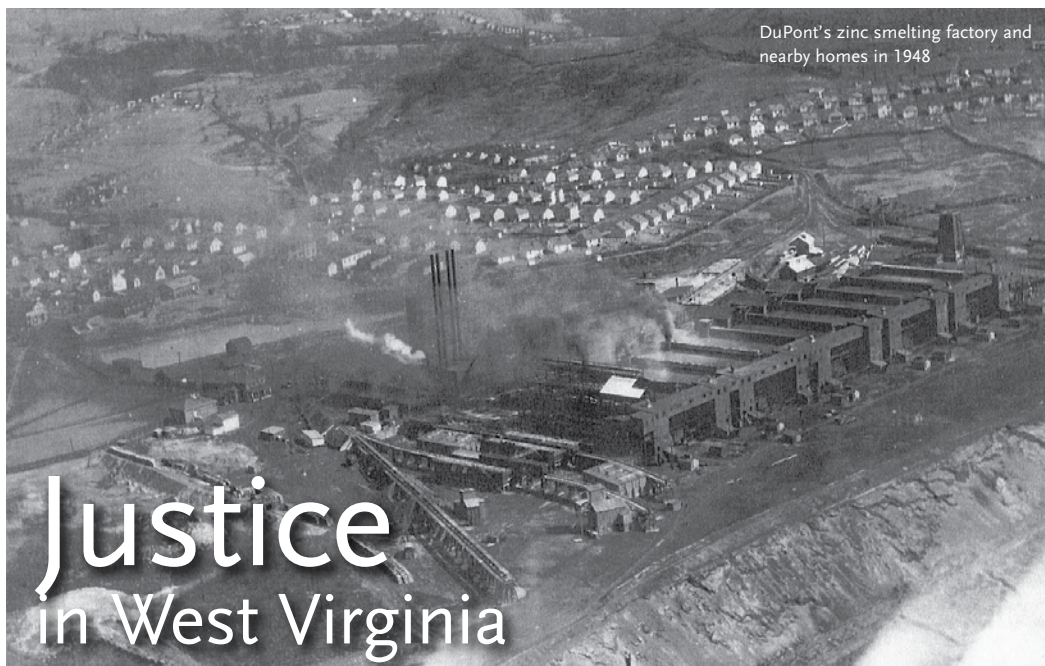
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Kansas Coal Plants Rejected

A coalition of Kansas environmental organizations made history on October 18, when the State of Kansas denied the construction of two coal-fired power plants because of greenhouse gas emissions. Kansas Riverkeeper and Friends of the Kaw worked with a consortium of state environmental organizations, spearheaded by the Sierra Club, to keep the issue at the forefront of public debate. Kansas Riverkeeper Laura Calwell and Riverkeeper members made comments at a public hearing encouraging the State of Kansas to consider energy conservation measures and renewable energies like wind and solar over the coal plants.

Combined, the plants would have emitted 11 million tons of carbon dioxide annually. Roderick L. Bremby, Secretary of the Kansas Department of Health and Environment, denied the permit, stating "I believe it would be irresponsible to ignore emerging information about the contribution of carbon dioxide and other greenhouse gases to climate change and the potential harm to our environment and health if we do nothing."



DuPont's zinc smelting factory and nearby homes in 1948

In one of the largest verdicts ever recorded in an environmental lawsuit, a West Virginia jury ordered chemical giant Dupont to pay \$371 million in damages for contaminating the town of Spelter, West Virginia. DuPont's zinc smelting factory contaminated homes and threatened public health while producing zinc from zinc ore. In its 90 year history, the factory produced more than 400 million pounds of zinc dust with toxic levels of arsenic, cadmium and lead. Dupont polluted the community through plant emissions and a burning mountain of toxic waste

that smoldered for more than 20 years.

The jury was shocked by Dupont's conduct and ordered the chemical giant to clean the residents' homes, establish a medical monitoring program to test the community for lung, skin, stomach, bladder and kidney cancer, cognitive problems and lead poisoning. The lead attorney in the trial was Mike Papantonio of the Levin Papantonio law firm and founder of Emerald Coastkeeper. Robert F. Kennedy, Jr. of Kennedy & Madonna, LLP and the Cochran Firm also represented the community.

Baykeeper Wins Protection for Threatened Delta Smelt

Delta smelt are small fish that survive only in the Sacramento-San Joaquin Delta's brackish waters and are an indicator of ecosystem health. Today, these fish are on the brink of extinction. Massive water pumps that extract water from the delta to irrigate commodity crops in the Central Valley and Southern California are killing the prized fish. This August, San Francisco Baykeeper and a coalition of environmental organizations, represented by Earth Justice, scored a major victory. After a two-year battle, a U.S. District Court ruled that federal water authorities must reduce pumping impacts and apply safeguards to prevent the fish from dying in the pumps.

Buzzards Baykeeper State of the Bay Report

Buzzards Baykeeper and The Coalition for Buzzards Bay published a State of the Bay Report for 2007. The report found that the health of Buzzards Bay, MA, is declining and swift action is needed to prevent the Bay from losing its place as one of the healthiest estuaries on the East Coast. In four years alone, the bay has fallen three points to a final score of 45. Nitrogen pollution is the largest culprit, driving the bay's health into further decline.



Magdalena Secret

Magdalena Bay in Mexico's Baja California peninsula is known for its biodiversity and natural beauty. The bay provides refuge to the gray whale, sea turtles, and hundreds of thousands of migratory birds, and harbors fragile ecosystems made of mangroves and sand dunes. Today, unchecked development threatens the natural beauty of Magdalena Bay and the vibrant local economy that the bay supports. On December 14, 2005, developer Magdalena Secret submitted a document to the General Directorate of Risk and Environmental Impact to assess the environmental impacts of nine hotels, two golf courses and a series of tourism-related developments slated for construction.

Tourist Megadevelopment Canceled

Vigilantes de Bahía Magdalena (Magdalena Baykeeper) and researchers reviewed the environmental impact statement and discovered grave impacts to the environment, along with erroneous and deficient information. Baykeeper pursued the matter with the government and held meetings directly with the developers. As a result, plans for the project were rescinded. The decision is an important achievement for the communities of Magdalena Bay, Vigilantes de Bahía Magdalena, and their partners in this fight: Waterkeeper Alliance, Defensa Ambiental del Noroeste, Centro Mexicano de Derecho Ambiental, Pro Peninsula and the University of San Diego.



Magdalena Secret

Bahía Magdalena en la península de Baja California Sur es conocida por su biodiversidad y belleza natural. La bahía provee refugio a la ballena gris, a las tortugas marinas, y a cientos de miles de aves migratorias dentro de sus frágiles ecosistemas de dunas y manglar. Hoy en día el desarrollo desordenado amenaza la belleza natural de Bahía Magdalena así como la economía local que soporta. El 14 de diciembre del 2005, el proyecto Magdalena Secret sometió su evaluación de impacto ambiental ante la Dirección General de Riesgo e Impacto Ambiental de SEMARNAT. Este proyecto consiste en la construcción de nueve hoteles, dos campos de golf y una serie de construcciones turísticas.

Mega Desarrollo Turístico Cancelado

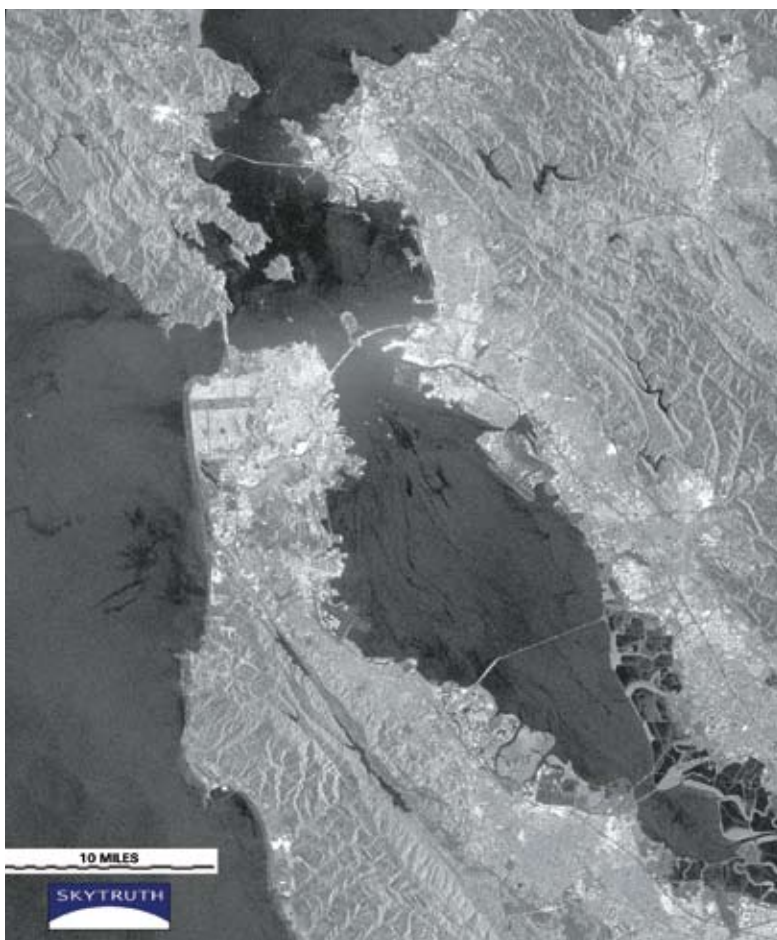
keeper), con la ayuda de académicos e investigadores con conocimiento de la región, revisaron el manifiesto de impacto ambiental descubriendo graves impactos al medio ambiente, así como diversas faltas y fallas de información que en su momento se lo hicieron saber a la autoridad. Después de varias gestiones ante la autoridad y reuniones con los desarrolladores, tenemos el gusto de compartirles que el proyecto ha sido cancelado. Lo anterior significa un logro muy importante para las comunidades de Bahía Magdalena, la comunidad conservacionista, Vigilantes de Bahía Magdalena y sus aliados en esta lucha, Defensa Ambiental del Noroeste, Centro Mexicano de Derecho Ambiental, Waterkeeper Alliance, Pro Peninsula, y la Universidad de San Diego.

NEC: Puerto Rico's Endangered Turtle Habitat Protected

On October 4, 2007, Puerto Rican Governor Aníbal Acevedo Vilá announced the preservation of 270-acres of vital habitat for endangered leatherback sea turtles. The now-protected San Miguel Beach is part of 3,200-acres of forests, wetlands, beaches and coral communities — known as the Northeast Ecological Corridor — under threat from the proposed development of megaresorts and residential complexes. Waterkeeper Alliance is one of several key organizations that worked to protect the area from the large-scale development. In August 2006, Waterkeeper ran a full-page ad in *The New York Times* placing our call to action in front of 1.1 million readers and bringing this issue to the full attention of the hotel chains and the Puerto Rico Legislature. Waterkeeper Alliance applauds the Trust for Public Land and Governor Vila for their hard work to protect San Miguel Island for wildlife, ecotourism and the citizens of Puerto Rico.

San Francisco Bay

Oil Spill



Radar satellite image taken at 6 a.m. on November 12, 2007, five days after the spill, shows dark slicks around much of the bay and in the surrounding ocean. Photo provided by Defenders of Wildlife, Ocean Conservancy, San Francisco Baykeeper and SkyTruth, from image taken by the Radarsat-1 satellite, operated by MDA Geospatial Services Inc.

By Sejal Choksi, San Francisco Baykeeper

In the early morning fog of November 7, 2007, the *Cosco Busan*, a 902-foot long cargo ship, collided with a Bay Bridge base tower spilling 58,000 gallons of bunker fuel into San Francisco Bay. Initial reports from the vessel captain and the U.S. Coast Guard indicated that the 100 foot gash in the ship's fuel tank leaked only 140 gallons of fuel. Within the first hour, however, the oil had spread over a third of a square mile and dizzying fumes forced offices along the San Francisco waterfront to close.

The Coast Guard failed to acknowledge warning signs of the spill's real magnitude and delayed warning the public, local officials and the California Office of Spill Prevention and Response until hours later. The public was not notified of the true extent of the spill until 12 hours after the accident. In the days after the spill, response agencies continued to mismanage cleanup efforts. Spill response and communication protocols were disregarded, and the spill went largely uncontained.

San Francisco Baykeeper was immediately out on the water documenting the extent of the spill and the response efforts. Up to five days after the spill, oil slicks continued to appear on the bay. We witnessed harbor seals poke their noses up through the fuel to try to breathe and seabirds floundering on the shore coated in oil. In a phone call to the O'Briens Group, the private company in charge of spill cleanup, Baykeeper learned that the company had failed to set up a hotline or formal

procedure to handle information from on-the-water witnesses of major oil slicks. The company also claimed it had no more resources to spend on cleanup efforts.

Due to bureaucratic bumbling among local and federal agencies, most offers of volunteer labor and donated supplies were turned down. There were even instances where certified hazardous material volunteers were sent away. Several citizen groups, frustrated by the delay, initiated guerilla cleanups, by buying their own safety equipment and arranging for hazardous waste pickups. Six thousand Bay Area residents contacted San Francisco Baykeeper to voice their frustration that the government agencies were not putting forth adequate cleanup efforts, were failing to disseminate up-to-date information and were not even answering telephone hotlines.

San Francisco Baykeeper mobilized citizens and became a clearinghouse for volunteer opportunities. Although 1,500 of our volunteers were eventually trained and outfitted to handle the hazardous waste from the spill, thousands of others were simply turned away as officials declared shorelines clean. Baykeeper continues to follow up on our members' sightings of oiled wildlife and tarred shorelines to make sure that the polluter is held accountable for every last drop of oil.

While the collision thankfully did not harm the Bay Bridge, it will impact San Francisco Bay ecology for years. Bunker fuel oil, the gooey byproduct from gasoline refining, is toxic to aquatic organisms even in small amounts, and as the winter bird migration picks up steam, thousands of birds may ingest contaminated fish and invertebrates. More than 1,000 dead birds have been recovered and the International Bird Rescue Research Center estimates that as many as 20,000 more may die in the next few months. The fall run of Central Valley chinook salmon and the December herring spawning season are threatened, and the Dungeness crab catch season has been delayed so that crabs can be tested for contamination before being sold to local restaurants and grocers.

Partly in response to Baykeeper's eye-witness testimony of the mismanaged spill response at hearings held by U.S. Congress members and state legislators, federal and state elected officials have



pledged to investigate why the *Cusco Busan* accident happened in the first place and to improve oil spill response. A criminal investigation has been launched by the National Transportation Safety Board, and the Coast Guard is conducting its own internal investigation, with a report promised within 90 days. Baykeeper will participate in these investigations to help identify gaps in regulations enforcement and response that resulted in the bay's largest vessel oil spill in a decade. Vessel traffic is on the rise in the San Francisco Bay, and Baykeeper will be working hard in the next few years to ensure that proper measures are in place, and enforcement is strong, to prevent this type of spill from ever happening again. **W**

A gash stretches along the hull of the *Cosco Busan* as the cargo freighter anchors in San Francisco Bay two days after striking one of the Bay Bridge's support towers and spilling about 58,000 gallons of heavy fuel oil.

Steel Magnolia

By Sally Bethea, Upper Chattahoochee Riverkeeper

This time, instead of a grey beard Waterkeeper, you've got a Southern Belle to tell her story, a mother of two boys — who will always be my boys no matter how old they are — a Steel Magnolia of sorts. This is about Girl Power, Woman Power. We may be Waterkeepers in a slightly different way, especially down South, but we can kick ass just as well as the boys can... maybe better.

I've been engaged in this environmental work and the politics that surround it for 30 years. I went to my first Sierra Club meeting in Atlanta in 1976. I'll admit, I was mostly looking for dates, but I became literally hooked for life. Maybe I'd always been looking for a cause; when I was in college at Chapel Hill in the early 70s, it was social issues; it was poverty, the war in Vietnam and so many other things. But I found my voice in the environmental movement and specifically with Waterkeeper.

In 1991, I heard Robert F. Kennedy, Jr. speak and for the first time I heard about Hudson Riverkeeper and its victories. I was riveted; I was energized. The concept was so clear and compelling — and, most importantly, effective! I tried to write down every word that Bobby said. Lacking paper, I used check

stubs. I used napkins. I used my own hands to write down the amazing story of Storm King and the Hudson. Actually filing a lawsuit to stop pollu-

tion! This was not the way we did things in Georgia. Suing polluters was not a “nice” thing to do. We might stab you in the back when you weren't looking, but we certainly wouldn't do something as open as file a lawsuit and say bad things about someone in the newspaper.

Fast forward two years; I was still working for a mainstream environmental organization, very frustrated and plotting my next move. I couldn't stand the thought of continuing in the mainstream environmentalist world of balance, consensus and win-win agreements — which were never real wins for the environment.

But at that time Ted Turner's daughter and her husband decided to start a Riverkeeper program on the Upper Chattahoochee River and I was in the right place at the right time. Thankfully, Laura and Rutherford Seydel are as involved with our work today as they were 12 years ago. We have grown to a dozen staff, a million dollar budget and most importantly, real wins for the river.

The Chattahoochee's problems are those of every river that flows through a major, growing metropolitan area. Untreated sewage, too much development, roads and runoff, pesticides, mercury from coal-fired power plants, piping, filling and damming streams and wetlands — your general run-of-the-mill stuff that flows from greed and corruption.

Upper Chattahoochee Riverkeeper is still the only nonprofit environmental organization whose sole mission is to clean up, protect and restore this waterway that provides 3.5 million people with drinking water.

In March 1994, we opened an office, supported by a start-up grant from the Turner Foundation, and in 1995 I went to my first Waterkeeper conference in Casco Bay, Maine. I was immediately taken



Upper Chattahoochee
Riverkeeper Sally Bethea

with the warmth and passion of the grey beard Waterkeepers. What I learned from listening, watching and reading about the accomplished early Waterkeepers was how to take what was in my head and my heart and give it a voice — a loud voice, a confident and informed voice. One that would always put the river first, right after my two boys.

I learned to use the Southern Belle thing to my river's advantage. I've learned how to take that voice — my new strong voice — and use it while wearing heels, a black suit and pearls. It never fails to startle the guys on the other side.

I'll admit — I'm not always outwardly strong. I melt at times. I'm never happy about it; I feel weak when I cry, but it's always because I care so much, and usually because I am so damn mad. But this too can produce results. One such episode resulted in a series of hearings on coal-fired power plants. I truly believe that if I hadn't had a meltdown, those opportunities for the public to speak would not have occurred. But, it sure took it out of me. I'd much prefer lawsuits.

What I have learned is that each of us must work hard to understand who we are as individuals, how

we each can best contribute and make a difference using whatever talents we have, and then go for it with all our might and passion.

I also know that I could never be doing this work if I didn't know that each Waterkeeper was out there doing the same thing, working just as hard and fighting the same sort of greed, ignorance and corruption that harms our quality of life, our communities and our children's future.

The Waterkeeper movement has come a very long way from my first Waterkeeper meeting in Casco Bay. Personally, I've come a long way too, although I'm still perfecting my voice for the river. I try to remind myself as often as I can why I do this work. It's not just for the adrenaline rush when we beat the greedy bastards on the other side. It's for people like the family that I saw this summer, celebrating a birthday beside the river, with a piñata hanging from a nearby tree. It's for people like A.J. James and her neighbors who fought against pollution from the expansion of a state prison that was harming the community's lakes and wetlands. But, mostly, it's for two boys named Charles and Robert, and their children. **W**

What I have learned is that each of us must work hard to understand who we are as individuals, how we each can best contribute and make a difference using whatever talents we have, and then go for it with all our might and passion.

WATER WAR

We've got a major water war on our hands — the longest running water war in the east. The Chattahoochee begins in North Georgia, but it forms the border with Alabama, and the last 100 miles are in Florida — where it has a different name and a different Waterkeeper, the Apalachicola Riverkeeper.

The river system flows into Apalachicola Bay, one of the most productive estuaries in the country. As the former manager of the estuary used to say, "Whoever decided to call the place where a river empties into the sea the mouth needs a lesson in anatomy." Indeed, 400 miles upstream of the end of the Chattahoochee/Apalachicola system sits the ever-expanding metropolis of Atlanta.

A decade ago, metro Atlanta stretched 60 miles, north to south; now it's 110 miles and there are no geographic limits to that growth. Metro Atlanta is located so high in the river basin that the Chattahoochee is straining to supply all the water demands and maintain quality standards, despite our usual 50 inches of rain each year. In fact, we have the smallest

watershed in the country that supplies a major metropolitan area.

The recent exceptional drought in north Georgia has revealed just how vulnerable our water supplies are and, more importantly, how pathetic our state's water management efforts have been to date. Residential water use in metro Atlanta is nearly twice the daily average of homes that are considered "conserving." More than 120 million gallons of water are wasted every day in Atlanta through leaks in the water systems and more than a million homes still use old-fashioned, high-flow plumbing fixtures.

The changing hydrology in the Chattahoochee watershed is also affecting the river's ability to sustain all users, especially during droughts. During each of the past seven years, approximately 100,000 people have moved into the 16-county metro Atlanta region, hardening the natural landscape with 55 acres per day in new roads, rooftops and parking lots.

There is a limit to the amount of water that the Chattahoochee River and its tributaries




AP PHOTO/JOHN BAZEMORE

A severe drought, exacerbated by uncontrolled sprawl, antiquated and inadequate water infrastructure and feeble efforts at water conservation have turned the muddy bottom of Lake Lanier — Atlanta's main reservoir — into a nationally recognized poster child for bad water management.

can provide to users throughout the basin and remain clean, flowing waterways. Upper Chattahoochee Riverkeeper has long advocated water demand management based on comprehensive monitoring studies and assessments. Our goal is to secure new and improved water policies and programs that will ensure enough clean water for the people and wildlife in the Chattahoochee River Basin now and in the future, while protecting the entire river system.

Beloved Community

By Representative John Lewis



John Lewis has dedicated his life to protecting human rights and securing civil liberties. Born the son of sharecroppers, he attended segregated public schools in Pike County, Alabama. As a student at Fisk University, Lewis organized sit-in demonstrations at segregated lunch counters in Nashville, Tennessee. During the height of the Civil Rights Movement he served as Chairman of the Student Nonviolent Coordinating Committee, organizing student activism challenging segregation and securing voter rights throughout the South. Despite more than 40 arrests, physical attacks and serious injuries, John Lewis remains a devoted advocate of the philosophy of nonviolence. He has served as U.S. Representative of Georgia's Fifth Congressional District since 1986.



The beauty of the earth is one of my greatest inspirations.

I try as often as I can to get back to the fields and streams of rural Alabama where I grew up. It was in smelling the wildflowers, touching the ancient oaks, the poplars and pines, I learned wonder. As I was drinking the clear, fresh water from an Alabama spring, I learned purity. When I was fishing with a simple cane pole deep in the quiet of a warm, lazy afternoon, I learned the value of prayer and patience.

As I was feeling the dirt and the pine straw between my toes, I discovered that the wilderness is a part of you and it is a part of me. I discovered that we should never, ever break our connection to the earth, from its beauty, its joy and its peace.

We used to say in the Civil Rights Movement that the struggle in America is inseparable from the struggle in Africa or the Caribbean. That the struggle in Eastern Europe and South America is inseparable from the struggle in the United States. But I say to you that also the struggle to save America's fields and streams, the struggle to save endangered species is inseparable from the struggle for human rights around the globe.

As Dr. King would say, "We must learn to live together as brothers and sisters or together we will

AP PHOTO/LAWRENCE JACKSON

I truly believe that as we move deeper into the 21st century, the connection between healthcare, the environment and the Civil Rights Movement will become more and more clear.

perish as fools." As Gandhi would say, we must learn to choose between nonviolence or nonexistence.

These ideas were the foundation of the Civil Rights Movement, and they also are the foundation of the environmental justice movement. I truly believe that as we move deeper into the 21st century, the connection between healthcare, the environment and the civil rights movement will become more and more clear.

We all need to breathe fresh air, drink clean water and eat safe food. These things are all necessary for us to live, and I believe that access to these vi-



AP PHOTO/HARRY HARRIS

John Lewis was an architect and keynote speaker at the historic March on Washington. In July 1963 Associated Press printed this photo with the caption: *The six leaders of the nation's largest national black organizations met in to discuss plans for the August 28, 1963, Civil Rights March on Washington, DC. They are from left: John Lewis, Chairman of the Student Nonviolence Coordinating Committee; Whitney Young, Urban League; A. Philip Randolph, Negro American Labor Council; Dr. Martin Luther King, Jr., Southern Christian Leadership Conference; James Farmer, Congress of Racial Equality; and Roy Wilkins, National Association for the Advancement of Colored People.*

tal components of human life is a sacred right that should not be violated.

Those of us who are friends of the environment have a lot of work to do today. People have not yet understood the practical relationship between job creation and environmental protection. Most people do not understand the relationship between preserving our land and the ideals of justice and peace.

But that should not stop us. I am here to say, don't give up. Don't give in. Don't give out. Don't get lost in a sea of despair. Stay in the struggle, continue to get out there and push and pull to move this society forward. There is a force of good, a power, what I like to call the Spirit of History, and it is on your side.

When I was growing up in rural Alabama, I saw those signs that said "white men," "colored men," "white women," "colored women," "white waiting," and "colored waiting." I tasted the bitter fruits of racism, and I didn't like it.

I used to ask my mother, my father, my grandparents, my great grandparents, "Why segregation? Why racial discrimination?" They used to tell me, "That's the way it is. Don't get in trouble. Don't get in the way." But I was fortunate to become involved in the modern day Civil Rights Movement, and I got in trouble. I got in the way.

It was good trouble, it was necessary trouble. You must be maladjusted to the problems and conditions of today. You must find a way to dramatize your issue. And then you have to get in the way. You just have to get in the way and make your voices heard.

Through your leadership, you must help build an all-inclusive world community based on simple justice, an all-encompassing community that values the dignity of every individual, wild lands, waters and wildlife — what I like to call the Beloved Community.

The most pressing challenge in our society today is defined by the methods we use to defend the dignity of humankind. You cannot wait for someone else to create change. Through your own efforts, through your own action, through your own creativity and vision, you have to do it. You must make our society and our world a better place.

Forty years ago another generation of men and women, black and white, had the courage, had the capacity and had the ability to get in the way. They put aside the comfort of their own lives and they got involved in the circumstances of others. At 23, I traveled around the country encouraging people to come to Mississippi to get involved with the Freedom Summer of 1964.

Forty years ago, it was almost impossible for people of color living in the South to register to vote. In 1964, the state of Mississippi had a population of more than 450,000 blacks, but only 18,000 were registered to vote. In one county in Alabama

As leaders of the environmental movement, you can move our society forward by standing up for what you deeply believe.

— Lowndes County — 80 percent of the residents were African American, and there was not one single African American registered to vote.

We were ordinary citizens, just like you, but we began organizing in Mississippi with one simple mission: to register as many black voters as possible. It was a great task, but our passion for justice was even greater.

We knew our mission would not be without risk. In 1964, the state of Mississippi was a very dangerous place for those of us who believed that everyone should have the right to vote. And freedom did not come without a heavy cost. Less than a month after we arrived three civil rights workers, three young men — Andy Goodman and Mickey Schwerner — both white... and James Chaney, a black man — disappeared.

Later we found out that these three young men had been arrested, taken to jail. That same night they were released from jail by the sheriff and turned over to the Klan. They were beaten, shot and killed. I tell you this so you will know that the struggle for social justice has been a long, hard road, littered by the battered and broken bodies of countless men and women who paid the ultimate price for a precious right — the right to vote.

For those of us in the Movement, we learned early that our struggle was not for a month, a season, or a year, but the struggle of a lifetime. That is what it takes to build the "Beloved Community."

As leaders of the environmental movement, you can move our society forward by standing up for what you deeply believe. You have a mandate from the Spirit of History to follow in the footsteps of brave and courageous men and women who fought to make a difference.

Now it is your turn to lead. It is your turn to build the Beloved Community. You must help to build a new, more green, more clean America and a better world in the 21st century.

You must use all your power to love and not to hate, to build and not to tear down, to heal and not to kill. And if you use that power, if you continue to pursue a standard of excellence in your daily lives — in your homes, in your communities and in your work — then a new and better world, a Beloved Community, is yours to build. **W**

The arc of the moral universe is long,
but it bends toward justice.

MARTIN LUTHER KING, JR.



The Robec Stream, at Rouen
Claude Monet, 1872

Environmental Justice at 20

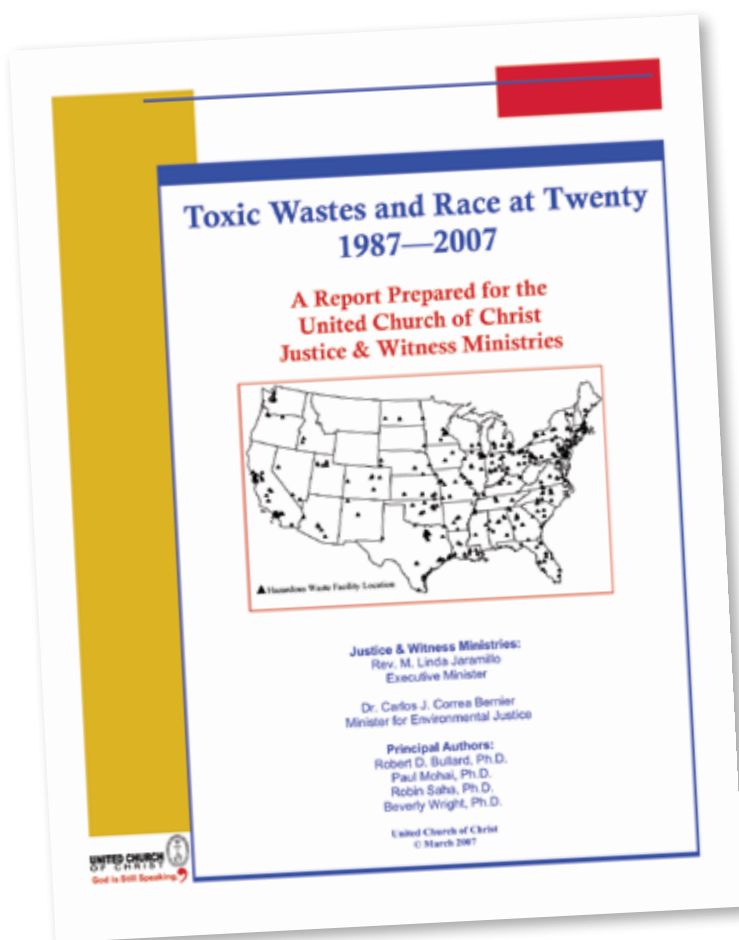
By Earl L. Hatley,
Grand Riverkeeper,
Oklahoma

»IN 1987, the Commission for Racial Justice of the United Church of Christ published the seminal report, *Toxic Wastes and Race in the United States*. The report documented that the majority of the nation's hazardous waste sites are located in and around communities of color. The report brought the reality of "environmental racism" to a national audience. Stark evidence of the role of race in industrial pollution brought together organizations working in parallel on social justice, anti-toxics and environmental protection. The Environmental Justice — EJ — Movement was born.

Throughout the 1980s a nationwide anti-toxics movement was coalescing to address the nation's worst hazardous waste sites. Many of these sites were identified by the U.S. Environmental Protection Agency under the National Priorities List for immediate governmental response. The law, however, did not provide funding to cleanup the sites. It depended on polluters, or "responsible parties" to pay for cleanup. But many of these sites were abandoned; polluters had moved out, found ways to insulate themselves from responsibility or had gone out of business, leaving communities stuck with orphaned toxic sites. Congress responded to pressure from the fledgling Anti-Toxics Movement to address this problem with the 1986 Superfund Amendment and Reauthorization Act (SARA).

SARA included right-to-know provisions that allowed public access to industry permits, enforcement actions and the activities of federal environmental agencies. The Toxics Release Inventory was created; forcing industry and government to publish information on emissions, releases, transfer and storage of hazardous substances. The law also created a tax on industries that generate, treat or dispose of hazardous materials. This tax "Superfund" was a pot of money that EPA could use to clean up abandoned toxic sites. The "polluter pays" provision of the law allowed EPA to charge recalcitrant responsible parties three times the cleanup costs of a site if EPA was forced to pay for cleanup using the Superfund.

With this victory the Anti-Toxics Movement solidified into three new national activist groups: Greenpeace Action USA, National Toxics Campaign and Citizens Clearing House for Hazardous Waste. Unlike the so-called "Big 10" or "Beltway" environmental groups, these groups fielded environmental organizers around the country to help local citizen groups facing environmental hazards get organized and develop strategies for dealing with pollution. The Anti-Toxics Movement created a new grassroots paradigm in environmental activism. Local groups fighting contamination in their neighborhoods were empowered to drive the agendas of national organizations. Over time a few of the Big 10 groups joined in the effort by creating



national networks around specific environmental issues to lobby Congress, watch the administration and coordinate national grassroots action.

In the years following the publication of *Toxic Wastes and Race in the United States*, academic journals were flooded with studies proving its methodology and findings. Race and class discrimination exist, whether intentional or not, regarding the location of facilities that produce and dispose hazardous waste, and that dispose solid waste. Researchers documented that hazardous sites in predominantly white middle class areas are more likely to be cleaned up, and more quickly, than sites in communities of color and/or low-income. And cleanup in white communities is more likely to include removal of contaminants, while the remedies in low-income and communities of color more often amounted to capping contaminants in place. The stage was set to bring together parallel movements.

In 1990 ten prominent activists of color wrote a letter to the Big 10 (including the new anti-toxics groups) demanding dialogue on the environmental crisis impacting communities of color and calling on them to hire people of color on their staffs and boards of directors. Very soon after, a second letter was sent to these groups signed by 103 activists of color representing grassroots, labor, youth, church, civil rights and social justice advocates and coalitions in the southwest. These letters challenged mainstream environmentalists on issues of environmental racism and lack of accountability toward “third world communities.” The result was two national summits on environmental justice: the 1991 First National People of Color Environmental Leadership Summit in Washington, D.C. (out of which came 17 Principles on Environmental Justice) and the 1992 Southern Organizing Committee for Economic and Social Justice in New Orleans.

The federal government responded to the burgeoning environmental justice movement. In 1992 EPA created offices of Environmental Justice and Tribal Affairs and established the 25-member National Environmental Justice Advisory Council (NEJAC) made up of representatives of academia, community groups, business, environmental and Tribal organizations. NEJAC’s primary purpose is to insure that EPA is a responsible partner and adequately protects environmental justice communities.

On February 11, 1994, President Clinton issued Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations. The Executive Order required federal agencies to consider disparate impacts of their decisions on environmental justice communities. EPA and federally funded state environmental agencies are obligated by this framework not to allow the permitting of additional facilities

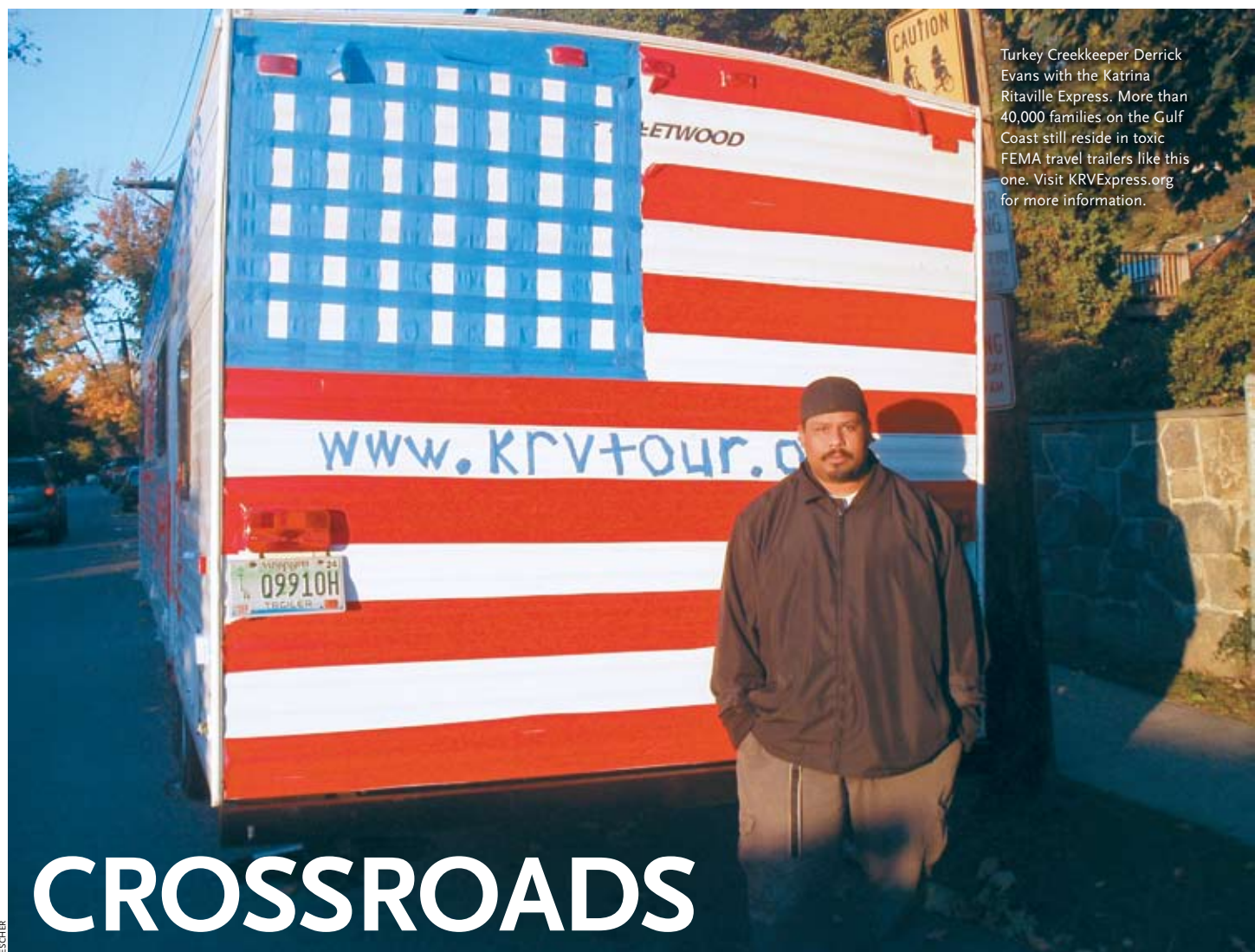
Stark evidence of the role of race in industrial pollution brought together organizations working in parallel on social justice, anti-toxics and environmental protection. The environmental justice — EJ — movement was born.

that could add further toxic burdens on designated environmental justice communities. Agencies are also committed to ensure that these communities are prioritized for toxic site cleanups and that they share, as partners, with the agencies in decision-making. Federal agencies (including EPA, Fish and Wildlife Service, Department of Defense, Department of Energy) developed environmental justice protocols for interacting with citizen groups and tribal governments. But there is no real enforcement mechanism in the Executive Order. The federal government’s steps to address environmental justice were largely window dressing.

In 1995, Congress failed to reauthorize the Superfund tax. With the funds exhausted, it literally takes an act of Congress for appropriation of funds for each Superfund toxic site. Under these conditions, attempts by Congress members to allocate funds to a cleanup site in their district is seen by others as pork barrel spending; therefore, these efforts often fail. Environmental justice organizations are working to have the tax reinstated because without the tax the public, not the polluters, pays for toxic site cleanups, which is a violation of the “polluter pays” provision of the law. Environmental justice groups are also urging the Congress to codify the Environmental Justice Executive Order 12898 so it will stand as the law of the land.

In 2007, the United Church of Christ released *Toxic Wastes and Race at Twenty 1987 -2007*. The authors found that “disproportionately large numbers of people of color still live in hazardous waste host communities, and that people of color are not equally protected by environmental law.”

The goal of environmental justice was planted in fertile soil 20 years ago. Yet, despite progress building a social movement for environmental justice, minority communities still lack the legal and enforcement tools they need to protect themselves from disparate environmental impacts. Today we still have a long way to go to protect, as well as respect, the rights of all citizens and all communities in our diverse and multi-class nation. [W](#)



Turkey Creekkeeper Derrick Evans with the Katrina Ritaville Express. More than 40,000 families on the Gulf Coast still reside in toxic FEMA travel trailers like this one. Visit KRVExpress.org for more information.

CROSSROADS

Saving Turkey Creek

By Derrick
Christopher Evans,
Turkey Creekkeeper

»TURKEY CREEK, Mississippi lies at the very crossroads of America's most noble and ignoble traditions. Established by emancipated slaves, the settlement began in 1866 as a long awaited promised land for a people denied all manner of dignity, even names, for fourteen generations. Their descendants have lived here, navigating American life and culture as free human beings and citizens for seven generations and counting.

No less than the legacies of slavery, segregation or civil rights, environmental stewardship is not new in Turkey Creek. We live in a place that gets 70 inches of annual rainfall, with the largest fire ant

colony in North America, water moccasins every few yards in May and 30 foot storm surges from hurricanes. We've been making peace with coastal Mississippi's ecology for a long time. This is our home. But our future is imperiled. Today our watershed is the crossroads between two competing visions for Mississippi: one that values communities, culture and the environment; and another that does not.

In 1991, after 20 years in Boston, I returned home to produce a documentary film on how the New South's homogenizing sprawl was pushing my community off of Mississippi's 21st century map.

I quickly realized, however, that the immediate defense of Turkey Creek was profoundly more urgent. I was soon embroiled in the fight for environmental justice: the intersection where racism and classism — historical evils deeply embedded in our national story — meet with our equally evil legacy of environmental destruction.

Geographically, Turkey Creek sits where Interstate 10 meets US 49, near the Gulfport-Biloxi International Airport. Governor Haley Barbour and his post-Katrina planners have called the area the “center of gravity” for the entire region’s economic recovery. I call it the place where my mama was rescued from a house full of toxic floodwater by neighbors piloting an air mattress. I call it the place where my ancestors are buried in graves that are now underneath apartment buildings that the Army Corps and city government allowed developers to put there. Turkey Creek is no doubt the center of gravity for someone’s future; the question is whose future?

When Barbour and his inner circle think of Mississippi, they see highways, ports, plants and casinos — not people. Their outlook explains why now, more than two years after Hurricane Katrina, the government — state, federal or local — still isn’t involved in rebuilding peoples’ homes. Across the coast, homes are being rebuilt one at a time by out-of-state volunteers, with tens of thousands still to go. It explains why community-based small business owners have little access to financial assistance, while casinos bounce back bigger and more numerous than before. Shipping facilities, major roadways and high-end hotels that didn’t exist before the disaster are sprouting up all over. It explains why we are seeing a deliberate acceleration of wetlands destruction, our first line of defense against future storm surges and proven protection from our normal bouts of heavy rain and flooding.

While everyone’s Mississippi suffers from this slash and burn development, our political and business elites are having the time of their lives playing with unprecedented public and private dollars sent down for hurricane recovery (an amount greater than the state’s annual budget). But I cannot name more than a few individuals who have seen a dime of it. The resources for rebuilding allocated by Congress and the American people have been stockpiled in Jackson and diverted for an imbalanced and unsustainable Gulf Coast makeover. And many of coastal Mississippi’s people — of all races, rich and poor — are exasperated. They know that the real Mississippi is our communities, homes, wetlands, streams, wildlife and trees. It’s our people. Our fried mullet and catfish. Our porch swings and the blues. These are what make Mississippi worth loving, worth coming home to.

This is also the Mississippi that Turkey Creek-

keeper, the environmental justice program of Turkey Creek Community Initiatives, was created to protect and defend. Our mission is to conserve, restore and utilize for education and other socially beneficial purposes the unique ecological and cultural resources of Turkey Creek community and watershed.

After attending the 2003 Waterkeeper conference in Toronto, I knew there was room here for a Waterkeeper program, and immense value in forging relationships within the Waterkeeper tribe. Through Turkey Creekkeeper and our other advocacy and educational programming, we have built a diverse toolbox for protecting this beleaguered creek and community. Folks here do not have the luxury of deciding whether to be environmentalists, historic preservationists, affordable housing proponents, family service advocates or urban planners. We do not have the luxury of isolating or siloing these critical issues of community survival. And neither does anyone else.

We who have inherited the mandate, the right and the passion to promote a more just, humane and sustainable society are too often cut off from one another, and this costs us dearly. A neophyte environmentalist just a few years ago, I was amazed by how many different stripes of environmentalism there are and how rarely folks talk to one another. Specialization certainly has a place in our highly complex society, but issue myopia and self



I was soon embroiled in the fight for environmental justice: the intersection where racism and classism — historical evils deeply embedded in our national story — meet with our equally evil legacy of environmental destruction.

segregation defeats environmental and other social justice movements. We divide and conquer ourselves. Perhaps we have bought the theology that says your personal salvation is the purpose of your existence, as opposed to your connections to community and earth, and your responsibility to those who have come before and those who are yet to be born.

In 2001 I left Boston to help save the community that spawned me. I had graduated from Boston College and become an educator at Boston College and in the Boston public schools. I immensely enjoyed living in the Athens of America and lecturing on the past successes and failures of the civil rights

movement. But the people and the place that taught me my inner-most values were being erased by those whom I came to learn are usual suspects everywhere — the Army Corps of Engineers, the state Environmental Quality Department and a Chamber of Commerce posing as local government.

I started by getting a lay of the land. Wars are won with maps, much more so than with weapons. I am a sixth generation Turkey Creek native. But when I got back I realized that I needed to keep my mouth shut and listen. I had to let go of some ego and blend into the existing conversation. It turned out that historic preservation was the first priority. I had once thought that such activity was intel-

Regional General Permits

In the aftermath of Hurricane Katrina, at the urging of Mississippi's governor, the Army Corps of Engineers proposed a regional general permit for coastal Mississippi that would have allowed developers to destroy up to five acres of wetlands without public comment or environmental review, a ten-fold increase from pre-hurricane standards. After strong resistance from residents of the Turkey Creek watershed, Waterkeeper Alliance and a broad coalition of local and national groups, the Corps retracted the proposed change. It later issued a revised permit allowing destruction of up to three acres, but, hoping to avoid controversy, excluded the Turkey Creek watershed from the new proposal. TCCI/Turkey Creekkeeper, in coalition with other partners, has sued anyway.

Due to upstream wetland loss, the main street of the North Gulfport neighborhood now floods after a normal rain.



TURKEY CREEKKEEPER

lectual fluff, a diversion for wealthy dilettantes. But cultural resource mapping enabled us to use provisions of the Historical Preservation Act of 1966 to begin protecting Turkey Creek's cultural resources — the structures and natural places around which our community is built.

Likewise, I didn't know about the Clean Water Act or who the mayor was. I had to learn a lot fast. I took a class to become a master naturalist. Though I grew up running around in these woods, I needed to know the names of the plants and soil types to defend the watershed. I immersed myself. I began looking for elders, traditions, spirits and allies that were going in the right direction to uplift my community, my creek, my earth and my society. Even as I gathered a wealth of new information and relationships, I was constantly reminded that expertise in an issue isn't enough to engage a community. People don't care who or what you know; they want to know that you value what they care about.

When it comes to historically marginalized people — whether low-income white or minority communities — a sense of cultural identity is what they lean on first for community defense. If you don't honor their traditions, that spirit, those elders and their goals for their future, you are not going to engage these people. And without them, you are not going to challenge power effectively or lastingly. It's like being a teacher or a sculptor. A great teacher starts with who is in the classroom, not with what is in the textbook; a great sculptor brings forth shape from within a stone rather than imposing one from without. You have to be deft and selfless and humane. When we humbly commit ourselves to discourse beyond familiar communities and issue framing, we eventually discover common cause and connect to what is essentially a comprehensive human rights struggle.

My mother told me when I got home in 2001 to be careful because there is no bottom to this; a whole lot of snakes and fire ants, but no bottom. I answered, Mama, I don't know if we can save Turkey Creek, but the effort itself is invaluable. We might just win. And, win or lose, our struggle here will be powerfully instructive for folks anywhere who value community, environment and history. The fight for Turkey Creek is a quintessential part of one worldwide movement for cultural, economic and environmental integrity. We have survived and battled racism, classism and environmental destruction for 21 generations, and the story is far from over. Like our ancestors before, it is our purpose to deliver our grandchildren's grandchildren a healthy, just and sustainable world. I don't intend to fail my ancestors or my grandchildren. **w**

Cane pole fishing for brim and ground mullet behind the Turkey Creek School.



TURKEY CREEK KEEPER



COURTESY TURKEY CREEK KEEPER

Turkey Creek Community in front of Mt. Pleasant United Methodist Church after the hurricane of 1947 (prior to the convention of naming storms). Today, in cooperation with Turkey Creekkeeper, Mt. Pleasant has an environmental ministry whose motto is, "clean souls need clean water."

People don't care who or what you know;
they want to know that you value what
they care about.

Tradition, Trust and Hopi Science

By Vernon Masayesva,
Black Mesa
Waterkeeper

Traditional Hopi science looks at the world in which we live as a whole, recognizes the essential connection of all the parts — the air, the water, the land, the animals *and the human* — and from it develops culture and a way of being.

»ENVIRONMENTAL DEGRADATION and disregard for Hopi traditional science has put the oldest living culture in North America, and all first peoples, at risk of cultural annihilation in the 21st Century. Native people, until recently largely untrained in Western science, are at a considerable disadvantage in representing their own interests in the protection of their lands and lifeways and in the creation of sound economies for their tribes and nations.

Traditional Hopi science looks at the world in which we live as a whole, recognizes the essential connection of all the parts — the air, the water, the land, the animals *and the human* — and from it develops culture and a way of being. The world is sacred and the human is its steward. This science has sustained native peoples for millennia.

In contrast, western science separates the human from the environment and then studies the parts as if they had little to do with one another. The world is mechanistic and the human runs it. This worldview has produced enormously important technological and medical advances. Because of this worldview, Western societies are generally able to control their environments and provide great human comfort.

In recognition of the disadvantage with which Native America operates in the Western political and economic world, the federal government has assumed a special responsibility to the indigenous peoples of the United States. The government has promised to hold Native American resources in trust, to ensure that the peoples are not cheated in their dealings with the dominant culture they find so foreign. More often than not, however, the government of the United States has failed to meet even the most basic fiduciary and social responsibilities one legitimately expects of a trustee. Indeed, more often than not, the government has been party to, and beneficiary of, the cheating and lying that have impoverished Native peoples, degraded their lands and undermined their lifeways and sacred responsibilities.

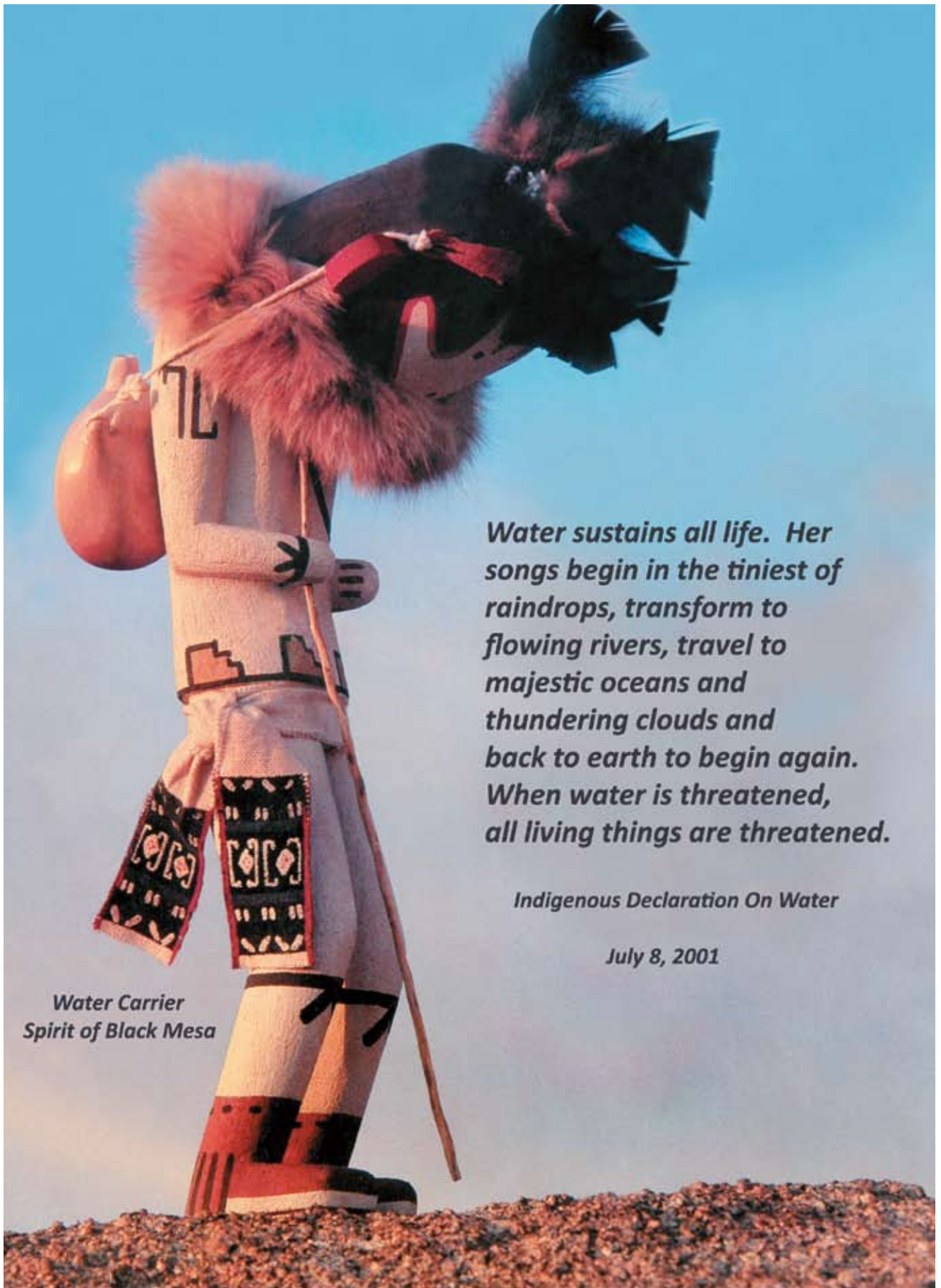
This is surely the case in Peabody Energy's treatment of the Hopi and Navajo nations when the company decided it wanted to extract waters from the Navajo Aquifer for its coal operations.

This ancient underground waterbody is the second breath of the human according to Hopi science. The survival of Hopi people and culture depends upon this sacred resource. Yet the U.S. government has consistently allowed Peabody, the world's largest coal company, unlimited access to this pristine waterway to slurry coal. It was the case when the federal government permitted a Peabody lawyer, John Boyden, to represent the Hopi people in their negotiations with the company regarding water and mineral leases in the 1960s. It was the case in the 1980s and 1990s when the government permitted U.S. agencies to disregard federally mandated studies and assessments of the human and cultural impacts of the Black Mesa mining. It is still the case today as the federal government continues efforts to evict Navajo people to allow expansion of mining operations.

Since the 1960s the Hopi and Navajo people have collected vast evidence of the human and cultural impacts of Peabody's operations, but the federal government gives no standing to traditional science. They disregard evidence collected by those who walk the land, who once swam its washes, and who, today, still honor its sacred springs.

This is apparent in the example of the Cumulative Hydrological Impact Assessment, a study required for granting water and mineral extraction permits on Black Mesa. The term "cumulative" was interpreted by Western scientists to include only physical elements of the environment. To most Native Americans and certainly to Hopi, "cumulative," when used to describe hydrological impacts, refers not to effects upon the physical world alone, but includes impacts on the lifeways and religious practices of those who live and worship in those areas. Failure to address such impacts compromises not only the law, but also religious freedom and practice. Our Constitutional rights are violated when springs cease to flow because of groundwater extraction.

But what is at stake is larger even than our individual rights. At stake is our existence as a people. The refusal of the federal government to allow Hopi people to protect their environment is cultural genocide: the extermination of traditional culture



Water sustains all life. Her songs begin in the tiniest of raindrops, transform to flowing rivers, travel to majestic oceans and thundering clouds and back to earth to begin again. When water is threatened, all living things are threatened.

Indigenous Declaration On Water

July 8, 2001

**Water Carrier
Spirit of Black Mesa**

Photo: George H. Huey / Black Mesa Trust P.O. Box 33 Kykotsmavi, Arizona 86039 / www.blackmesatrust.org / All Rights Reserved

by a dominant one. The Navajo Aquifer is the sole source of potable water for Hopi peoples on Black Mesa. Its waters are essential to Hopi religious observance and traditional agriculture. When springs dry up religious pilgrimage to these sites becomes meaningless. The poisoning of sacred waters poisons the humans who are connected to those waters and threatens Hopi cultural survival. The U.S. government's failure to assess impacts from the point of view of peoples who live there, and its truncated notions of responsibility and respect for traditional culture, leaves America's first peoples facing a perilous future.

Regard for the spirit of U.S. government laws and trust responsibilities, which guarantee protection of the American continent and its indigenous peoples, demands scrupulous attention both to the letter of the law and the way these words are understood by those affected. The federal government must ensure legitimate inter-cultural communication. For example, legal requirements for public comment and consultation must be addressed with sensitivity to the linguistic challenges and cultural understanding of those affected.

To most Native Americans, indeed to most human beings of intelligence and good will, it is abundantly clear that invitations to "public comment" and requirements of "consultation" are not effectively served by the simple publication and limited distribution of massive technological reports. Arcane documents require sensitive explanation, translation and community discussion under the best of circumstances. In Native America — where English is often a second language, where distances are great and travel is difficult, where knowledge of Western science is limited — the need for intervention to assure access and participation cannot be overstated. Indeed, the want of such intervention is tantamount to the denial of legal protections and the dismissal of legislative intent.

For example, consider Peabody Energy's recent public notice and invitation to comment. Shortly after filing a mining permit application, Peabody placed notices in a few newspapers informing the public that copies of the application were available for review in Denver, Albuquerque, Kykotsmovi and Forest Lake. If you ask a traditional Navajo why he did not respond to the "invitation,"

Killing the Hidden Waters

On December 31, 2005, Black Mesa Trust, a small Hopi grassroots organization, aided by our Navajo neighbors and other allies, accomplished something quite extraordinary: we helped force the world's largest coal company to end its plunder of our waters. When Peabody Coal's pumps stopped, a beautiful silence descended on our sacred land and we rejoiced. Our celebration came to an abrupt stop when we learned that Peabody engineers used perforated pipes to cast its deep wells. This allowed non-potable waters from a shallow

overlying D-aquifer to seep downward into pristine water stored in the N-aquifer. This was happening since 1970 when pumping started.

The U.S. Office of Surface Mining, the sole federal regulatory authority supervising Black Mesa Mine on Hopi and Navajo Indian reservations in North Arizona dismissed the contamination as minor and refused to penalize Peabody and order corrective action. The contamination is of major concern to Hopi and Navajo people who rely solely on the waters from N-aquifer for drinking. Protecting our



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water should be a priority concern of the federal government whose legal duty it is to safeguard our natural resources.

Now Black Mesa Trust/Black Mesa Waterkeeper are asking for help putting pressure on DOI Secretary Dirk

Kempthorne to order an independent investigation into all of Peabody wells. Do not allow the Office of Surface Mining to whitewash the contamination problem by calling it an insignificant problem.

For more than 30 years Peabody Coal Company pumped 1.3 billion gallons of pure drinking water from the Navajo Aquifer beneath Black Mesa and the Hopi and Navajo reservations in northeastern Arizona, leaving the high desert pockmarked with sinkholes and leaving ancient wells dry.

if he managed to find a newspaper where the notice was published, he would probably respond by saying, "It's a very long road." By this, of course, he would mean much more than the physical distance between his *hogan* (traditional house) and one of these four cities. He would be referring as well to the cultural differences that separate his home from the urban office where copies of the application were held. Such a notion of access, of access without true invitation and opportunity, is simply an empty concept, appearance without substance.

For someone who might have made the journey, he would confront a document that is virtually incomprehensible to non-scientists and written only in English, a language many of the affected people neither speak nor read. Here, too, the appearance of access — without translation, without illustration or guidance — is made to stand for the real thing. It is less than an empty gesture; it is disrespectful of person and dismissive of the significant effort that has been made by Native people to have a voice in regards to their land and water rights.

Beyond efforts to circumscribe consultation and comment there are the unavoidable but correctable misunderstandings that occur between cultures. Consider the use of the word "mitigation" as it applies to the "mitigation of impacts during the operation of the mine." To Western scientists and most Anglo people this phrase likely means to reduce the negative results of operating a mine. To Hopi considering the operation of the Black Mesa mines, such a phrase likely means that if a burial site or remnants of ancient village are encountered in mining, the operation will be moved to protect that sacred place. In fact, just the opposite is true: the exposed bones of our grandfathers are crated up and shipped to museums while the stones of *kivas* and homes of those long passed are scooped up in the massive jaws of gigantic earth moving equipment and dumped in some more convenient location, exposed to the elements and often the disrespectful gaze of the mine workers.

Given such differences of understanding, how can it truthfully be said that the traditional people of Black Mesa, even those who have traveled the hundreds of miles that separate their villages from sites where mine applications and reports are housed, have been truly consulted or invited to comment. Indeed, had they truly been informed and consulted, can anyone doubt how they would have responded to Peabody's proposals or the dubious findings of the Office of Surface Mining?



PHOTO COURTESY OF MUSEUM OF NORTHERN ARIZONA

A sacred Hopi textile, a wearing robe (*tuuhi'i*).

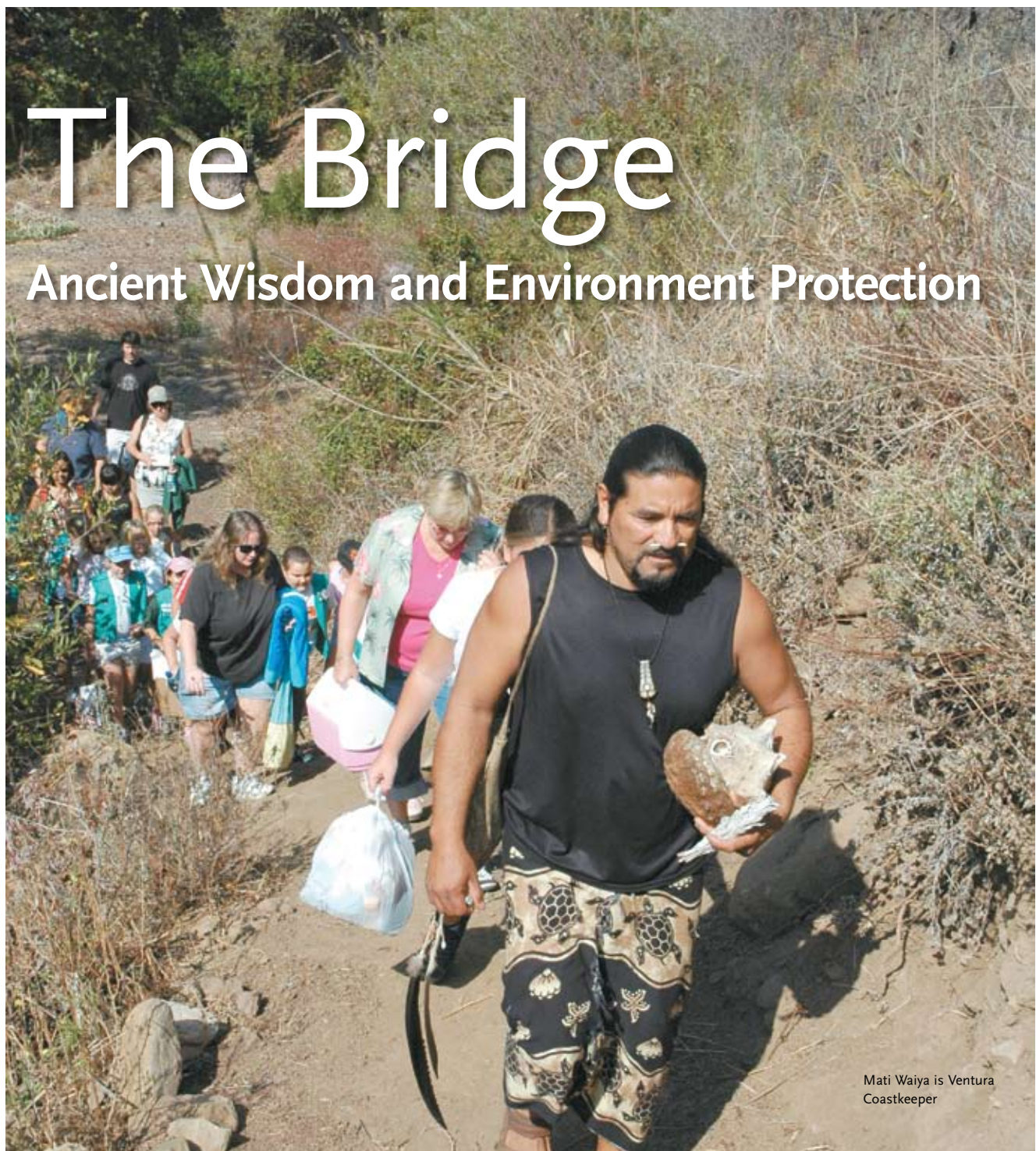
Ancient Wisdom

The government relies on mathematical modeling to make decisions that affect our culture, our religion, our land, our water and our future generations; these are big decisions. Their model ignores our beliefs and knowledge — all that our science and millennia of observation have revealed about nature and the interplay of freshwaters, the ocean and the cosmic sea, as well as how these life-giving waters interact with humankind.

The disregard they display for our knowledge of waters is not unique to Hopi or Navajo Tribes. All over the world, wherever giant corporations are logging old-growth trees and rainforest, wherever extractive industry threatens biological balance, wherever free-running rivers are dammed, indigenous people face nearly insurmountable barriers of dominant culture hubris and disdain in their efforts to protect their lands and water rights.

Where sacred land and water are viewed as commodities only, the vitality of our global ecosystem is called into question; where ancient wisdom is ignored the future of human kind is greatly at risk.

In summary, then, the federal government has failed to meet the requirements of the trust relationship and protect the interests and natural resources of the Hopi nation. Such violation must not continue. Peabody Energy's use of Navajo Aquifer water must stop. The U.S. Office of Surface Mining, the Environmental Protection Agency and the Secretary of Interior must be called to account. The U.S. Government must be required to enforce the spirit and letter of the law intended to protect not only our natural resources but also our religious sites, our identity and authenticity as a discrete peoples within a pluralistic state, and our inalienable right to self-preservation as unique individuals and cultures. **W**



Mati Waiya is Ventura Coastkeeper

By Angela
Mooney D'Arcy

»THE RELATIONSHIP of Tribal people to their land and water has existed since time immemorial. Tribal systems of governance, ecological management, community and cultural practices were in place since long before the founding of the United States, and long before what we now call the environmental movement. Indigenous communities are the Elders of this earth and possess critical ecological knowledge that should always be incorporated in environmental stewardship plans and practices.

Wishtoyo Foundation and Ventura Coastkeeper are building bridges between environmental protection and cultural survival, demonstrating that each is stronger with the other. *Wishtoyo* is the Chumash word for rainbow, and like the legend telling of the arrival of the first Chumash settlers on a rainbow bridge from Santa Cruz Island, Wishtoyo serves as a bridge to link the people of today to their environment — the land, air and water that support and sustain us.

Founded in 1997 by Mati Waiya, Chumash member of the Santa Clara River Valley Turtle Clan, Wishtoyo utilizes traditional Chumash beliefs, practices, songs, stories and dances to create greater awareness of our connection with, and dependence upon, the natural environment. Wishtoyo's mission is to protect and preserve the culture and history of coastal communities and foster responsibility to our waters through education, research and community action. Wishtoyo launched Ventura Coastkeeper in November 2000 to spearhead citizen enforcement and watershed protection.

In 2003, Wishtoyo and Ventura Coastkeeper released, "Agritoxins: Ventura County's Toxic Time Bomb," a study on the health effects of agricultural pesticide use in Ventura County. Ventura Coastkeeper implements the recommendations of the report to protect nearby communities, farm workers and children from these dangerous chemicals. For example, in spring 2006, a lawsuit brought by Wishtoyo Foundation and Ventura Coastkeeper, in



coalition with community-based environmental justice groups, forced California to reduce smog-forming emissions from pesticides. Ventura Coastkeeper is also fighting to uphold restrictions on the use of methyl bromide, a highly toxic strawberry field fumigant, a poison, that should be kept away from farm workers and their children, off our food and out of our streams. [W](#)

Ventura Coastkeeper's Stream Team is a citizen monitoring program for the Calleguas Creek watershed, which supplies more than a quarter of the county's needs for drinking and irrigation water. Volunteers test water for agricultural runoff, sewage, sediments and other pollutants.

Wishtoyo Foundation's Chumash Village Project is a living Native American village on a four-acre site at Nicholas Canyon County Beach in Malibu.



FRANK LAMONEA

▲ Chumash inhabitation extended along the southern California coast and the Channel Islands for over 10,000 years. There was a maritime culture, dependant on the sea for trade, travel and food. The Chumash were excellent fishermen, utilizing fishing nets, lines and hooks as well as harpoons and spears. Chumash diet consisted of over 150 types of marine fishes and varieties of shellfish. Their *tomols* (plank canoes) were sturdy and capable of travel between the Channel Islands and the shore, establishing their coastal villages as trading centers between inland peoples, coastal villages and island dwellers.



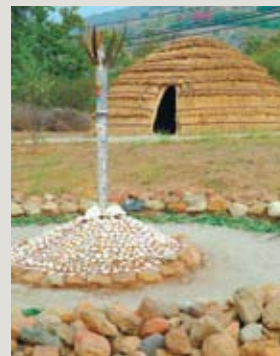
FRANK LAMONEA

◀ The site includes *aps*, authentic Chumash dwellings, made in the ancient manner from *tule* or bulrush and willow branches.

Wishtoyo hosts solstice ceremonies, blessings, celebrations and educational presentations, offering a multi-sensory experience of daily life as it existed for thousands of years. Here, a solstice stick stands in front of one of the site's *aps*. ▶



▲ The restoration at adjacent Nicholas Canyon Creek completes the historical vision of a natural habitat that sustained the Chumash for thousands of years; marine, freshwater and plant resources have been restored to their historical beauty.



FRANK LAMONEA

Fighting For Justice in Northeast Oklahoma

By Earl L. Hatley,
Grand Riverkeeper

»IN 1997, Ottawa County, Oklahoma, was declared an environmental justice site by EPA. The Tri-State Mining District (where the corners of Missouri, Kansas and Oklahoma converge) is a 500-square mile area of abandoned lead and zinc mines with five Superfund hazardous waste sites. The landscape is pockmarked with open mine shafts, sink holes where the surface caved into mines below and mountains of tailings piles reaching as high as 200 feet. These “chat” piles, along with now-dry ponds created in the mineral washing process, contain high levels of lead, cadmium, zinc, manganese and iron. Winds whip up surface deposits and carry the

in 1983 and how it impacts the environment, and how it is today.

Ottawa County is the northeasternmost county in Oklahoma, bordering Missouri on the east and Kansas on the north. There are nine small Tribes located in Ottawa County on the east side of the Neosho River, which cuts into it from Kansas and separates most of the county geographically. The Neosho meets Spring River to start the Grand River and, since the completion of the Pensacola Dam in 1940, Grand Lake. The Cherokee Nation’s reservation boundary borders this area. This region has one of the lowest median income levels in the state. Even though Ottawa County was declared an EPA Environmental Justice site in 1997, the insults continue. Surely, no other county in Oklahoma or the region is impacted by pollutants to the extent of Ottawa County.

The citizen advocacy group Local Environmental Action Demanded Agency, or LEAD, was formed in 1997 to address the Tar Creek Superfund Site. In 2001, LEAD expanded its scope to address the downstream impacts of the Tri-State Mining District. The organization’s membership is open to any individual. However, 80 percent of the organization is American Indian, representing all the tribes located in the area. In 2003, LEAD created the Grand Riverkeeper to assess the cultural and subsistence impacts of the upper Grand River watershed, especially on Tribes. I was the LEAD Board President at the time and stepped down to become the Grand Riverkeeper. Today I primarily work on watershed protection while LEAD focuses on environmental health impacts of heavy metals from the Tar Creek Site. This effort is spearheaded by our Executive Director Rebecca Jim (Cherokee). In addition to metals pollution, we work to protect our land and our Grand River from bacteria and nutrient pollution from the poultry industry, and mercury pollution from six coal-fired power plants owned by Grand River Dam Authority.

I have been a full-time community organizer since getting involved in the national Anti-Toxics Movement in the 1980s. Being Riverkeeper under these conditions requires an organizing approach that is almost as imposing as the range of environmental injustices facing the Grand River watershed. As Riverkeeper I focus on working with Tribes and other grassroots organizations to



Hatley documents an algal bloom on Elk River in Missouri one mile from the Oklahoma border and six miles downstream of a Tyson poultry factory farm.

metals, as well as silica dust, throughout the area. Rain washes metals into nearby streams and into the Grand watershed.

In 1983, the area was placed on the Superfund National Priorities List and given the highest ranking in EPA’s Hazardous Ranking System. The Tar Creek site became one of the first Superfund sites in the country. After 27 years, one can tour the area and not see any difference between how it looked

protect water quality and wildlife ecology in the watershed. Meanwhile, LEAD's focus is primarily on environmental health issues due to heavy metals exposure to the area related to the Tar Creek Superfund Site.

In 2005, LEAD conducted a survey of 562 homes in six towns to determine the health issues affecting the communities near the Tar Creek Superfund Site area. The result was a top ten list of prevailing illnesses that looked very different from the state's health reports. We continue to press forward to expose the severe health effects from metals pollution.

I am currently helping to build a coalition of the ten Tribes, two EPA Regions, the environmental agencies of three states and the U.S. Fish & Wildlife Service in the two regions that operate in the upper Grand River watershed to address this heavy metal pollution. EPA has released its proposed remedy for the Tar Creek Superfund Site, a 20 year plan to remove chat piles and settlement ponds. Over the next five to 10 years, heavy metals will no longer travel to and settle into Grand Lake.

We also are working statewide with coalitions to force the Oklahoma Department of Environmental



GRAND RIVERKEEPER

Town of Picher, Oklahoma, sits surrounded by chat piles in the epicenter of the Tar Creek Superfund Site.

Quality to adopt stricter regulations for mercury contamination from coal-fired power plants. The federal Clean Air Mercury Rule would "force" the coal-fired plants to reduce mercury emissions 70 percent, but won't take effect for 20 years — until 2027. But our streams are already polluted and the fish unsafe to eat. For Tribal and low-income people who hunt and gather for additional protein, the recommended fish consumption amounts to genocide, or more properly, ecocide. The state is now considering, after much public pressure, a stricter rule than federal EPA's weak proposal. Working as part of a broad grassroots effort Grand Riverkeeper has helped stop two new permit proposals for large coal-fired power plants in the watershed. However, the Grand River Dam Authority, a state agency that manages the hydro dams on the Grand River system, is also proposing a new coal-fired plant in the watershed. Since the Dam Authority does not have to have public comment hearings or a permit, this plant will be hard to fight.

Industrial poultry factories are another issue of great concern. Streams that were once so clear you could see the different colors of all the rocks on the bottom are now so green that you cannot see the bottom. Missouri's poultry industry and inadequately treated wastewater discharges from municipalities in Kansas are turning the Neosho River and Grand Lake into a toilet bowl.

One of my heroes, Woody Guthrie, told the story about arriving in one of the Okie dust bowl refugee camps in California. A family took him in and offered him some soup they were having for supper. They only had one potato left and a lot of people to feed, so they cooked it up in a pot, large enough so that everyone got a bowl of the soup. Woody said, "Why, that soup was so thin, I believe even a senator could see through it." Well someday, our watershed might be so green, even a senator can notice it. **W**

Grand Riverkeeper Earl Hatley is Cherokee/Delaware and belongs to the Cherokee Long Hair Clan. Since 1990 he has been a full-time community organizer, serving as a Regional Organizer for the National Toxics Campaign and participating in the 1991 Washington, D.C., and 1992 New Orleans meetings that marked the creation and launch of the Environmental Justice Movement.



GRAND RIVERKEEPER

Co-founders of LEAD, Earl Hatley and Rebecca Jim.



AP PHOTO/SUE OGROCKI

Tar Creek flows toxic orange with acid mine drainage.

East is West

By Fred Tutman,
Patuxent Riverkeeper

»EARLY IN my tenure as Patuxent Riverkeeper, an elected official asked me what I thought I could bring to the job as a “black” Patuxent Riverkeeper. My first reaction was a sarcastic retort that there was no such place as the “Black Patuxent” and that I would be the Riverkeeper for the whole Patuxent. But in the years since then I have had occasion to wonder if perhaps I was not a bit naïve about the role race plays in shaping environmental agendas. Some years ago a friend of mine produced a television documentary about the gulf between blacks and whites who live in the same communities, but who experience very different living conditions and opportunities. The project was called “East is East and West is West.”

Well meaning people have asked me earnestly how we might get more people of color involved in the mainstream environmental movement.

They observe that their efforts to engage the underserved have been unrequited or rebuffed. Some have the troubling sense that, in spite of best efforts to reach out to minorities, the environmental movement might consequently appear racist or insensitive. Because race is a divisive subject, many have been reluctant to discuss it openly. This sensitivity has made discussion about race almost taboo. But environmental

injustice needs to be addressed openly and squarely if we are to meet the promise of a society that provides equality for all.

Part of a Riverkeeper’s job is not just acting (advocating), but also listening. Frequently I hear both blacks and whites discussing environmental issues in different quadrants of my watershed, but these discussions are heavily influenced by race and social status. The irony is that water and air quality offer a much greater potential for consensus building than perhaps any other subject. People divided by vast gulfs in partisan politics may never agree on broader public policy, but the primacy of environ-

mental self-interest offers lots of rich opportunities for agreement.

A survey of 350 African American respondents conducted in Maryland a couple of years ago found evidence that African Americans share many common values about the environment with their white counterparts. The survey, which was funded by Maryland Sea Grant, reviewed issues like recycling, attitudes toward the Chesapeake Bay and preservation. The survey reflected very high levels of support among African Americans for preservation on the basis of stewardship and connectivity to nature. But the study noted that in spite of our common values, we get very different information. This information disparity produces a different sense of significance and stewardship over the problems facing our environment. Just maybe the divisions between us are not actual differences in attitudes and philosophies, just perceived ones based on how we fit into society and how we are perceived.

When traditional environmentalists and community members get together, they can have vastly different perspectives on the same problem, regardless of their shared values. For example, a woman who works for a Land Trust vented her frustration to me over being unable to get neighborhood buy-in from an inner city African-American community to convert a former industrial site into a park. As we further explored the topic of the “brownfield” park, we came to understand that it might be unappealing for the community to fix up an abandoned industrial site into a park when citizens just a few miles away in affluent suburban Columbia, Maryland, have prime “green space” reserved for their use and enjoyment. This kind of misunderstanding drives mistrust and frustration. But community members are the experts about their own neighborhoods. Community members are well aware of disparities and history that simply must be part of any environmental action or solution. It is the least empowered members who inherit the largest share of the costs of bad environment policies. To raise the level of environmental justice in our communities, we must raise the degree of social justice.

The commonly held notion that minorities are disinclined to work on environmental issues is laughable to most people of color that I know. Many African Americans I encounter are passion-



Paddling is
for everyone.



The commonly held notion that minorities are disinclined to work on environmental issues is laughable to most people of color that I know.

ately engaged in their communities at many levels. There are certainly others who are as disconnected from land, place and the environment as anyone can possibly be. Of course at the end of the day, we are all much more complex and nuanced than just the color of our skin or the sum of our bank accounts. There is no way to generalize what a person's viewpoint or beliefs are based on such superficial indicators. But the role that race and class play in shaping environmental disparities cannot be ignored. Our standing in society absolutely influences our access to information, empowerment, justice and a clean environment.

At Patuxent Riverkeeper we operate with some basic assumptions about our work and the local environmental justice aspects of it. As much as we are called upon to teach or preach about what we do and the "gospel" of clean water, we try just as hard to listen and learn from every community we serve. We don't presume to "educate" people on issues that they know far better than we do. We don't assume that because their framing or

expression of issues of common concern doesn't match the phraseology of our campaign that their issues are any less legitimate. Actually, we are far more likely to fight for issues brought to our attention by those communities or individuals without a champion than to join forces with those communities that are already empowered. We are steadfast in our belief that environmental issues and social justice are closely intertwined and that we have not fixed the problem or addressed an issue unless the underlying disparity has been resolved. The plight of poor, minorities and other underserved people is very much at the root of our vision for a sustainable watershed.

I believe that Waterkeepers, with their strong community base and understanding of the importance of fair and equal access to the rule of law, have the ability to use the environment as a means of healing the wounds of a divided society. Waterkeepers are especially well positioned to link social and environmental issues and raise the level of justice in our watersheds: to connect east to west. **W**

Patuxent Riverkeeper Fred Tutman's (right) Roughnecks are a volunteer work crew who tackle human and fish blockages in the Middle to Upper Patuxent River. The team is dedicated to improving fish passage, paddle navigability and establishing land trails that serve the Patuxent Greenway and the preserved space in the region. The teams visit remote stretches of the river and use minimum impact techniques to achieve their goals.



AP PHOTO/RIC FELD

TALKING Environmental Justice

Dr. Robert D. Bullard

Robert D. Bullard, often described as the father of environmental justice. He is the Ware Distinguished Professor of Sociology and Director of the Environmental Justice Resource Center at Clark Atlanta University www.ejrc.cau.edu

W: Dr. Bullard, you've been at the center of the Environmental Justice Movement since its beginning. What is the ultimate goal of the movement?

RB: Our goal is to eliminate manmade potential disasters and integrate justice into all aspects of our society — whether it's housing, transportation, types of industries we develop, foods we grow, how we manage our waste and how we live. No community should become a dumping ground. Every American has a right to breathe clean air, drink clean water, to play outside on playgrounds that are not contaminated or built on top of a dump. All our neighborhoods should be places where you don't have to worry about a chemical plant exploding and having to shelter in place or evacuate.

W: What first opened your eyes to environmental justice, what got you started?

RB: I was drafted. I had graduated from Iowa State University and was working as an assistant professor at Texas Southern University. It was 1978 and my wife, who's a lawyer, asked me to work on a case with her on the siting of a municipal landfill. I collected data and served as an expert witness, and have been doing it ever since.

W: Was there an Environmental Justice Movement in 1978?

RB: No, in 1978 there was no environmental justice movement, no computerized databases to inventory solid waste facilities, there was nothing. I taught a research methods class in the Sociology Department and I had ten graduate students. We invented a methodology for locating landfills and overlaying race, ethnicity and income data. We did it all manually. We stuck color-coded pins in maps. This was the first lawsuit charging environmental discrimination using the Civil Rights Act — *Bean v. Southwestern Waste Management, Inc.*

W: Obviously there's a strong connection between this work and the Civil Rights and Environmental Movements. Did you reach out to make those connections?

RB: At the time we saw it as a case of discrimination, and the way to address it

was to enforce the Civil Rights Act. Every one of the city-owned landfills in Houston was located in a predominantly black neighborhood. But we also approached the major environmental groups asking for help. We showed them these statistics. What we heard back from them — I don't want to call any names.

W: We're *Waterkeeper*, we like to name names.

RB: Yes, I know.

W: Even if it's us.

RB: These were the old-guard; they didn't see anything wrong with it. "Aren't the landfills supposed to be in black neighborhoods?" We went to the civil rights groups, too; you know all their initials. "We do housing discrimination, employment, voter rights, education, but we don't do environment."

We fell into this gap between the Environmental Movement and the Civil Rights Movement, so we didn't get any help. But fast forward almost 30 years and it's a little bit different now.

W: It seems the churches were the first to get involved?

RB: Yes, and I think that's no accident. Churches have some degree of autonomy because they are not so dependant on government funds that they can't challenge the government or speak out against racism. So faith-based organizations began working on this issue, talking about stewardship and the fact that we have a responsibility to nature and to preserve something for our children, and our children's children.

Another thing, it's no accident that the issue came out of historically black colleges and universities. Texas Southern University is a black university. And when communities looked around for help, they came to us. Today there are four environmental justice centers at historically black colleges and universities across the nation. Later on civil rights and environmental organizations joined in. It just took us a while to get others to understand this is a basic human rights issue.

W: How did the 1987 United Church of Christ report come about? Isn't it unusual

for an academic report to be issued by a religious institution?

RB: It was unprecedented to have a church-based civil rights organization publish a very sophisticated statistical report. It came out of demonstrations against a proposed landfill in Warren County, NC, in 1982. The landfill, slated for a low-income predominantly African-American county, was to be used for the disposal of PCB contaminated solid waste. More than 500 people were arrested in civil disobedience; it was the first national rallying cry for the Environmental Justice Movement.

In 1983 a U.S. General Accounting Office report showed that three out of four of the hazardous waste landfills in the South were located in predominantly black neighborhoods. Reverend Dr. Benjamin Chavis, who headed up the United Church of Christ's Commission for Racial Justice, decided to do a national study to find out if the pattern held across the U.S. The 1987 report, *Toxic Wastes and Race in the United States*, documented how this was a national phenomenon. The report used a multiple regression analysis to show that race — not income, not land values — was the most potent factor for predicting where hazardous waste facilities were located.

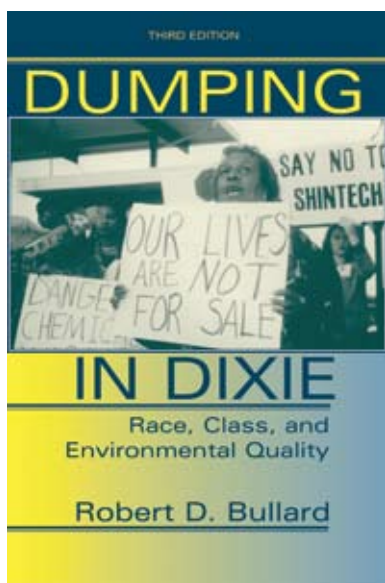
W: It seems that what followed was a tidal wave of research that supported your conclusions.

RB: Report after report came out showing that the United Church of Christ report was scientifically reliable, valid and accurate. It was not some report made up by some radical sociologists.

Shortly after that Reverend Chavis and United Church of Christ decided that we needed to have a big conference. That's how about seven of us began planning the first National People of Color Environmental Leadership Summit held in Washington, DC in 1991. We planned it for 300 people but more than 1,000 came from every state and at least a dozen countries.

During the last day of the summit we adopted the 17 Principles of Environmental Justice. The principles set the stage for expanding the movement beyond U.S. borders. In 1992, when the Earth Sum-

We all drink the same water. There's no Latino air, no black air, no white air. When we talk about resolving these problems we have to talk about bringing everyone together.



Professor Bullard is a primary author of the 2007 United Church of Christ "Toxic Wastes and Race at Twenty" report, along with fourteen other books. His book *Dumping in Dixie* (Westview Press, 2000) is a standard text in the environmental justice field.

mit was held in Rio de Janeiro, I met Brazilian environmental justice organizers who were passing out the principles in Portuguese. There was an aboriginal woman there from Australia who had a copy of the principles. In one year those principles had been translated and were being used as organizing tools around the world. At the United Nations' 2001 World Conference Against Racism and the 2002 World Summit on Sustainable Development, environmental justice was a key issue. Today environmental justice is an important component of any discussion of sustainability, poverty, development issues, even climate.

W: I know you're going to be modest, but my understanding is that you actually coined the phrases environmental justice and environmental racism. Is that true?

RB: Reverend Chavis coined the term environmental racism, and environmental justice came out of some of the writing that I had done. But I don't take credit for it. At first some people were wary of using the terms. Government people used the term environmental equity. The term environmental equity was troubling because we were not talking about spreading the poisons and the problems equally — it is not 'equity' we want, we want justice.

W: So in the early 1990s there was a flurry of activity, ultimately leading up to Clinton's Executive Order on environmental justice. But why was it an Executive Order and not a law?

RB: We had this great conference of academics and grassroots activists at the University of Michigan that was organized by Bunyan Bryant and Paul Mohai called the *Race and the Incidence of Environmental Hazards Conference*. We followed up the conference by writing letters to EPA Administrator William Riley, Health and Human Services Secretary Louis Sullivan and White House Council on Environmental Quality Director Michael Deland.

W: It's funny, it sounds like such a group of decent guys, considering the present situation.

RB: Yes, they were! We met with CEQ and William Riley at EPA. Riley agreed to conduct an Environmental Equity Work Group, which produced in 1992 a report called *Reducing Risks for All Communities*. For the first time EPA acknowledged that there were environmental disparities by race and ethnicity.

When the Bush administration left and the Clinton administration came in, Reverend Chavis and I were appointed to Clinton's transition team for the environmental cluster — the Departments of Energy, Agriculture, Interior and EPA. We helped grassroots groups develop a position paper on environmental justice, coordinated by Deehohn Ferris, for the Clinton-Gore Transition Team. We were able to push some of the specific recommendations from that paper to the administration — one was that we wanted an Executive Order on Environmental Justice. We wanted the EPA Office on Environmental Equity to be elevated to an Office of Environmental Justice and fully funded and staffed. We wanted people of color leading the federal environmental agencies. (We succeeded with the Secretaries of Agriculture and Energy.) We wanted EPA elevated to a cabinet level agency and we wanted a permanent committee set up under the Federal Advisory Committee Act [the National Environmental Justice Advisory Committee]. We got a number of these things put in place. But the environmental justice initiatives in the federal government actually started under William Riley and the Republicans; Clinton expanded them.

W: In 2001 we lost the ability to bring environmental justice cases under the Civil Rights Act. What happened?

RB: In the *Alexander v. Sandoval* decision, the U.S. Supreme Court ruled that you have to prove intentional discrimination, not just a history and a pattern of disparate impacts. So the court moved from having an 'effect' test to an 'intent' test to prove a civil rights violation. That decision also took away the right of citizens to sue. Proving intentional discrimination is very difficult. There are very few cases where you can find hard evidence to show that something is done intentionally because of race. But it's not impossible.

W: What is the Environmental Justice Act of 2007, the bill introduced in the U.S. House by Representative Hilda Solis? Will it fix this problem?

RB: It does not fix the Civil Rights Act, but it does codify Clinton's Environmental Justice Executive Order into law. The Executive Order is built on the Civil Rights Act of 1964, which bars the use of federal funds to discriminate, and the National Environmental Policy Act of 1969 that requires impact assessment to be done on major projects. When you combine those two laws you have a pretty good shot at addressing many environmental justice issues. But there is nothing in an Executive Order that requires agencies to enforce these two laws in combination; it's all voluntary. President Bush did not rescind Clinton's Executive Order, but the federal government simply ignores it. As a law, states and federal agencies will have to live up to the requirements, they would no longer be at the whim of the White House. That legislation is moving.

There is also some movement in Congress to fix the Civil Rights Act, and attempts to reinstate the Toxics Release Inventory — which has been stripped by this administration. Many of the gains that were made have been rolled back. But with the new Congress many people are saying that it is time to strengthen and enforce existing laws. We have some very good environmental laws, but they are not being enforced. Especially if you live on the wrong side of the tracks.

W: I think that most Waterkeepers, in the U.S. or around the world, would say that often what's written in the books looks good from an academic standpoint, but enforcement is always key.

RB: Katrina really pushed environmental justice back on the radar. People could see in living color many of the issues relating to government inaction and incompetence. EPA, Army Corps and state agencies failed to respond to the emergency. And then they failed to address the environmental crisis; cleaning up spills and contaminated soils in schools and homes, addressing water quality and drinking water issues, and putting people in trailers with formalde-

hyde. I think Katrina lifted the veil, uncovering so much that is hard to deny.

W: You detail Katrina and the Dickson County case in the *Toxic Waste at Twenty* report, which you released in March 2007.

RB: We were asked by the United Church of Christ to do a new study on the 20th Anniversary of the 1987 study. We put together a team of some of the top researchers in the nation. We expanded the report using the new data and more sophisticated statistical techniques. What we found was that race is still the most potent variable for predicting where these facilities are located.

We also found that people of color are more concentrated around these facilities today than they were 20 years ago. The majority of people living within a two mile radius of commercial hazardous waste facilities in America are people of color (56 percent, up from 33 percent in 1987). When you look at clustering of two or more facilities, the number is even more staggering. People of color make up only about a third of the U.S. population, yet almost 70 percent of people living within a two mile radius of clustered hazardous facilities are people of color. This cannot be due to chance.

We profiled the Dickson County, Tennessee, case, a poster child for environmental racism, because of the multiple "smoking guns," government memos that documented intentional discrimination against an African American family whose wells were contaminated with trichloroethylene (TCE), a suspected human carcinogen, from the nearby county landfill. White families received written notices warning them about the harmful effect of TCE in their water, provided bottle water, and placed on city water system. On the other hand, a black family received written notices saying their well water contained TCE, but the water was safe to drink and would not cause any harmful health effects. Clearly, TCE does not discriminate. Unfortunately, governments do.

W: One of the main purposes of the *Toxic Waste* report was to engage the mainstream environmental movement. Where are things today in this effort?

RB: Twenty years ago we challenged the mainstream environmental groups on their paternalism, their elitism and racism, we really hit some nerves. Many of those groups saw themselves as some of the most progressive groups in the country. But if you looked at their staff, boards and agendas, it was very homogeneous. Today, we've made progress, but we still have a long way to go. If these national groups really want to remain national, and many of them are international, they will need to look at how the demographics of this country have changed. By the year 2050, this county will have a majority people of color. Nationally and internationally, it makes good sense to have some reflection of reality.

The environmental justice movement is grounded in a grassroots, community activism model. One of the 17 Principles of Environmental Justice is that communities speak for themselves. When we did our summit in 1991 we said that we did not want to replicate the white environmental organizations, we did not want to create little black Greenpeaces, or little brown NRDCs or red National Wildlife Foundations. We wanted to create our own institutions, build capacity and to develop our own indigenous leadership. We had to concentrate on lifting up our own organizations and our own leaders so we could be in the room and speak at the same table on the same page.

Our movement has matured and broadened well beyond just landfills and toxics — these things are still very important — but as we move our movement to be inclusive and comprehensive, we have to deal with housing, transportation, land use planning, air quality and water quality. We all drink the same water. There's no Latino air, no black air, no white air. When we talk about resolving these problems we have to talk about bringing everyone together. That's how the environmental justice movement has been able to expand and broaden, but it has to broaden further, to continue to be the conscience of the environmental movement and to protect everyone, not just those communities that have been systematically left behind. **W**

HANN BAYKEEPER

Africa's First Waterkeeper

By/Par Malick Sene,
Hann Baykeeper
International
Coordinator

» **ALONG THE** Atlantic coast of Africa, near Senegal's capital city of Dakar, lies Hann Bay. Twenty-five years ago Hann Bay was one of the most sumptuous bays in the world. It is here that tropical ocean currents from the north and cool ocean currents from the south converge, providing a rich fishery of tilapia and grouper, which migrate along the bay's mud-sand bottoms before they reach our plates, bringing us together for our daily lunch.

Communities of traditional fishermen regarded Hann Bay as Mame Coumba Bang, the goddess of the sea. Before going out to sea for their daily catch they decorated their boats with writings and drawings for Mame Coumba Bang, to protect them from danger and to receive the daily blessing of catching a fish to feed their family. The community stayed alive, stayed healthy, because of a culture that was spiritual, sustainable and equitable.

In the 1980s, villagers noticed that their bay was becoming increasingly polluted because of the lack of sewage infrastructure and untreated wastewater from industry. The City of Dakar and new, multinational industries like Mobil and the French box-

manufacturer Carnaud regularly dumped wastewater into the bay. Fishermen started complaining to the government that they had to go further and further offshore for their daily catch. The government made small concessions to these fishermen, extending their fishing range, saying they could do nothing else. They never admitted that the real problem was pollution. By the early 1990s, villagers, fishermen sailors and community organizations began to see that their bay was suffering serious pollution. The quality of the fish had declined dramatically and disease vectors like flies and mosquitoes covered the water's surface. People were getting sick. The bay had reached a breaking point and no one, not the government nor the companies responsible, was willing to deal with the pollution.

That's when our organization, ASC Yarakh, stepped in. Since the early 1980s, ASC Yarakh has served as a sports and culture organization for the people of Hann Village, organizing soccer games, beach wrestling and traditional boat racings around Hann Bay. We organized ethnic and religious ceremonies like drum celebrations that kept

HANN BAYKEEPER

Premier Waterkeeper d'Afrique

» **LA BAIE** de Hann est située sur la côte Atlantique de l'Afrique, à proximité de Dakar, capitale du Sénégal. Il y a vingt-cinq ans, la baie de Hann figurait parmi les plus magnifiques du monde. C'est le point de convergence des courants marins tropicaux du nord et des courants marins froids du sud et l'on y trouve le tilapia et le mérou en grande abondance, poissons qui migrent le long des fonds sablonneux et boueux de la baie avant de finir dans nos assiettes, nous réunissant autour du déjeuner quotidien.

Les communautés de pêcheurs traditionnels considéraient la baie de Hann comme Mame Coumba Bang, le déesse de la mer. Chaque jour, avant de partir pour pêcher en mer, ils décoraient leurs bateaux d'écrits et de dessins pour Mame Coumba Bang, pour être protégés contre les dan-

gers de la mer et recevoir la bénédiction journalière d'une bonne pêche suffisante à nourrir leur famille. La communauté demeurait vivante et saine en raison d'une culture qui était spirituelle, durable et juste.

Au cours des années 80, les villageois ont remarqué que leur baie devenait de plus en plus polluée en raison du manque d'infrastructure d'égouts et des eaux usées non traitées provenant de l'industrie. La ville de Dakar aussi bien que de nouvelles industries multinationales telles que Mobile Oil et le fabricant français de boîtes dénommé Carnaud jetaient régulièrement leurs eaux usées dans la baie. Les pêcheurs ont commencé à se plaindre auprès du gouvernement qu'ils devaient aller de plus en plus au large pour pêcher. Le gouvernement a fait des petites concessions pour ces pêcheurs, étendant



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leur zone de pêche mais disant qu'il ne pouvait rien faire d'autre. Ils n'ont jamais reconnu que la pollution était la racine même du problème. Au début des années 90, des villageois, des marins pêcheurs et des organisations communautaires ont commencé à constater que leur baie souffrait d'un grave problème de pollution. La qualité des poissons avait chuté considérablement et des vecteurs de maladies, tels que mouches et moustiques, couvraient la surface de l'eau. Les gens devenaient malades. La baie avait atteint un point de rupture et personne, ni le gouvernement ni les entreprises responsables, n'était disposé à aborder la pollution.

C'est à ce moment que, ASC Yarakh, notre organisation est intervenue. Depuis le début des années 80, ASC Yarakh a joué un rôle d'organisation sportive et culturelle pour la population du village de Hann, organisant des jeux de football, des épreuves de lutte sur la plage et des courses de bateaux traditionnels autour de la baie de Hann. Nous avons organisé des cérémonies ethniques et religieuses telles que des célébrations de tambour qui gardaient notre communauté unie et soutenaient notre culture. Au terme de la saison spor-

tive, le personnel peu nombreux et les bénévoles de notre organisation dirigeaient leur énergie vers des programmes communautaires tels que l'habilitation des femmes, la prévention du SIDA et du paludisme ainsi que l'éducation en matière d'environnement et le nettoyage de la plage. Notre mission a commencé à se transformer lorsque nous avons été atteints de plein front par la pollution au cours des années 90. Au moment du déjeuner au Sénégal, en nous réunissant autour d'un plat de riz et de poisson, nous avons remarqué quelque chose de troublant : le poisson avait une odeur de pétrole. Même après avoir fait bouillir le poisson pendant une heure dans une cocotte mijoteuse, on ne sentait que le pétrole. La même pollution qui avait pollué la baie se retrouvait dans nos assiettes et nos estomacs. Lorsque quelque chose vous frappe aussi profondément à l'intérieur, vous trouvez la volonté d'agir.

ASC Yarakh a commencé à garder l'œil sur Mobile Oil et la ville de Dakar, et nous n'avons pas hésité à élever la voix. Nous avons confronté la ville de Dakar et son maire au sujet de la responsabilité de la ville de protéger la santé de la population, et

Hann Baykeeper volunteers welcome Waterkeeper Alliance staff member. From left to right: Maodo Dieng, Mouhamadou Diol (Hann Baykeeper), Matar Diop, Serigne Ndoye, Marc Yaggi (Waterkeeper Alliance), Anna Diallo, Malick Sene (author), Mor Mbaye, Pape Diop and Leyti Kane.

our community together and our culture vibrant. When the sports season ended, our organization's small staff and volunteers channeled their energy towards community-based programs like women's empowerment, AIDS and malaria prevention, and environmental education and beach cleanups. But when the pollution hit us strong in the 1990s, our mission began to shift. During lunchtime in Senegal, when we would gather to enjoy a plate of rice and fish, we noticed something troubling: the fish smelled like petroleum. Even after boiling the fish for an hour in a slow cooker, all we would smell was petroleum. The same pollution that had polluted the bay had reached our plates and our stomachs. When something hits you that deep inside, you somehow generate the willpower to act.

ASC Yarakh began to keep an eye on Mobil and the City of Dakar, and we did not hesitate to

raise our voice. We confronted city officials and the mayor about the city's responsibility to protect the health of the people, and watched Mobil as it started pumping money into the community; handing out jobs, funding soccer teams and giving money to local leaders to keep quiet about the pollution. This is when ASC Yarakh began standing out against the rest. We pushed forward with the truth because for us, the health of the community was inextricably linked to the health of the bay.

In 1995, I moved to Canada and began volunteering with Petitcodiac Riverkeeper, in Moncton, New Brunswick. There I learned the real meaning of advocacy. I watched Petitcodiac Riverkeeper as they applied constant pressure through meetings, through lawsuits, through direct action, to see a victory for the river through to its end. I also saw the strength Petitcodiac Riverkeeper received from

Waterkeeper Alliance and the network of clean water advocates that supported them. It was almost a decade later, when Michel LeBlanc-DesNeiges of Petitcodiac Riverkeeper, encouraged ASC Yarakh to apply to Waterkeeper Alliance to protect the waters of Hann Bay. We submitted a proposal in 2005 and soon enough, Hann Baykeeper became the first African organization to join Waterkeeper Alliance. Today, Hann Baykeeper is a strong organization that works side by side with ASC Yarakh, under the leadership of Hann



J'ai examiné ce mouvement, Petitcodiac Riverkeeper, alors qu'il exerçait une pression constante par le biais de rencontres, de procédures judiciaires, d'action directe pour s'assurer d'une victoire pour la rivière. J'ai également constaté la force que Petitcodiac Riverkeeper tirait de l'Alliance Waterkeeper et du réseau de défenseurs de l'eau propre qui les soutenait. Près de dix ans plus tard, Michel LeBlanc-DesNeiges, directeur exécutif

de Petitcodiac Riverkeeper, a encouragé ASC Yarakh à se tourner vers l'Alliance Waterkeeper pour protéger les eaux de la baie de Hann. Nous avons présenté une proposition en 2005 et, peu de temps après, Hann Baykeeper est devenu la première organisation africaine à joindre les rangs de l'Alliance Waterkeeper. À l'heure actuelle, Hann Baykeeper est une organisation forte qui travaille en parallèle avec ASC Yarakh, sous la direction du directeur exécutif Mbacke Seck et de Mouhamadou Diol de Hann Baykeeper.

Nous avons été approchés par des organisations internationales dans le passé, mais nous avons re-

nous avons surveillé Mobile Oil alors qu'elle commençait à pomper de l'argent dans la collectivité, offrant des emplois, subventionnant des équipes de football et donnant de l'argent aux leaders locaux pour garder le silence au sujet de la pollution. C'est alors qu'ASC Yarakh a commencé à se démarquer de la foule. Nous avons disséminé la vérité parce que, pour nous, la santé de la communauté était étroitement liée à la santé de la baie.

En 1995, je me suis transféré au Canada et j'ai commencé à faire du bénévolat auprès de Petitcodiac Riverkeeper, à Moncton (Nouveau-Brunswick). C'est là que j'ai appris le sens véritable du plaidoyer.

Baykeeper Mouhamadou Diol and Executive Director Mbacke Seck.

From the beginning, I noticed something very different about Waterkeeper Alliance. They always put the community first. Before we officially joined the Alliance, staff members Marc Yaggi and Thom Byrne came to Africa to visit us. No one from Hann Village had ever seen an international organization walking the streets, talking to people and putting the community first, even before the Ministry of the Environment and the government. For us, this was amazing. The other thing is that, in the past, international organizations have come to us with donations, but few have offered us tools and the communication to make us stronger. Waterkeeper Alliance has given us access to an international network of advocates facing circumstances just like we face in Africa. We now have access to people who have worked on these issues for decades and through some of the hardest battles. And what we value most about Waterkeeper Alliance is that, it all comes down to empowerment. What we need most is not money or sponsorship. It is organizations from around the world behind you telling you, "We are here to support you."

Since joining Waterkeeper Alliance we have already seen the power of this international movement translate into a cleaner, healthier bay. For decades, the City of Dakar operated an old, failing sewage treatment plant on Hann Bay. This pollution was not minor; 50 percent of the bay's pol-

lution came from the dilapidated sewage system dumping raw sewage into the bay. For years upon years, volunteers from ASC Yarakh pressured the City of Dakar to fix the plant, with little success. Repeatedly, the City of Dakar complained that they did not have the budget to fix the plant, that there was nothing they could do. Since Hann Baykeeper was founded, the City of Dakar has changed its policy. Earlier, the mayor never felt like anyone presented a serious challenge to him. But now, since the Hann Baykeeper was formed, he has witnessed how far our advocacy for a clean Hann Bay has reached. He has seen Hann Baykeeper touring the country, going internationally to Waterkeeper's annual conference, and gaining the tools necessary to present a serious challenge to governmental and industrial apathy. They know that we are gaining the tools necessary for a clean Hann Bay, and that if the city of fails to stop pollution, we are willing to force legal action for the health of our citizens and our bay.

And more importantly, these victories for the bay have won Hann Baykeeper the support of the community. Because of our commitment to the bay, our executive director of Baykeeper, Mbacke Seck is on his way to represent the bay and the community nationally. Mbacke joined a newly formed party called Rewmi to represent the community and the bay in the Parliament of Senegal as the Deputy of Hann Village. In the last election cycle, out of the 14 parties that ran



Hann Baykeeper Executive Director Mbacke Seck at the San Francisco Waterkeeper Conference in 2006.

marqué quelque chose de très différent au sujet de l'Alliance Waterkeeper. Ils font toujours passer les intérêts de la communauté au premier rang. Avant que nous joignons officiellement les rangs de l'Alliance, Marc Yaggi et Thom Byrne, membres du personnel de l'Alliance Waterkeeper, sont venus nous rendre visite en Afrique. Aucun habitant du village de Hann n'avait jamais vu une organisation internationale faire partie de la communauté, marcher dans les rues, parler aux gens et mettre la communauté au premier rang, même avant le Ministère de l'environnement et le gouvernement. Nous étions stupéfaits. En outre, dans le passé, les organisations internationales nous donnaient de l'argent, mais peu nous ont offert des outils et les moyens de communication pour nous renforcer. L'Alliance Waterkeeper nous a donné accès à un réseau international de défenseurs confrontés à des circonstances comme les nôtres en Afrique. Nous avons maintenant accès à des gens qui ont travaillé sur ces questions pendant des décennies et livré de dures batailles. Ce que nous apprécions le plus de l'Alliance Waterkeeper, c'est que tout passe par l'habilitation. Ce n'est pas d'argent ou d'un promo-

teur dont nous avons le plus besoin. C'est d'avoir plus de 172 organisations de tous les coins du monde derrière vous qui vous disent « Nous sommes ici pour vous soutenir. ». C'est le travail d'habilitation que fait l'Alliance Waterkeeper.

Depuis que nous nous sommes joints à l'Alliance Waterkeeper, nous avons déjà vu l'autorité de ce mouvement international se traduire en une baie plus propre et plus saine. Pendant des années, la ville de Dakar a exploité une vieille usine défaillante de traitement des eaux usées sur la baie de Hann. Cette pollution n'était pas négligeable ; la moitié de la pollution de la baie provenait du système dilapidé d'eaux usées qui déversait des eaux non traitées dans la baie. Année après année, des bénévoles de ASC Yarakh ont fait pression sur la ville de Dakar pour remettre l'usine en état, sans grand succès. À maintes reprises, la ville de Dakar s'est plainte que son budget ne lui permettait pas de réparer l'usine et qu'elle ne pouvait rien faire. Or, la ville de Dakar a modifié sa politique depuis la fondation de Hann Baykeeper. Auparavant, le maire ne se sentait jamais confronté à un véritable défi. Cependant, depuis la constitution de Hann Baykeeper, il a pu constater

With this much progress and the strength of the Waterkeeper movement behind us, it is our deepest hope that we will be a sustainable community once again.



for the position, Mbacke's party, Rewmi, came in second. This was unbelievable for us. Unfortunately, the election was canceled because of a nationwide boycott that was beyond our control. But Mbacke's popularity amongst the community is a clear message that our community supports us, and wants us to represent environmental issues nationally.

With this much progress and the strength of the Waterkeeper movement behind us, it is our deepest hope that we will be a sustainable community once again. We hope that our communities will be

alive and vibrant, and that our fishermen will hold onto their culture that has sustained our bay and our villages for centuries. It is our hope that our communities continue to come together for our bay, so they do not need to beg for jobs from the industries that are destroying our bay and our culture. We want to see the pollution end and the polluters held responsible for using our bay as their personal dumping grounds. And most of all, we look forward to the day when we can turn on the slow cooker, sit down, and enjoy a plate of steamy rice and fish, together at the table again. **W**

Avec un tel progrès et la force du mouvement Waterkeeper derrière nous, nous espérons sincèrement que nous serons, à nouveau, une communauté durable.

l'impact de notre plaidoyer en faveur d'une baie de Hann propre. Il a vu Hann Baykeeper faire le tour du pays, faire son entrée sur la scène internationale pour assister à la conférence annuelle de Waterkeeper et se doter des moyens nécessaires pour défier l'apathie du gouvernement et de l'industrie. Ils savent que nous obtenons les outils nécessaires pour une baie de Hann propre et que, si la ville ne réussit pas à mettre fin à la pollution, nous sommes disposés à saisir les tribunaux pour la santé de nos citoyens et de notre baie.

Encore plus important, ces victoires pour la baie ont mérité à Hann Baykeeper l'appui de la communauté. Étant donné notre engagement à l'égard de la baie, Mbacke Seck, notre directeur exécutif de Baykeeper est en voie de représenter la baie et la communauté à l'échelon national. Mbacke a mis sur pied un parti dénommé Rewmi pour représenter la communauté et la baie au Parlement du Sénégal à titre de député du village de Hann. Lors de la dernière campagne électorale, sur les 14 partis faisant campagne pour la position, Rewmi, le parti de Mbacke, est arrivé au second rang. C'était un succès incroyable pour nous. L'élection a, malheu-

reusement, été annulée en raison d'un boycottage national échappant à notre contrôle. Cependant, la popularité de Mbacke au sein de la communauté signifie clairement que notre communauté nous appuie et veut que nous défendions les questions de l'environnement à l'échelon national.

Avec un tel progrès et la force du mouvement Waterkeeper derrière nous, nous espérons sincèrement que nous serons, à nouveau, une communauté durable. Nous espérons que nos communautés seront vivantes et débordantes d'énergie, et que nos pêcheurs pourront préserver leur culture qui a soutenu notre baie et nos villages pendant des siècles. Nous espérons que nos communautés continueront à faire alliance pour notre baie, de sorte qu'elles n'aient pas à quêter des emplois auprès d'industries qui détruisent notre baie et notre culture. Nous voulons que cesse la pollution et que les pollueurs rendent compte de leur usage de notre baie comme leur dépotoir personnel. Et surtout, nous anticipons le jour où nous pourrions mettre en marche la cocotte mijoteuse, nous asseoir et jouir d'une assiette de riz vapeur et de poisson, de nouveau réunis à la table. **W**

Bird houses built by Turkey Creek youths after Hurricane Katrina with the authentic blue plastic roofs used by FEMA and the Army Corps on homes all over the Gulf Coast.



TURKEY CREEKKEEPER

» the way FORWARD

STRONG COMMUNITIES

Waterkeepers know that the key to achieving clean water and environmental justice is strong, engaged communities and outspoken, organized advocacy. The Waterkeeper, Anti-Toxics and Environmental Justice Movements are integral parts of the same human rights struggle for a just and sustainable future.



THIS Movement

By Steve Fleischli, Waterkeeper Alliance President

» **AS THE** Waterkeeper movement grows we face major cultural differences: language, customs, religion, politics, diet — to name but a few. The Waterkeeper movement is as diverse as our 172 local Waterkeepers themselves. Yet, our differences, our diversity, are among our greatest strengths.

Culturally speaking, a local Waterkeeper in Alabama can seem as different to a Waterkeeper in New York as a Waterkeeper in Bolivia can seem to one in the Czech Republic. This creates challenges for a movement that's unlike any other in the world. But when our diverse group gathers together each June for our annual conference, a collective energy fills the air

— an excitement beyond anything I have ever witnessed.

Despite our differences, we come together each year to celebrate our shared vision for the future. We share a common set of values. We support our communities the same. We believe in the rule of law and in democratic processes. And we share a commitment to the very basis of all known life: water.

We have come to learn that we also share many of the same environmental problems.

The Yamuna River in the heart of Delhi, India, is so polluted with sewage that it literally bubbles with methane. Yet, raw sewage in rivers and lakes is as wrong in Delhi as it is in Vancouver, Milwaukee or

Cartagena. Nutrient and other toxic pollution are as much a threat to fisheries in Chesapeake Bay and Casco Bay as they are in the Caspian Sea and Hann Bay. And mercury from coal-fired power plants harms children the same in Beijing, China as it does in Vinita, Oklahoma or Walpole Island, Ontario.

While local problems may vary, the root causes of pollution — ignorance, apathy and greed — tend to be universal. So do the solutions — recognition of human rights, enforcement of environmental rights and the action of an informed and empowered citizenry.

Waterkeeper Alliance's challenge is to help local Waterkeepers combat envi-



Changing Values, acrylic on canvas
sand painting by Michael Kabotie

ronmental problems, while recognizing and embracing the uniqueness of each community and of each culture. In fact, it is this uniqueness — our cultural and ecological diversity — that is our greatest asset. Recognizing and elevating the strength of communities is where we find our greatest success, for it is the people who live there — who understand their own community better than anyone else — who will best find the answers.

We often say we cannot have strong communities without clean water. Similarly, we cannot have clean water without strong communities — communities in which individuals are empowered to participate in decision making and are allowed to pursue a better life.

As a global movement we have an enormous opportunity to support and learn from one another.

None of us has the golden ticket or a silver bullet, but collectively — by sharing the best each community has to offer — we can solve environmental problems.

The U.S. could learn a lot from Baja California Sur, Mexico, where nearly ev-

ery remote fishing shack, home and restaurant uses high-efficiency compact fluorescent light bulbs. We could both learn from Europe where those same bulbs are manufactured with only a fraction of the amount of toxic mercury.

In Melbourne, Australia, laws have been on the books since the 1980s requiring dual-flush toilets for new homes — one button for liquid waste and a more robust flush for solid waste. This water saving system from the driest continent on earth would make a lot of sense today in the southwestern U.S. or in Atlanta, where prolonged droughts and mismanagement of water are a serious threat.

The City of Moscow, Russia, currently treats or infiltrates 62 percent of its stormwater runoff with a goal of 85 percent by 2010. This far exceeds the performance of any major U.S. city, where stormwater runoff typically is the number one source of water pollution.

Certainly, all solutions are not technological. Equally important, if not more so, are those involving access to legal protection. In the U.S., more than two dozen

federal statutes allow individuals to file civil “citizen suits” to enforce the law. Unfortunately, some states — and some judges — are less accepting of this notion than others.

In Canada, citizens can lay criminal charges for private prosecution of offences under the Fisheries Act. In India, a citizen can petition the Supreme Court to enforce the Constitution’s “Right to Life,” which guarantees clean water and air for all.

Of course, in all of these contexts, whether relief is granted is a whole other matter. Securing environmental rights is a constant struggle for our movement. In all cases, it is costly to pursue a legal remedy. Polluters know they have an advantage here and they use it to their full advantage. Local Waterkeepers work together to neutralize that advantage.

We know that when a local Waterkeeper is denied proper access to the legal or political system, we are all denied that access. When a Waterkeeper is physically threatened for speaking out, we are all threatened. When the commons are privatized for profit, we all lose something of value.

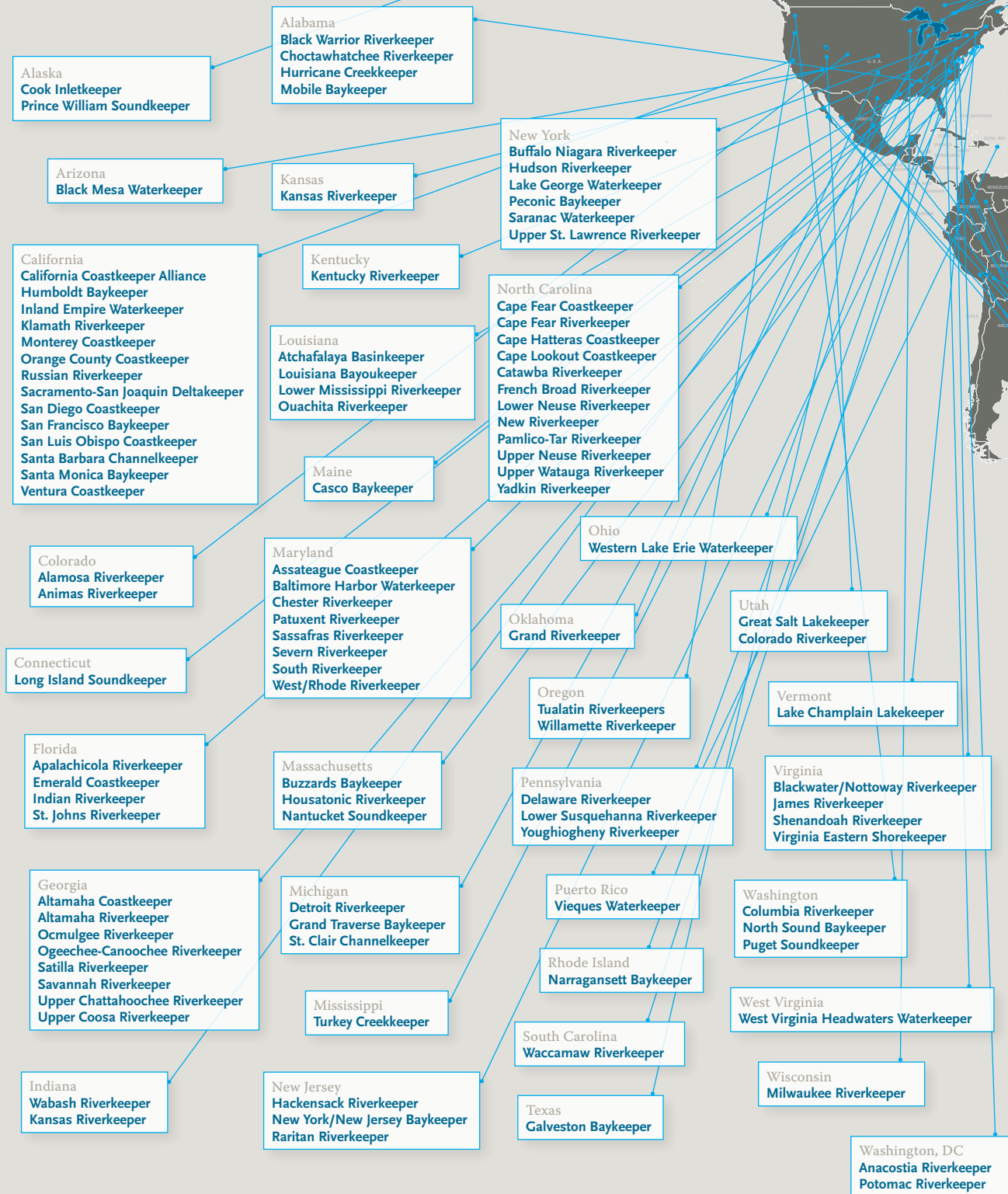
Where a voice is silenced or a disproportionate burden is borne, we must all speak out for justice. Where industry prays upon corrupt government to gain an unfair advantage, we must fight back. Where power is abused and tyranny reigns we must all demand change.

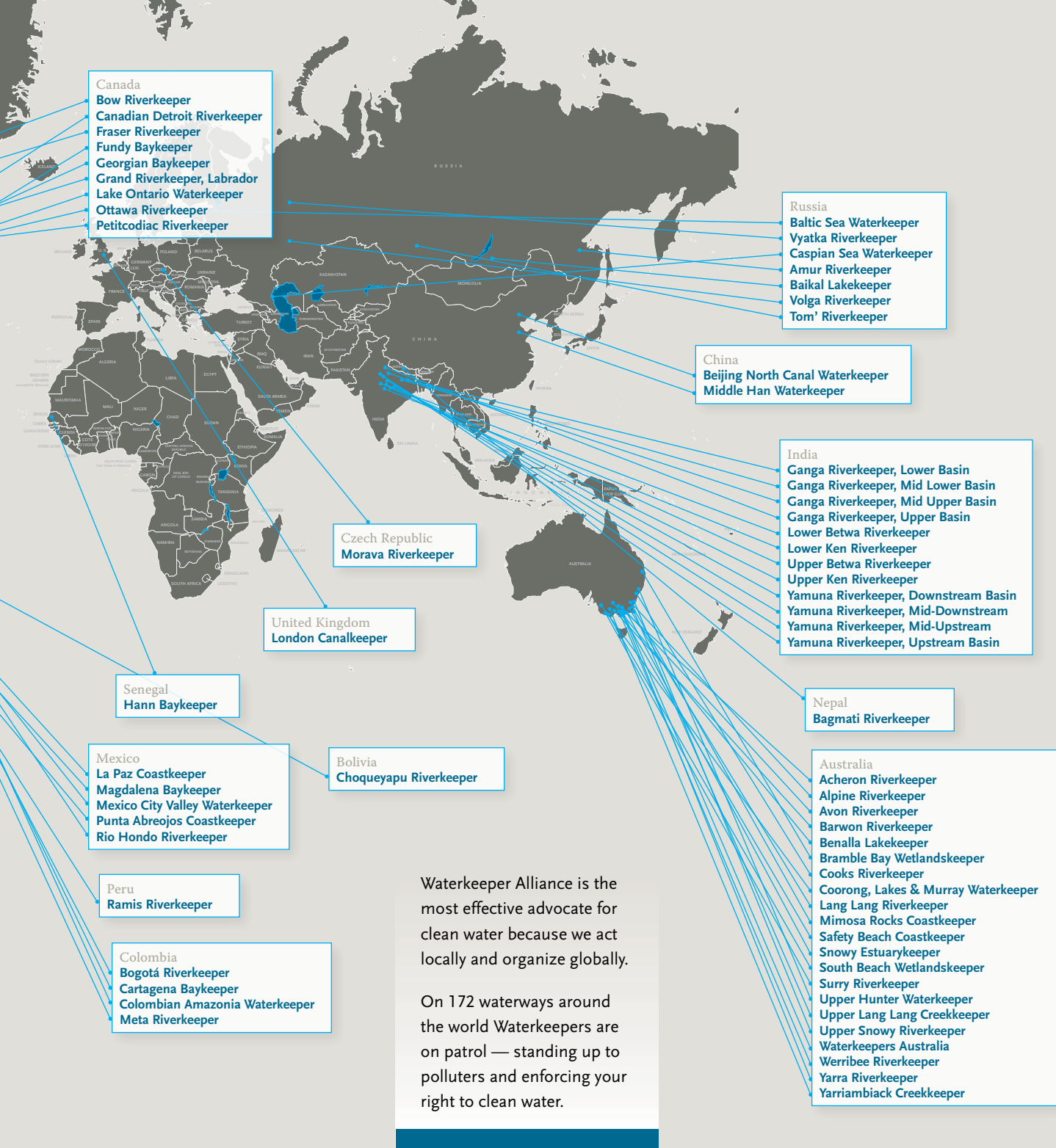
As a movement, we still have long way to go in terms of truly understanding and embracing diversity. We can do much more to appreciate the complexity of the human race and embrace all that our local communities offer. We can do more to speak out against injustice. We can do more to empower one another. These are our common struggles.

What gives me the greatest hope for our future, though, is that all of the places mentioned above have local Waterkeepers working hard in their own communities. That local action, and the growing network that links local Waterkeepers with others all over the world, is what truly will solve our environmental problems. I am honored and excited to consider us one big family — coming together for clean water and strong communities everywhere. **W**



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EcoSalon

Waterkeeper Alliance, Lexus and Condé Nast have joined together to provide a series of EcoSalons in cities throughout the United States.

Events are held in homes to benefit the work of Waterkeeper Alliance as well as local Waterkeeper programs in the area. Each event invites guests to learn ways to live more sustainably.

The first EcoSalon took place in Atlanta at the EcoManor built by Laura and Rutherford Seydel. The second event was at the home of Tom Gegax and Mary Wescott in Minneapolis, MN. The third gathering (pictured here) took place on December 12 at Hickory Hill, the Washington, DC, home of Mrs. Ethel Kennedy.

Two more events are planned for the future. An event at the Los Angeles home of Ron and Kelly Meyer will focus on local water related issues and the partnerships being formed to confront them and a May EcoSalon will be held at the home of Barbra Streisand.

More EcoSalons will be planned for 2008. For more information on Waterkeeper, visit www.waterkeeper.org **W**

SALON
sa . lon [suh-lon] *noun*

A gathering of stimulating people, brought together to exchange cutting-edge ideas at the home of an inspiring community leader; a meeting to please and educate.

ECO-SALON
eco - sa . lon [ee-koh-suh-lon] *noun*

A gathering at the home of a community leader to exchange cutting-edge ideas on the environment with Robert F. Kennedy, Jr., Chairman, and Steve Fleischli, President of Waterkeeper Alliance; an exploration of environmental issues facing our communities and a renewed commitment to living in a sustainable manner



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Art: Jeff Albrecht Studios & Chryswela Artemis
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On The Water

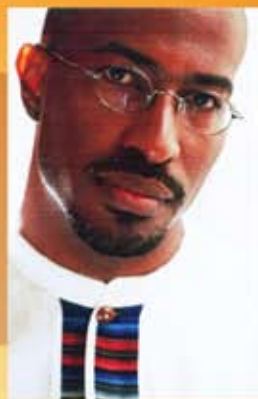
Giles Ashford

A lone boat makes its way down
the River Ganga just after sunrise.
Varanasi, India. 11.23.07





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