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ROBERT F. KENNEDY, JR., AND LIZ CROSSON STAND UP FOR CLEAN WATER ON SANTA MONICA BAY.

Four Decades and Counting: The Enduring Battle for Clean Water

By Liz Crosson,
L.A. Waterkeeper
(formerly Santa Monica Baykeeper)

Forty years ago our nation's waterways were ebbing toward disaster. They had become dumping-grounds for trash, sewage, oil and chemicals. But the passage of the Clean Water Act in 1972 enabled ordinary citizens, to confront powerful corporate and government polluters. And, in doing so, they have brought America's rivers, streams, lakes, bays and coastlines back from the perilous brink they had reached.

A few years earlier, in the 1960s, New Yorkers realized that the Hudson River, long treated as an open sewer, was dying. The Indian Point power-plant cooling intakes were killing millions of fish each day, and Penn Central Railroad was discharging oil into the river from a pipe at its Croton rail yard, blackening beaches and making the shad taste of diesel. An enraged group of blue-collar fishermen organized in protest. They became the Hudson River Fishermen's Association, the forerunner of Hudson Riverkeeper, the first Waterkeeper organization. And they headed to the courtroom to reclaim their river. They won their lawsuit, shut down the Penn Central pipe and collected \$2,000, the first bounty ever awarded under a little-known 19th-century statute that forbade the pollution of American waters and provided a bounty reward for whoever reported the violation.

After the passage of the Clean Water Act, under which citizens were given even greater power to bring their own lawsuits to stop illegal pollution, their successes multiplied. The fishermen's association's use of the act's citizen-suit provision – a critical feature of the law – in the Hudson River Valley was the catalyst for an international movement of Waterkeepers who defend their communities against all who threaten their right to clean water.

The 40th anniversary of the Clean Water Act is a suitable moment not only to celebrate the many hard-won community victories it has enabled, but also to call attention to the waterways that still are not safe for citizens to use and enjoy.

Waterkeeper organizations now span the globe, and include 12 active groups here in California (www.cacoastkeeper.org) who defend the state's precious coastline and inland waterways against polluters. Waterkeepers fight for clean water so that our communities can swim, drink, and fish without risking a trip to a hospital. Although we usually find ourselves vastly outnumbered by an army of lobbyists, attorneys, law-breaking polluters and unresponsive government-agencies, we have prevailed time and time again in making violators accountable to the law of the land.

Here in Los Angeles, we have had our fair share of these victories. One of the most telling was recorded in April, when Los Angeles Waterkeeper (at the time operating as Santa Monica Baykeeper) and the Natural Resources Defense Council reached a \$6.6 million settlement to substantially improve beach-water quality along the Malibu coastline for millions of beachgoers who visit it each year. The settlement requires the city of Malibu to install devices to catch unsafe stormwater runoff before it reaches the ocean, thus protecting swimmers from a range of waterborne illnesses, including stomach flu, skin rash, pinkeye, ear, nose and throat problems, dysentery, hepatitis and neurological disorders.

Still, despite all the water-quality improvements won through the Clean Water Act, there is still considerable work to be done to achieve the act's goals of fishable, swimmable, drinkable waters. Many lakes, streams, rivers and beaches are plagued by excess contamination caused by urban runoff and other, more diffuse sources of pollution. Last year in California – a state often heralded as an environmental leader – the State Water Resources Control Board reported a 170-percent increase in toxicity in rivers, lakes,

bays and estuaries since 2006. In addition, some of the most famous and popular beaches in Los Angeles, such as Malibu's Surfrider Beach and Topanga State Beach, still routinely fail to meet water-quality standards for the bacteria E. coli, fecal coliform and enterococcus. Many Los Angeles County creeks and rivers are also contaminated with bacteria, heavy metals and trash, and are unsafe for swimming and fishing.

The 40th anniversary of the Clean Water Act is a suitable moment not only to celebrate the many hard-won community victories it has enabled, but also to call attention to the waterways that still are not safe for citizens to use and enjoy. On April 21, Los Angeles Waterkeeper (Santa Monica Baykeeper) celebrated all those in the Los Angeles area who stand up for clean water with a stand-up paddle race, one of many events in this year's Waterkeeper Alliance "Splash" series. And on May 12, our sister organization Russian Riverkeeper hosted another Splash event – the Great Russian River Race – in which hundreds of canoers, kayakers and paddlers took to the river.

These occasions are joyous and meaningful, and I encourage everyone to make good use of their favorite beach, swimming hole, stream, creek, river or bay, and to celebrate the bold, ambitious claim of the landmark law passed four decades ago – swimmable, drinkable and fishable waters as the right of every American. And please support the work of those who stand up for clean water in your community by becoming a member of your local Waterkeeper group. You can find us at www.waterkeeper.org.

THE LAW THAT CHANGED AMERICA TURNS 40

ON THE COVER:

Many of America's waterways are in much better shape than they were 40 years ago – thanks to the Clean Water Act and the nearly 125 Waterkeepers who enforce its statutes.

Design by BoyBurnsBarn/John Turner

Globally, the paper industry is the single largest industrial consumer of water and the third greatest emitter of greenhouse gases.

Getting the Paper (More) Right!

You will notice that this copy of WATERKEEPER magazine is different from copies produced in the last few years. Although we are very proud of the paper selection choices we have made in the past, we have found that the industry has moved forward. Today we can print on a 100% Post Consumer Waste paper that provides dramatically better environmental savings at lower cost, without sacrificing the print quality that our readers expect.

Now that WATERKEEPER magazine is printed on 100% Post Consumer Waste, FSC-certified, chlorine-free Cascades Rolland Enviro100 Satin, our new environmental savings metrics will be based on actual measurements and usage data at the mill. Using this paper more than doubles reductions of wastewater created, solid waste generated and energy consumed. Because Cascades actually burns methane obtained directly from a local land fill, the green house gases emitted are three times less than those of the previous paper manufacturer. This is done without purchasing either carbon offset or windpower credits, as our previous supplier did. We are very pleased with this new paper grade and anticipate you will be too.

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In other words, the savings from our new paper choice is equivalent to:

- The annual emissions from 3 cars AND the annual energy consumption of 1 household**

Waterkeeper magazine is printed on chlorine-free, FSC-certified Rolland Enviro 100 Satin 100% post-consumer recycled paper which is manufactured with biogas energy. This paper is certified by Ecologo and by Smartwood for FSC standards which promote environmentally-appropriate, socially-beneficial and economically-viable management of the world's forests.

Waterkeeper Alliance and Cascades Fine Papers are proud to reduce the environmental burden related to paper production.



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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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our common waters

How many lives are dependent on a single drop of water? The Water Drop T-Shirt, with original art by BXC Design, highlights the most valuable resource on the planet. Five dollars from the sale of this tee goes to Waterkeeper Alliance for Patagonia's Our Common Waters, a campaign spotlighting the need to balance human water consumption with that of animals and plants. Find out more at www.waterkeeper.org and www.patagonia.com/ourcommonwaters.

A proposed dam threatens to turn the confluence of the Baker and Neff Rivers, shown here, into a reservoir. Patagonia, Chile. JAMES Q MARTIN



1.5 million
square miles of watersheds

20 countries

Who Is Waterkeeper Alliance?

more than 190 waterways

6 continents



Photo: Rick Dove

In virtually every part of the world, climate change is affecting the quality and quantity of water resources. As the effects intensify in the coming years, the impacts on farms and forests, coastlines and floodplains, water supplies, and human populations will become more and more severe.

Waterkeeper Alliance is uniquely positioned to confront the effects of climate change and other environmental threats by engaging its grassroots network on local, regional and global levels. We are the voice for rivers, streams, wetlands and coastlines in the Americas, Europe, Australia, Asia and Africa.

We are a powerful worldwide coalition of nearly 200 local Waterkeeper groups—Riverkeeper, Baykeeper, Coastkeeper and other grassroots Waterkeeper organizations—connected as a unified international force to defend the world's waters during this period of unprecedented crisis.

Join Waterkeeper Alliance – Get WATERKEEPER

Everyone has the right to clean water. It is the action of supporting members like you that ensures our future and strengthens our fight for clean water. Join Waterkeeper Alliance and get WATERKEEPER for one year. Go to www.waterkeeper.org and click on Donate Now to join as a supporting member. You can also join by mail. Send your check, payable to Waterkeeper Alliance, to WATERKEEPER Membership, 17 Battery Place, Ste. 1329, New York, NY 10004 or contact us at info1@waterkeeper.org.

Thanks for your support!



Waterkeeper Alliance is a 501(c)(3) non-profit organization. Your \$50 contribution or more entitles you to receive a one-year subscription to WATERKEEPER magazine, which has an annual subscription value of \$12. The balance of your contribution is tax deductible to the extent allowed by law.



ART FOR WATER

AN AUCTION HELD ON MARCH 5, 2012 TO CELEBRATE THE 40TH ANNIVERSARY OF THE CLEAN WATER ACT BENEFITTING WATERKEEPER ALLIANCE.

THE ART FOR WATER AUCTION RAISED MORE THAN \$1 MILLION TO ENABLE US TO CONTINUE OUR FIGHT IN COMMUNITIES AROUND THE WORLD FOR THE BASIC HUMAN RIGHT TO CLEAN WATER.

WE ARE DEEPLY GRATEFUL TO:

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Jeff Koons

Michelle Tillou, Linda Warren, Linda Zelenko

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DREAMING TREE

Ripples



THE COLORADO RIVER DELTA WAS ONCE ONE OF THE WORLD'S LARGEST DESERT ESTUARIES. NOW IT IS A HYPERSALINE MUDFLAT.

Cry Me a River Delta

The Colorado River starts high in the mountains of Colorado and Wyoming, but just feet from its headwaters the dams and diversions also begin. For more than a decade, five trillion gallons of water have been drained out of the river every year, leaving the Colorado River Delta – once a thriving wetland covering nearly two million acres of water and grass, and one of the largest migratory bird oases on earth – bone-dry where it used to meet the Gulf of California.

Of those five trillion gallons, U.S. cities and farms draw the greatest portion, and the 10 percent that still flows into Mexico is also quickly diverted. But over the last several months, the United States and Mexico have hunkered down in negotiations to amend the treaty covering the use of Colorado River water. The treaty – overseen by the International Boundary Waters Commission – involves how both countries use and share Colorado River water and how much stream flow remains in the river.

In April, Waterkeeper Alliance, Colorado Riverkeeper, Poudre Waterkeeper and San Diego Coastkeeper joined with 20 other regional, national, and international environmental groups up and down the Colorado River basin to deliver more than 5,000 signatures to the U.S. Department of State urging officials to work with Mexico

to restore water flow to the river delta.

Poudre Waterkeeper Gary Wockner, who is coordinating the Save the Colorado River campaign, describes the potential agreement between the two countries as “an historic opportunity to meet their own water needs while allotting a small flow back to the river.”

The petition was one of several extraordinary efforts over recent months by the environmental community along the river to highlight its problems and possibilities. Jon Waterman (who recently paddled from the river’s source to the sea) and Pete McBride published widely acclaimed books about the Colorado, emphasizing the dry delta.

Three editorials about the river appeared in major media publications: by Waterman in *The New York Times*, by Alexandra Cousteau in *The San Diego Union-Tribune*, and by Gary Wockner on Huffington Post. And McBride’s film, “Chasing Water,” which in part highlighted the dry delta, won numerous awards throughout the U.S. and beyond.

The river also attracted some star treatment, as producer Robert Redford and his Redford Center debuted the “Watershed Movie,” which also focused on the delta, in Washington, D.C. – an event that featured supportive remarks by Redford and EPA Administrator Lisa Jackson.

“The agreement is an historic opportunity for Mexico and the U.S. to meet their own water needs while allotting a small flow back to the river.”

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Shop online at www.StFrancisWinery.com with coupon code **H20** and together, we can turn wine into clean water.

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*Special offer ends 12/31/2012. Please use coupon code H20 when placing your order to ensure participation in this program. Proceeds benefit Waterkeeper Alliance. Valid on online orders only. Cannot be combined with any other offer or discount. Tax & shipping excluded. Questions? Call: (707) 833-0244. Thank you for your support.

Ripples

Acting up over 40 Years for Clean Water



Waterkeeper Alliance has launched a series of “Clean Water PSAs” – or public service announcements – starting with videos from actors Edward James Olmos, Dylan Bruno, Ed Begley Jr. and Peter Fonda, as part of the alliance’s “Clean Water Act 40 campaign,” marking the 40th anniversary of the Clean Water Act. The United States Congress

passed the Clean Water Act in 1972, to eliminate water pollution, restore the integrity of America’s water resources, and ensure that the nation’s water is protected and safe. Now, however, the Clean Water Act faces significant political pressure, as big polluters and some members of Congress seek to strip Americans of their basic human right of access to clean, swimmable, drinkable and fishable water.

“Everybody has a clean-water story, and it is imperative that we share them, promote them, and recognize the importance of clean water in our daily lives,” said Marc Yaggi, executive director of Waterkeeper Alliance. “Since its passage in 1972, the Clean Water Act has been successful in large part because individual citizens have been inspired by their connection to their river, lake, bay or piece of coastline and have taken a stand to defend their waterways.” Other celebrities involved

with the campaign include Alec Baldwin, Julia Jones, Alan Tudyk and Scott Wolf; some videos will feature environmental advocates and ordinary citizens sharing their stories and asking others to do the same to protect clean water.

1.1 billion people don’t have access to safe drinking water.

“I just love what Waterkeeper is trying to do to protect our waterways,” said Dylan Bruno. “It’s vital that we all advocate for clean water so that it is there for our kids and generations to follow.”



ED BEGLEY JR., ABOVE LEFT, IS THE CELEBRITY FACE OF ONE OF THE CLEAN WATER PSAs. ABOVE RIGHT, PROTESTER TAKES A STAND FOR CLEAN WATER AT A RALLY IN PORTLAND, OREGON.

PHOTOS COURTESY OF RICH WALLIN

Edward James Olmos looked back at the act’s passage four decades ago with a touch of historical irony: “It started with Nixon, bless his heart for that!”

Water plays a central role in today’s most pressing issues, including global security, energy, climate change and the cause and spread of infectious disease. The increasing scarcity of clean water is a massive threat to populations on every continent.

“1.1 billion people in the world don’t have access to safe drinking water,” said Waterkeeper’s Yaggi. “Our ultimate goal is to focus attention on the need for sustainable access to clean water by people across the globe.”

▶ You can view the Clean Water videos at <http://www.youtube.com/user/WaterkeeperAlliance1>

Once More into the Deep: Hudson Riverkeeper Patrol Boat Launch 2012

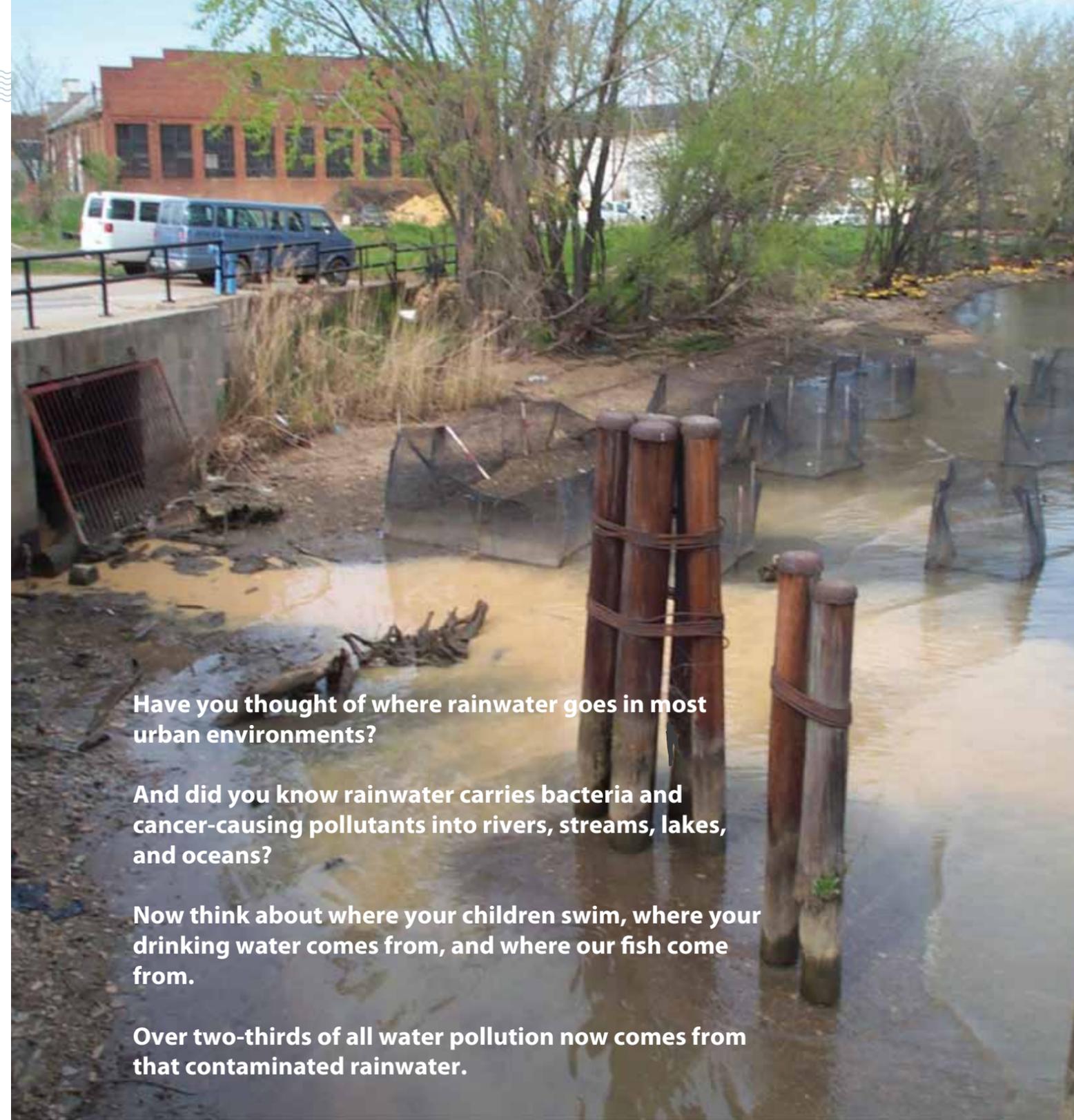


HUDSON RIVERKEEPER’S PATROL BOAT CAPTAIN, JOHN LIPSCOMB, WATCHES AS THE R. IAN FLETCHER GOES BACK IN THE WATER IN APRIL, AFTER A STINT OF WINTER MAINTENANCE.



FACTS ABOUT THE R. IAN FLETCHER

- 1 — The Riverkeeper patrol boat was built in 1983 in Bivalve, New Jersey, to work commercial shellfish beds in Delaware Bay.
- 2 — It is constructed of cedar planking on oak frames.
- 3 — Riverkeeper bought the boat in 1990, and it was refurbished and relaunched as the R. Ian Fletcher in 1998.
- 4 — The engine is a Volvo Penta six-cylinder diesel installed in 1998 by Captain John Lipscomb and his crew when he was the manager of Petersen’s Boatyard in Upper Nyack, N.Y. The engine was donated by Volvo.
- 5 — The patrol boat was named after Dr. R. Ian Fletcher, a noted expert in fluid dynamics, oceanography, physical ecology and biomathematics, who applied his dedication to science to benefit the Hudson River. He helped Riverkeeper win many historic legal cases, such as the Westway Highway battle.
- 6 — The R. Ian Fletcher and Captain Lipscomb log nearly 1,000 hours and 6,000 river miles a year.
- 7 — When Lipscomb became captain in the fall of 2000, the boat had logged 60 engine-hours; it has now amassed over 9,000.
- 8 — Since 2000, Captain Lipscomb and the R. Ian Fletcher have traveled enough miles to circumnavigate the globe more than twice.
- 9 — The boat is also the floating lab for Riverkeeper’s Water Quality Testing Program.
- 10 — Brennan Boatbuilding, a wooden-boat shop based in New York and North Carolina, services and makes improvements to the boat every year.



Have you thought of where rainwater goes in most urban environments?

And did you know rainwater carries bacteria and cancer-causing pollutants into rivers, streams, lakes, and oceans?

Now think about where your children swim, where your drinking water comes from, and where our fish come from.

Over two-thirds of all water pollution now comes from that contaminated rainwater.

Our engineered solutions clean the water before it goes into our ecosystem; and they do so in a cost-effective and simple way. We aim to preserve one of our planet’s most precious resources – water. Visit www.abtechindustries.com to find out more.



Total Solutions and Innovative Technologies to Clean Water

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Ripples



Remembering Canada's Doug Chapman, Nature's Prosecutor and Fraser Riverkeeper

Douglas George Chapman, famed prosecutor of polluters, and Fraser Riverkeeper's co-founder and Riverkeeper, passed away on April 4th, four days before his 76th birthday, at his home in Vancouver, British Columbia.

Doug was a fierce defender of the natural environment and, for the last 30 years, one of Canada's most significant environmental advocates. He began as a criminal-defense lawyer in Ontario in 1964. He joined the Ministry of the Attorney General in Ontario in 1986, and was then assigned to the Ministry of the Environment as a prosecutor, where he re-invented the practice of environmental prosecution, training field officers and taking a hands-on approach to environmental crime.

He held corporations and governments accountable for allowing pollution to degrade Canada's waterways, and forced them to change their practices. One of his most notable successes was a landmark case that was the first to result in a jail sentence for a polluter.

Doug wore his devotion to the environment on his sleeve. His cases, pursued with unbounded enthusiasm, were never about "the company" or "the defendant," but always "the polluter" (usually preceded by a few choice expletives).

In 1993 he began his association with Ecojustice (formerly Sierra Legal Defence Fund), and worked in Toronto and in Vancouver as an environmental investigator and private prosecutor. In those capacities he directed the gathering of evidence and the preparation of briefs in 14 private environmental prosecutions in British Columbia and Ontario. His prosecutions under the Fisheries Act always drew attention to serious environmental problems that were not being addressed sufficiently or at all by government.

In 2006 Doug established Fraser Riverkeeper in Vancouver and joined Waterkeeper Alliance. As Riverkeeper he protected the Fraser and its watershed from polluters and continued his pioneering work in private prosecution and legal advocacy.

For over 40 years Doug was a captain or navigator of sailing- and motor-vessels, traveling on the Great Lakes, the Caribbean and Mediterranean Seas, the Atlantic and Pacific Oceans, and the Mosel, Rhine and Rhone rivers in Europe. These passages included two trans-Atlantic small-sailing-boat crossings. He also worked as a commercial salmon fisherman on the British Columbia coast for four years as the captain of a 37-foot wooden trawler.

He leaves behind a legacy of successful environmental activism for current and future generations to build upon, and gifts of inspiration for all who had the privilege to know him. **Bon Voyage, Doug!**



PETER T. MICHAELIS

Mary Richardson Kennedy

The board, staff and members of Waterkeeper Alliance mourn the passing of our beloved champion and greatest supporter, **Mary Richardson Kennedy**. We honor and thank Mary for her wonderful generosity and invaluable contributions to our organization. Her efforts for our cause were boundless.

Mary inspired us with her loyalty, spirit, wisdom and her deeply caring soul. She impressed with her impeccable judgment, her energy and her great imagination. She had a gift for friendship, and an enormous band of companions were devoted to her. They supported her, and they supported us. She introduced us to many luminaries in the financial, entertainment and political worlds who became our committed partners in the fight for clean water.

With a skill for attending to the smallest details, she was an invaluable participant in the planning and success of Waterkeeper Alliance's annual events and many other endeavors. Her particular brilliance, though, was her ability to envision our organization's fundraising strategy – and then personally reach out to high-level honorees, event sponsors, and supporters. Her considerable knowledge of environmental issues, together with the genuine sweetness of her character, combined to soften difficult prospects in ways that nobody else possibly could.

Mary was truly one of nature's noble creatures, and we will always remember her with love and gratitude. We send our deepest sympathy and enduring support to Bobby, Bobby, Kick, Conor, Kyra, Finn and Aidan at this sad time.

PHOTO COURTESY OF FRASER RIVERKEEPER



Honeybee

A SENTINEL SPECIES, CRITICALLY DEPENDENT ON HEALTHY WATERSHEDS.

Waterkeeper

A SENTINEL ORGANIZATION WHOSE MISSION IS TO PROTECT WATERSHEDS.

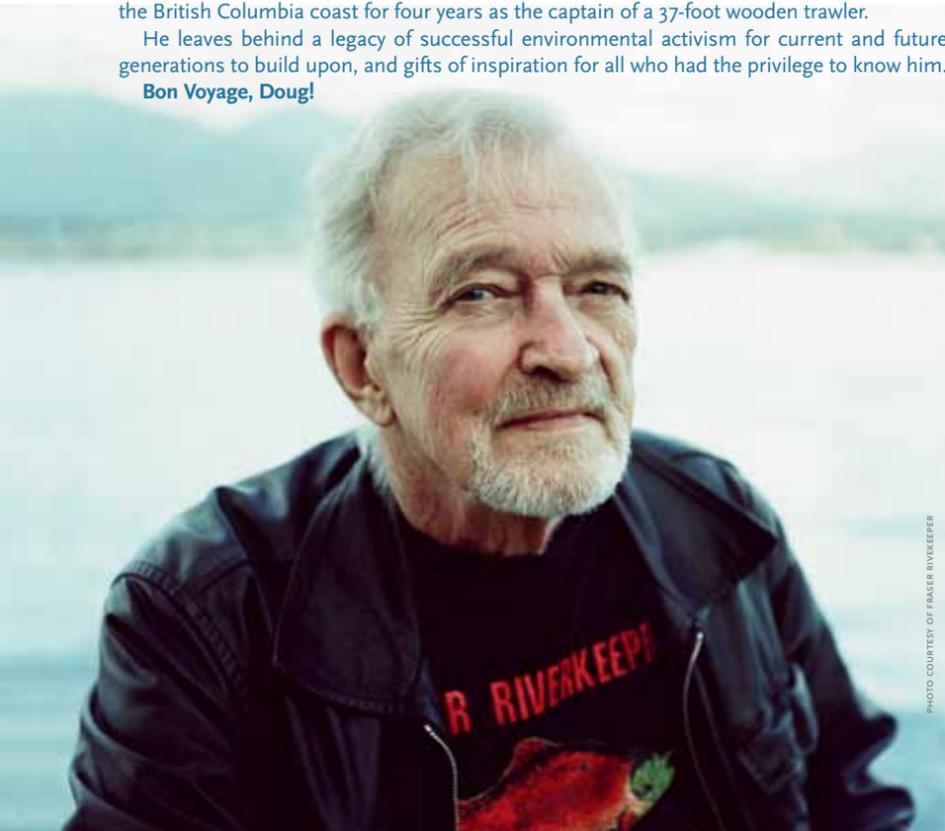
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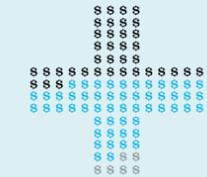
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Ripples

Waterkeeper Alliance Fights for Clean-Air Rule that Will Also Clean Water

Emissions from coal-fired power plants contain 80 of the 187 toxic pollutants listed under the Clean Air Act.



\$37-\$90

BILLION

Amount the MATS Rule will save in healthcare costs annually.

Waterkeeper Alliance and a coalition of 16 environmental and public-health groups have joined with attorneys general of 11 states and the District of Columbia to intervene in a coal-industry lawsuit that seeks to block the U.S. Environmental Agency's new Mercury and Air Toxics (MATS) Rule.

The MATS Rule resulted from years of advocacy and litigation by Waterkeeper Alliance and its partner groups to require EPA to regulate dangerous toxins in coal- and oil-fired power-plant emissions, as mandated by the 1990 Clean Air Act. The agency did not commit to a date certain to complete the task until 2010, when it entered into a settlement in a lawsuit filed by the groups.

The polluters began filing petitions for review in the U.S. Court of Appeals for the District of Columbia Circuit immediately after EPA published the regulations in February. Although the rule at issue relates primarily to air pollution, the emissions it regulates also severely threaten the nation's waterbodies.

Emissions from coal-fired power plants contain 80 of the 187 toxic pollutants listed under the Clean Air Act. They are responsible for 50 percent of all mercury emissions, 75 percent of acid-gas emissions, and about 25 percent of toxic metal emissions in the United States.

When fully implemented in 2016, the MATS Rule will deliver a 91 percent reduction in mercury emissions from the oldest, dirtiest power plants, and a 75 percent overall reduction within the coal-burning utility industry.

Those emissions are also the leading contributor to high mercury levels in water. In its National Listing

91%

The amount the MATS Rule will reduce mercury emissions from the oldest, dirtiest power plants.

of Fish Advisories (NLFA) database, EPA includes 4,598 warnings against eating mercury-tainted fish, which are found in all 50 states, the District of Columbia, two of the four U.S. territories and the lands of five Indian tribes. Altogether, these advisories apply to 42 percent of America's lake acres, exclusive of the Great Lakes, and 36 percent of the nation's river miles.

By establishing stringent emissions standards, the MATS Rule will reverse the impact of the tremendous costs these toxic emissions impose on society. It is estimated that the rule will annually prevent up to 4,700 heart attacks, 130,000 asthma attacks, 5,700 hospital and emergency-room visits, and 11,000 premature deaths – saving between \$37 billion and \$90 billion every year in healthcare costs. Indeed, the rule would save the U.S. economy three-to-nine times more than it would cost the coal industry to implement it.

National Mining Association spokesman Luke Popovich has dismissed EPA's accounting as "bogus," and industry representatives claim that the rule will kill jobs. But Peter Harrison, a staff attorney for Waterkeeper Alliance, points out that "supporting data tells us it will actually create over 50,000 near-term construction jobs and long-term utility jobs."

"For far too long, we have known about the harmful effects of coal-fired power plant emissions, yet let the problem continue unchecked," added Marc Yaggi, executive director of Waterkeeper Alliance. "Getting the MATS Rule on the books is a huge step forward."

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Ripples

“If You Can Make It There” New York Harbor School Film Wins Local Emmy Award



PHOTOS COURTESY OF TIZOC GOMEZ



TOP, HARBOR SCHOOL SENIOR ANTONIO DURAN AT THE WHEEL OF ONE OF THE HARBOR SCHOOL'S SMALL FLEET OF BOATS. ABOVE, HARBOR SCHOOL STUDENTS WITH TEACHER BRENDAN MALONE, RIGHT, VESSEL OPERATIONS INSTRUCTOR AARON SINGH, SECOND FROM RIGHT, AND ROLAND LEWIS, PRESIDENT OF THE METROPOLITAN WATERFRONT ALLIANCE.

It took seven years for the New York Harbor School to move out of the landlocked Bushwick section of Brooklyn and onto an island in the middle of New York Harbor, and just a year and a half longer to earn some well-deserved glory.

A half-hour documentary about the school has won a 2012 Emmy Award, presented by the New York branch of the National Academy of Television Arts and Sciences. The program, “Classroom on the Water: The Urban Assembly New York Harbor School,” chronicles the school’s achievements and its journey to Governor’s Island in New York Bay between Lower Manhattan and Brooklyn.

The film begins where the Harbor School began, as an idea in the head of Murray Fisher, the school’s creator. Fisher was previously Waterkeeper Alliance’s first field coordinator; he is currently president of the Harbor Foundation, which was established to support the school’s mission. Fisher’s dream was to turn the 600 miles of New York City’s coastline and all the water surrounding it into a classroom for inner-city kids, many of whom had been largely written off by the public school system. In that great harbor they would learn to sail, row, experiment, build, swim, calculate and navigate. Not incidentally, they would also become better readers and writers, and go on to college.

With the support of Waterkeeper Alliance, the South Street Seaport Museum, and Richard Kahan and the Urban Assembly, the school opened in 2003, headed by principal Nate Dudley, in a hundred-year-old public high-school building. Now, on Governor’s Island, it offers the full range of classes that Murray Fisher imagined – indoors and outdoors, in and on the water.

“Waterkeeper Alliance and the individual Waterkeepers always were and remain my inspiration for this school,” Fisher said. “My guiding question has always been: ‘How can we produce the next generation of Waterkeepers and marine-resource managers through our existing public-education system and for kids who otherwise might not be considering those career paths?’”

Nate Dudley, who remains principal, hopes that the film will shed light on “one of New York City’s best-kept secrets” and “remind New Yorkers that they live on the shores of a rich estuary system, and that we must recruit and train the next generation of students to manage this invaluable marine resource.”

“My guiding question has always been: ‘How can we produce the next generation of Waterkeepers through our existing public-education system.’”

The documentary was produced by NYC Media, the city’s official television network, and can be viewed online at: http://nyc.gov/html/nycmg/nyctvod/html/home/harbor_school.html.

Record Turnout for River Cleanup

On April 21st, the eve of Earth Day 2012, Milwaukee Riverkeeper held its 17th annual Spring River Cleanup at 52 sites throughout the Greater Milwaukee area. More than 4,300 volunteers turned out to sweep the Milwaukee, Menomonee and Kinnickinnic Rivers free of trash that included old shoes, car tires, sofas, chunks of concrete, railroad ties and computer monitors.

There were 400 volunteers alone at the Kinnickinnic River location, where a crane lowered a steel container the size of a pickup-truck bed onto a nearby river island. Volunteers filled the container with shopping carts, car parts, appliances and other garbage from the river. Then the trash was moved by crane to a nearby dumpster on an adjacent street.

In total, volunteers filled more than 7,000 garbage bags resulting in the removal of 40 tons of garbage from the three rivers.

“This was our biggest cleanup yet,” said

Karen Schapiro, an environmental lawyer who has served as the executive director of Milwaukee Riverkeeper since October 2009. “Volunteer interest this year was overwhelming.”

Milwaukee’s rivers have become cleaner thanks to the Clean Water Act of 1972 and other environmental regulations, which have cut the flow of industrial pollutants that once turned stretches of the rivers into dead zones devoid of fish and other aquatic life.

“But we still obviously have a lot of challenges,” said Schapiro, pointing out that stormwater and agricultural runoff deliver petroleum, road salt, bacteria, dirt and manure into waterways.

“Our prized urban rivers are most at risk from stormwater runoff,” added Milwaukee Riverkeeper Cheryl Nenn. “Government has to do a better job enforcing stormwater regulations to protect our rivers, our lakes and our quality of life.”



PHOTO COURTESY OF MILWAUKEE RIVERKEEPER

MORE THAN 4,300 VOLUNTEERS REMOVED MORE THAN 40 TONS OF GARBAGE FROM MILWAUKEE’S RIVERS THIS SPRING.

“Our prized urban rivers are most at risk from stormwater runoff.”

RECESS IS BACK



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In Far-Western China, Fighting Pollution Demands Courage and Persistence

Stephanie von Stein has a new hero.

It is intrepid Upper Yellow River Waterkeeper Ran Liping, whom Stephanie, Waterkeeper Alliance's Asia Regional Coordinator, and Donna Lisenby, longtime Waterkeeper, recently visited in Lanzhou, the capital of China's remote western Gansu Province.

Stephanie reports that Lanzhou, like much of China's far west, has a high concentration of heavy industry. The landscape is stark. Surrounding the city is a vast, dusty moonscape of yellow-beige mountains pierced by tunnels dug by amateur miners in search of gold, semi-precious stones and iron. The city itself is long and narrow, stretching along both banks of the Yellow River, China's second longest river, which is revered as the "cradle

of Chinese civilization." Stephanie's account of her visit follows:

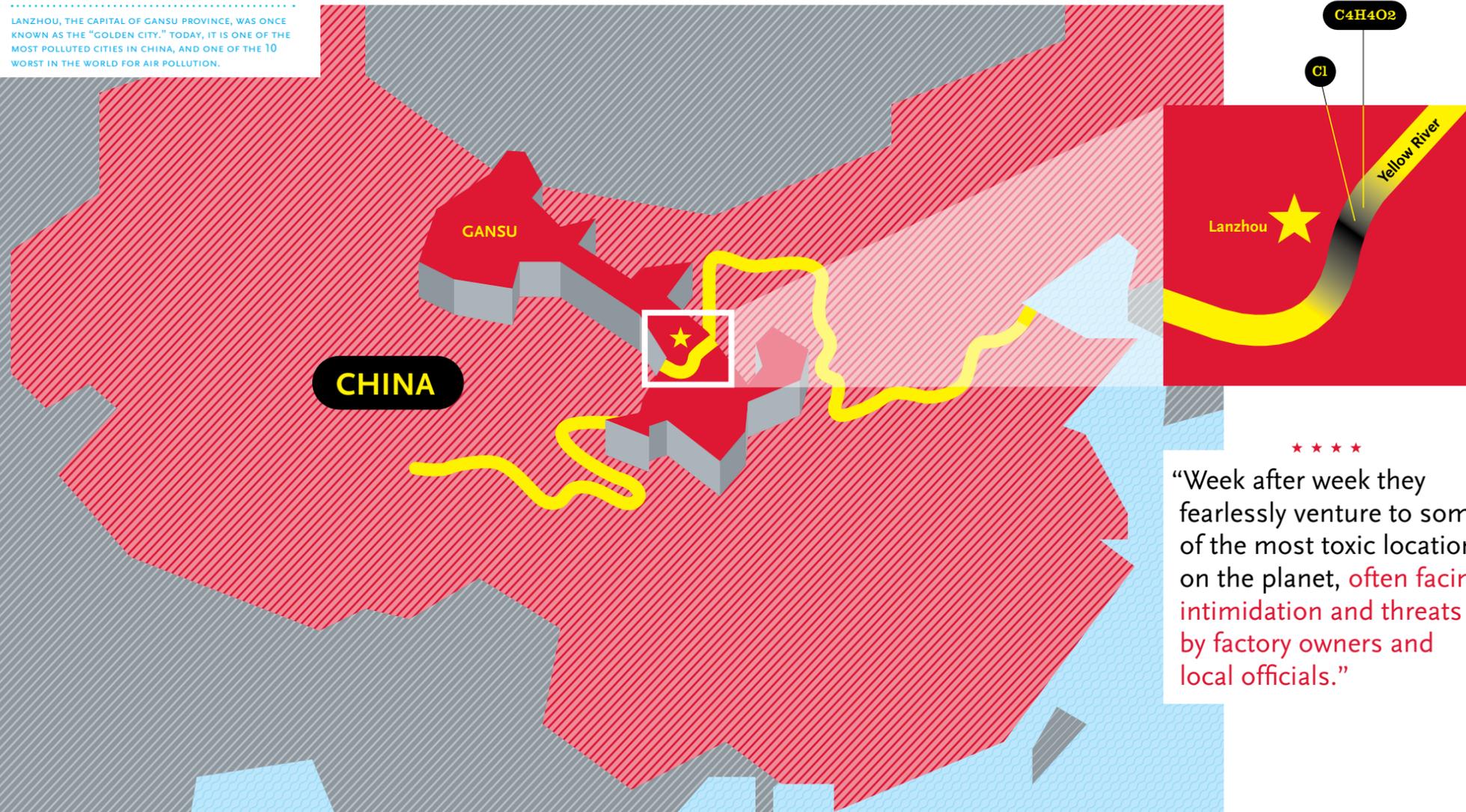
"During our first day in Lanzhou, Liping provided an overview of the activities of Green Camel Bell, parent organization of the Upper Yellow River Waterkeeper. One photo, in particular, caught our attention. It showed a black and evaporating waste pool from a defunct paper factory. It was a site that Liping had visited many times because she suspected it had been polluting a waste ditch leading to the Yellow River. Donna pointed out that if chlorine, rather than hydrogen peroxide, had been used in the paper-manufacturing process at this plant, the site would be dangerously contaminated with dioxin and other chlorinated chemicals. Because the chlorine process is older and less expensive, this seemed to have

been likely. Donna warned that no one, particularly women of child-bearing age and children, should go anywhere near the site, for dioxin and some chlorinated chemicals are strong carcinogens that bioaccumulate, and women and children are particularly vulnerable to their effects. With this revelation, Liping broke down in tears, as she realized how often she had put herself at risk in the line of duty there.

"The paper plant is one of dozens of polluted sites that Liping and her team visit over the course of the year as they seek to uncover and document pollution cases. Week after week they fearlessly venture to some of the most toxic locations on the planet, often facing intimidation and threats by factory owners and local officials. Although Green Camel Bell and the Upper

Yellow River Waterkeeper work hand in hand with the local environmental bureau to enforce water pollution laws, one telephone call by a well-connected official could shut them down for weeks or for good. The next day Liping and her team drove us to a village one-and-a-half hours outside Lanzhou to investigate complaints by villagers suffering from respiratory illnesses two years after a monstrous metal-smelting operation had been built nearby. But neither the village nor the plant can be described or depicted here because, the day after our visit, Ran Liping received a call warning her to back off. The source of that call must also remain secret."

LANZHOU, THE CAPITAL OF GANSU PROVINCE, WAS ONCE KNOWN AS THE "GOLDEN CITY." TODAY, IT IS ONE OF THE MOST POLLUTED CITIES IN CHINA, AND ONE OF THE 10 WORST IN THE WORLD FOR AIR POLLUTION.



★ ★ ★ ★
 "Week after week they fearlessly venture to some of the most toxic locations on the planet, often facing intimidation and threats by factory owners and local officials."



Rocking the Cradle (of Civilization)

Iraq has suffered more than 30 years of war and social conflicts that have wreaked havoc on its population. And the death and destruction have also taken a toll on Iraq's environment, particularly the Tigris and Euphrates river basins, where the ancient civilizations of Sumeria and Babylon developed.

Government decision-makers view the rivers as abstract resources that they are free to pollute, divert, drain and trade away without consideration for the ecosystems that are being destroyed or the communities being threatened. Industrial and agricultural pollution and untreated sewage from towns along the rivers have turned them into a toxic soup.

One of the few advocates for Iraq's environment has been Nature Iraq, founded by Azzam Alwash. To provide a strong voice for Iraq's rivers and riverside communities, Alwash also founded the Upper Tigris Waterkeeper in 2011—the first Waterkeeper organization in the Middle East.

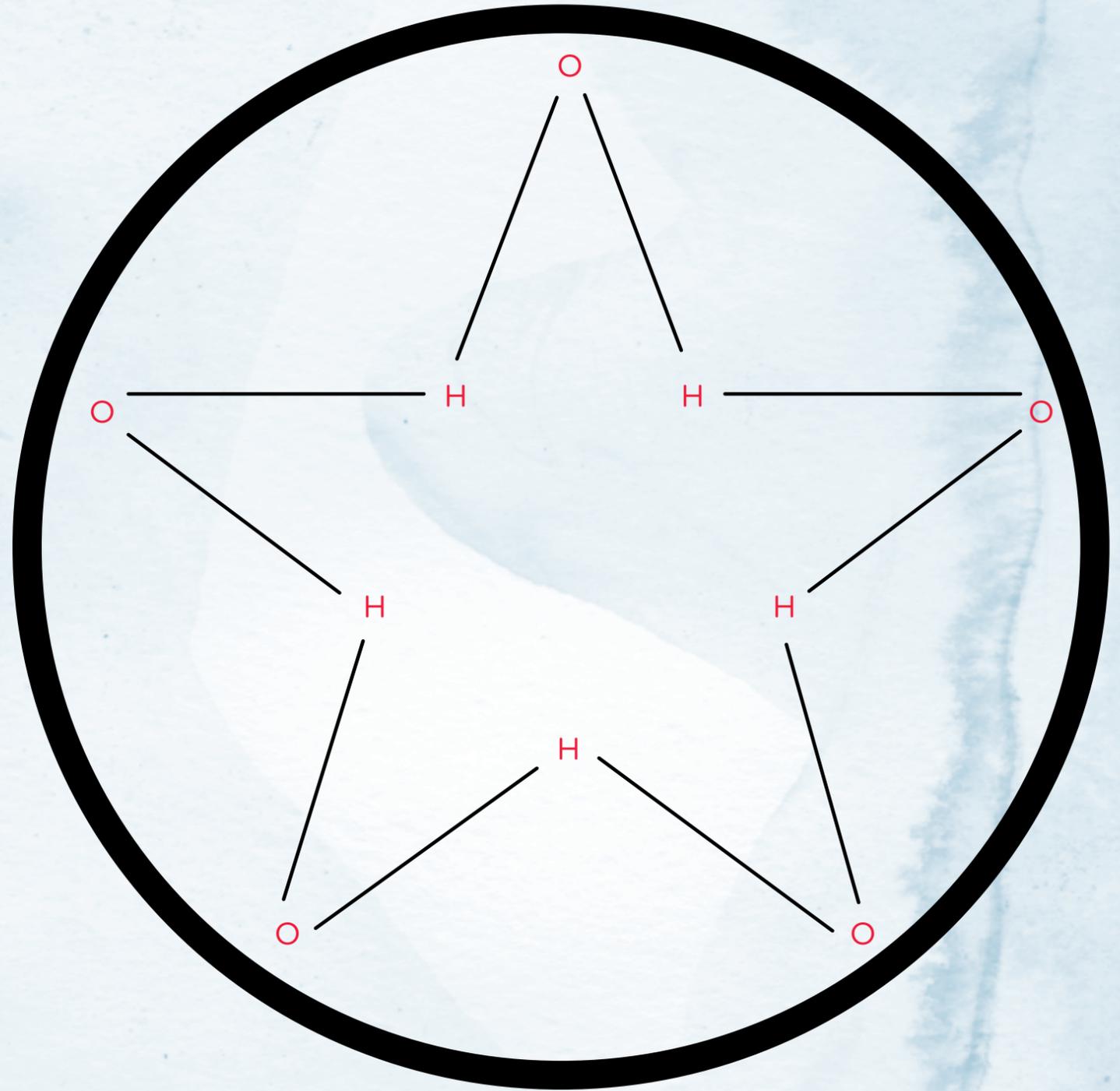
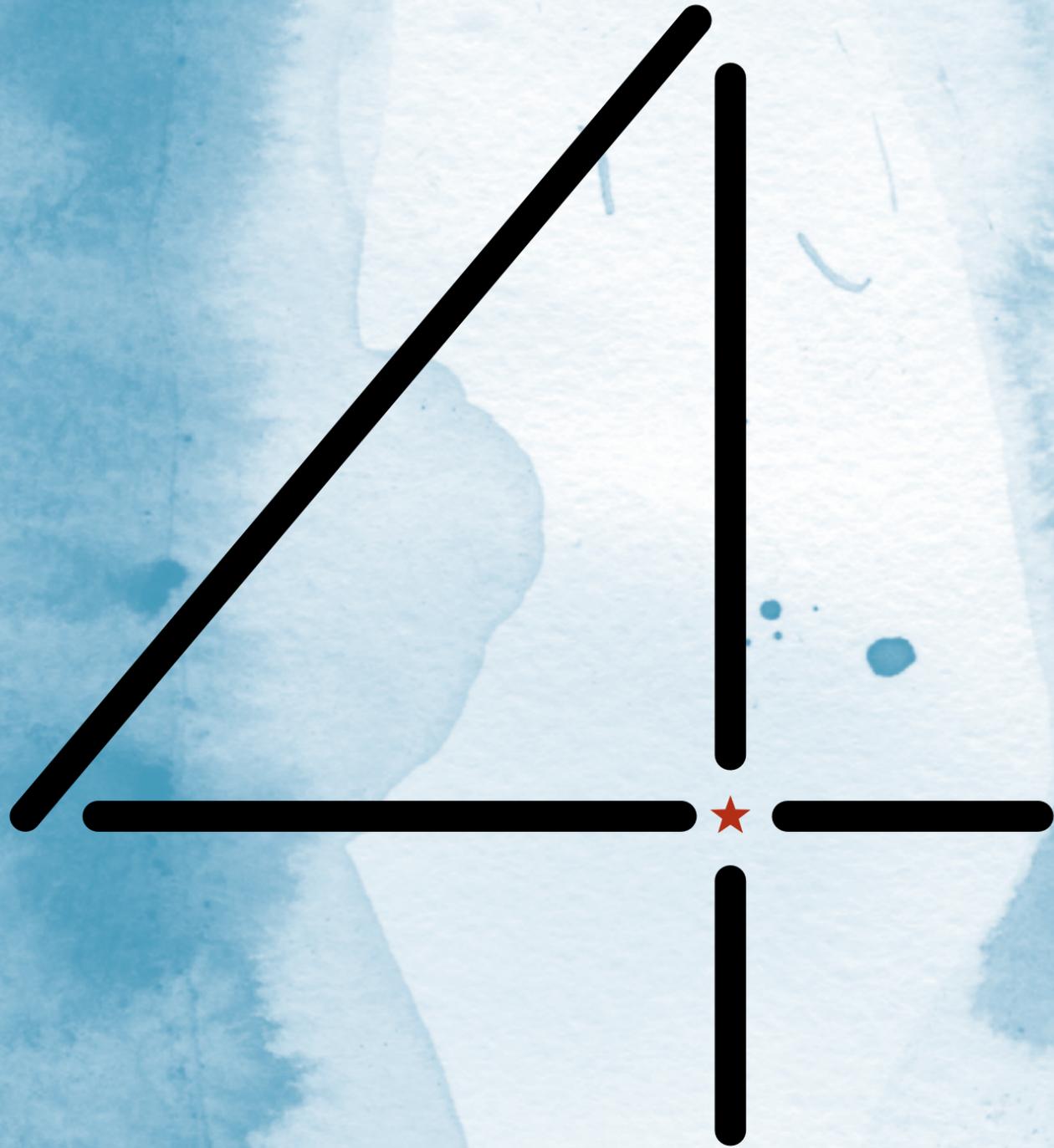
Its work, led by Waterkeeper Nabil Musa, began on the Lesser Zab River in northern Iraq, a major tributary of the Tigris that rises in Iran. The Lesser Zab is threatened by fuel spills, water-diversion and irrigation projects, dam construction, gravel-mining operations and municipal sewage and solid-waste disposal.

With funding from the British-based Rufford Small Grants Foundation, Musa conducted a threat-assessment of the Lesser Zab, and identified municipal garbage, floating in the river and deposited along the river banks at towns such as Dukan, as a major environmental threat. Many homes along the right bank of the river, he found, were without municipal garbage service.

Musa contacted the office of Dukan's mayor, and they jointly organized a large-scale river cleanup. With financial support from the First Organizing Center of the Patriotic Union of Kurdistan, more than 75 large rubbish bins were distributed to houses along the river's right bank. A week later, municipal garbage service was extended to the all of the area's residents. In Musa's words, the Lesser Zab is "getting a rest from being used as a dumping ground."

Azzam Alwash envisions the creation of a network of Waterkeepers over the next decade, eventually serving all the major waterways in the Tigris-Euphrates basins. "People smile when I tell them this," he says. "But if I am going to dream, I am going to dream big. Why not, it's free!"

THE CLEAN WATER ACT TURNS



AS AMERICANS MARK THE 40TH ANNIVERSARY OF THE CLEAN WATER ACT – AND WORRY ABOUT PRESERVING ITS INVALUABLE PROVISIONS – FIVE WATERKEEPERS LOOK BACK AT MAJOR LEGAL VICTORIES THEY HAVE WON OR LOOK FORWARD TO WINNING THANKS TO THE CLEAN WATER ACT. THEIR STORIES FOLLOW.



WORLD OF THE KLAMATH

AS HISTORIC DAM-REMOVAL AND RIVER-RESTORATION AWAIT CONGRESSIONAL APPROVAL, SOME "DAM-HUGGERS" FIGHT ON. BY ERICA TERENCE, KLAMATH RIVERKEEPER



LAST NOVEMBER, in a stuffy fairgrounds building usually reserved for judging farm animals in far Northern California's rural Siskiyou County, a few dozen commercial fishermen, farmers and Native American tribal members stood their ground in judging a very different issue.

It was a hearing about one of the world's largest river-restoration projects, involving the un-damming of the Klamath River, the West Coast's third-largest salmon river. For nearly a century, dams have blocked fish from half the Klamath watershed, which winds for 263 miles from southern Oregon through the Cascades and Coast Ranges to California's Pacific coast. Advocates for removing the Klamath's four dams as well as those opposing the removal had crowded into the building to comment on a Draft Environmental Impact Statement that, dam-removal advocates argued, offered a plan beneficial both to the environment and local farming communities – a refreshing flip of the typical “fish-versus-farms” script.

Most of the dam-removal advocates had attended hundreds of meetings on the fate of the dams and the river, and had applied pressure both through the courts and grassroots

organizing to call for corporate responsibility and environmental justice along the river.

In 2004, when the power company PacifiCorp applied for a new 50-year license to continue operating its four Klamath River dams, salmon advocates saw a rare opening for historic river-restoration. Seizing their chance, they began a long conversation about dam-removal, based on science, the law and dollars and cents.

Also, tribal delegations traveled to Omaha, Nebraska, and to Edinburgh, Scotland, to appeal to the consciences of corporate shareholders, chief among them Warren Buffett, who owns a majority of the shares in PacifiCorp's parent company, Berkshire Hathaway. Shortly afterward, Klamath Riverkeeper joined with tribal activists to demand that the California Water Board deny the company's request for renewed Clean Water Act permits necessary to relicense the dams. And legal action by Klamath Riverkeeper in 2008 resulted in a ruling that forced the water board to regulate toxic-algae discharges from the dams.

Faced with protests at shareholders' meetings, lawsuits over toxic algae, and studies suggesting that dam-removal would be at least \$100 million cheaper than building federally mandated fish ladders, PacifiCorp

sat down to negotiate.

The conflicting needs of the parties at the table were complex – stable, reliable supplies of water for farmers, robust and sustainable fish-runs for tribal and commercial fishermen, and limited liability costs for PacifiCorp to protect ratepayers. But the collaboration that followed was unprecedented, and resulted in a pair of agreements in 2009 and 2010 that promise to remove the four aging Klamath dams by 2020, to remediate water-pollution problems caused by the dams, and to better balance water needs in the upper and lower parts of an over-allocated river basin.

To implement the agreements, the U.S. Interior Department must first issue a formal finding in favor of dam-removal based on a series of studies determining whether the action is in the public interest. The studies were completed this spring as part of the process required by the National Environmental Policy Act, but the finding itself hinges on

BELOW LEFT, ON THEIR SHIRTS AND ON SIGNS, AND IN TWO LANGUAGES, KLAMATH DAM-REMOVAL ADVOCATES SENT A STRONG MESSAGE AT A HEARING ON THE FATE OF THE DAMS LAST FALL.

BELOW, THE OUTDATED DAMS BLOCK FISH PASSAGE, POLLUTE THE RIVER, AND ARE THE CAUSE OF SEVERAL MASSIVE FISH KILLS.



PHOTO COURTESY OF AP

Congressional passage of the Klamath Basin Economic Restoration Act (Senate Bill 1851, House Resolution 3398), which was introduced by Congressman Mike Thompson of California and Senator Jeff Merkley of Oregon. Hearings on the act will be held both in Washington, D.C. and in Klamath Falls near the headwaters of the river.

Opponents have begun maneuvering to prevent the bill's passage, calling the dams “perfectly good” generators of clean energy and assailing the settlement's water-sharing compromises and its cost. One landowner with reservoir-waterfront property in Siskiyou County even asked a local news reporter, if the algae behind the dams is so toxic, why haven't we “seen a dead Indian yet?”

In the November hearing at the Siskiyou County fairgrounds, commercial salmon fisherman Dave Bitts referred to the salmon-fishing closures of the past five years, which have cost his industry hundreds of millions of dollars in lost income, and responded to some of the criticism with a dose of sarcasm.

“This agreement isn't perfect,” he said. “It doesn't solve the problems of the Scott and Shasta or Trinity rivers (major tributaries of the

economically depressed Siskiyou County, but the county has remained one of the staunchest opponents of the Klamath settlement. Particularly in the center of the county, where the Tea Party flourishes, many people still cling to the status quo.

Dam-removal proponents were heavily outnumbered at the hearing by residents who fear that they will lose cheap power, tax revenues, flood-control capabilities and waterfront-property value when the dams are demolished. “Dam-huggers,” as they are called by dam-removal advocates, continue to project these fears despite the reality that the dams targeted for demolition provide no flood control or water for irrigation, and offer only a minuscule megawatt output that can easily be replaced by renewable energy sources.

The Klamath settlement, however, has earned support in most other parts of the diverse river basin, and an unlikely coalition is now hoping to thread the “Klamath Act” through Congress. But passage is not expected to be easy.

“I think we clearly have an uphill battle passing this through Congress, but it's been an uphill battle every step of the way,” said Craig Tucker, a key Klamath campaign

“THIS AGREEMENT ISN'T PERFECT. IT DOESN'T SOLVE THE PROBLEMS OF THE SCOTT AND SHASTA OR TRINITY RIVERS (MAJOR TRIBUTARIES OF THE KLAMATH). IT DOESN'T RESOLVE THE WEST BANK OF THE JORDAN CONFLICT EITHER. BUT IT WOULD PUT US BACK TO WORK.”

Klamath). It doesn't resolve the West Bank of the Jordan conflict either. But it would put us back to work.”

Recent federal studies have conservatively estimated that dam-removal would create about 6,000 jobs related to the demolition of the dams and a rebounding commercial fishing industry, and on that autumn day, dam-removal activists wore black tee-shirts emblazoned with the slogan “Un-dam the Klamath: Let the Jobs Flow.” It's a message that should resonate in

strategist, when the bill was introduced last November. Tucker represents the Karuk Tribe in the negotiations.

Proponents of the Klamath Act, such as the Pacific Coast Federation of Fishermen (of which Dave Bitts is president), contend that the cost of implementing the Klamath agreements is far less than what the federal government would spend bailing out unemployed fishermen and farmers with disaster-relief dollars if the Klamath system is not fixed soon.

and tribal fishermen could enjoy the best fishing season of their lives. But if water-quality and quantity problems persist in the river, there could easily be a fish kill beyond the scale of any that the area has ever seen.

Which way the pendulum will swing this year is anybody's guess, but it is certain that more fish will swim in the river and more jobs will be created if the parties involved work together instead of prolonging their battles well into the 21st century. [W](#)

BELOW, THE AGING DAMS ARE THE CAUSE OF TOXIC ALGAE IN THE KLAMATH RIVER. BELOW RIGHT, FEDERAL STUDIES HAVE CONSERVATIVELY ESTIMATED THAT UNDAMMING THE KLAMATH WOULD CREATE 6,000 JOBS RELATED TO DAM-DEMOLITION AND A REBOUND IN COMMERCIAL FISHING.



PHOTO COURTESY DAVID MCLENN/CORBIS





BNSF DERAILED

PUGET SOUNDKEEPER WINS LANDMARK CLEAN WATER ACT SETTLEMENT.
BY CHRIS WILKE, PUGET SOUNDKEEPER

OPPOSITE AND FOLLOWING PAGES: BNSF RAILWAY'S BALMER YARD IN SEATTLE WAS A SIGNIFICANT SOURCE OF
PUGET SOUND'S GRIEVOUS STORMWATER-RUNOFF POLLUTION PROBLEM.

xx



PHOTO COURTESY OF SUE JOERGER



PHOTO COURTESY OF KATELYN KINN

X THIS NASTY COCKTAIL OF HEAVY METALS, PETROLEUM, PESTICIDES AND BACTERIA KILLS SALMON, CLOSES SHELL-FISHING GROUNDS AND BEACHES AND INTRODUCES HIGHLY TOXIC CHEMICALS THAT TRAVEL THROUGH THE FOOD CHAIN X

IN 1972 the U. S. Congress passed the Clean Water Act with the goal of eliminating the discharge of pollutants to the nation's waters by 1985. That goal, unfortunately, wasn't reached, but there have been many successes over the last four decades and marked improvement in the health of America's waterways. Many of those successes would not have been possible without the Clean Water Act's citizen lawsuit provision, which empowers community members and advocacy groups to use the courts to directly address and correct pollution problems in waters near and dear to them.

One recent example is the case of Puget Soundkeeper Alliance v. BNSF Railway, formerly the Burlington Northern and Santa Fe Railway and now a wholly owned subsidiary of Warren Buffet's Berkshire Hathaway Inc. The suit was filed to oppose BNSF's illegal discharges of polluted stormwater into Puget Sound from its Balmer Yard facility in Seattle, Washington.

Puget Sound is a deep inland sea and estuary famous for its salmon, orca whales, giant geoduck clams and tasty Dungeness crabs. Less well-known is the fact that it is also severely threatened by toxic pollution.

The state of Washington has determined that stormwater runoff is the single-largest source of toxic pollution entering Puget Sound. This nasty cocktail of heavy metals, petroleum, pesticides and bacteria kills salmon, closes shell-fishing grounds and beaches and introduces highly toxic chemicals that travel through the food chain – affecting everything from fish to eagles, orcas and even people. Yet the responsible government agencies seldom enforce Washington State's own water-quality regulations, particularly those that apply to stormwater. In fact, a recent U.S. EPA study

ranked Washington – ironically nicknamed “the Evergreen State” – among the poorest of all states in enforcing the Clean Water Act.

BNSF's Balmer Yard, Seattle's largest railyard, is one of 1,200 industrial facilities in the state regulated under a statewide stormwater permit, issued through the National Pollution Discharge Elimination System (NPDES). The NPDES framework was introduced by the 1972 Clean Water Act as a way to regulate point-sources of pollution.

Violations of the permit, therefore, are violations of the Clean Water Act, and carry a maximum penalty of \$37,500 per day, per occurrence. Despite clear requirements and this provision for strong penalties, BNSF failed for years to monitor pollution responsibly. And even when it did find high levels of lead, copper, zinc, oil and turbidity in the water, it took little or no remedial action.

Enter Puget Soundkeeper Alliance. In July 2009, Soundkeeper filed its suit against BNSF under the Clean Water Act, alleging that the company was in violation of its NPDES permit. The company responded that its stormwater was actually routed to the city's municipal water-treatment system, citing an engineering report and a “smoke test,” which determined there were no leaks in the yard's drainage system. Digging deeper, Soundkeeper's legal team – led by Brian Knutsen of Smith and Lowney, a Seattle law firm committed to public-interest litigation – uncovered documents related to a diesel spill at the railyard in 2001. The documents revealed how BNSF personnel described the company's prompt deployment of oil-containment materials because they knew of the potential for transmission through the stormwater system to Elliott Bay, not to the city's municipal system.

In August 2010, Soundkeeper amended the complaint to add claims that BNSF's unpermitted discharges of industrial stormwater from the Balmer Yard violated the Clean Water Act on all rainy days – which, in Seattle, are frequent. To prove the point, a stormwater consultant hired by Soundkeeper performed a dye test on the 87-acre site, and watched the waters of Smith Cove in Elliott Bay turn green with the harmless dye. Convinced that stormwater did in fact discharge into the bay and Puget Sound, Federal Judge John Coughenour entered an order in August 2011 finding BNSF liable for extensive violations of the Clean Water Act. The company was guilty both of discharging industrial stormwater without a permit and of failing to implement required stormwater-pollution-control measures.

The consent decree, filed Dec. 21, 2011, contains provisions for recovering damages to the environment and ensuring compliance

with the Clean Water Act at the facility. It does recognize, however, that since the initial case was filed, and BNSF learned of the true discharge-direction of the railyard's stormwater, it has taken significant actions to improve its management of stormwater on the site. The abatement measures included: developing a stormwater-pollution-prevention plan; coating roofs to minimize zinc pollution; stabilizing banks to minimize soil-erosion; and taking other actions to prevent and control spills and minimize rain contact with sources of contamination.

Under the decree, BNSF paid a total of \$1.5 million to a new Puget Sound mitigation fund established by Soundkeeper and the Rose Foundation for Communities and the Environment. The foundation began accepting applications in June 2012 and will award grants to third-party groups for environmental restoration projects in Puget Sound. The federal court will retain jurisdiction over the case to enforce the decree, which includes the requirement that BNSF comply with the terms of its stormwater-discharge permit.

Soundkeeper has won more than 150 legal victories under the Clean Water Act, resulting in reduced sewage overflows, improved treatment technologies and other water-quality-protection measures, and this recent settlement is one of the largest-ever involving stormwater pollution. It has given a powerful impetus to Puget Soundkeeper Alliance's fight to eliminate the thousands of toxic-stormwater discharges into Puget Sound.

Stormwater treatment systems are now becoming more commonplace on industrial sites, both in response to Soundkeeper's legal action and through their own initiatives. Many of these industries report dramatic declines in the discharge of heavy metals, turbidity and petroleum. The effect of the BNSF victory will be multiplied if other industries will take note, and do what many others have done already: install stormwater-treatment systems, as they are required to do, to insure that on-site pollution does not spread to adjacent waters. **W**



PHOTO COURTESY OF CITY OF ATLANTA

THE NANCY CREEK TUNNEL, 8 MILES LONG AND 16 FEET IN DIAMETER, HAS REDUCED SEWAGE BACKUPS INTO HOMES AND YARDS IN NORTHERN ATLANTA BY 70 PERCENT.



PHOTO COURTESY OF CITY OF ATLANTA

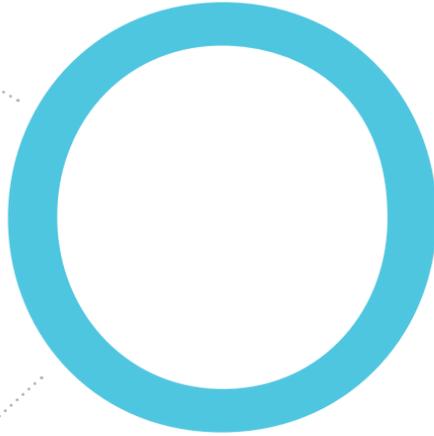
CITY WORKERS STAND IN FRONT OF THE MASSIVE BORING MACHINE USED TO CUT THROUGH THE GRANITE BENEATH ATLANTA, AND CREATE STORAGE FOR SEWAGE AND POLLUTED STORMWATER PRIOR TO TREATMENT.

C H A T T A H O C H E E

IS THAT THE CHATTAHOOCHEE RIVER? 17 YEARS AFTER LAWSUIT, THE ATLANTA WATERWAY

IS CLEANER THAN ANYONE REMEMBERS. BY SALLY BETHEA, CHATTAHOOCHEE RIVERKEEPER





ON A LATE-FALL day in 2011, Alan Cressler, a U.S. Geological Survey scientist who has monitored water quality in Georgia's Chattahoochee River twice a month for a decade, made what he regarded as an amazing discovery. He found a Southern rainbow mussel in the Chattahoochee River below Atlanta.

"I couldn't believe it," he said. "I never thought I would find a native mussel there." For Cressler it was a sure sign that the nearly two-decades-long campaign to clean up the Chattahoochee has been worth the effort.

MASSIVE SEWAGE OVERFLOWS ROUTINE

That effort represents one of the most successful enforcements of the Clean Water Act in the act's 40-year history. By the 1970s, Atlanta's sewer-system was so overloaded that every time it rained, raw sewage was discharged into city creeks and, ultimately, the river – leaving toilet-paper hanging in trees and human waste rotting in stagnant pools. City, state and federal environmental officials knew that this situation threatened public

creeks and rivers.

The rest of the city had problems even in dry weather. Decades of failure to maintain, repair and replace 1,500 miles of sewer lines were causing sanitary-sewer overflows (SSOs) that polluted neighborhood streams. And the city's three sewage-treatment plants were not in much better shape than the pipes feeding them.

In 1989, the city's R. M. Clayton sewage-treatment plant, the largest in the southeast, dumped 200 million gallons of raw sewage into the river during a storm. Massive spills such as this one were routine during the 1980s and '90s.

By 1991, Greater Atlanta was beginning to wake up to the pollution that was flowing through city neighborhoods and downstream to other towns. *The Atlanta Journal-Constitution* published an article, accompanied by elaborate maps, entitled "Streams of Waste – Atlanta's economic growth depends on its ability to save its urban waterways," and in 1993 the City of Atlanta began paying daily fines for failing to comply with state legislative mandates – fines that would reach \$20 million by the end of 1997.

CLEAN WATER LAWSUIT CHANGES LANDSCAPE

Then Upper Chattahoochee Riverkeeper (UCR) arrived. Co-founded by Laura Turner Seydel and Rutherford Seydel, it was approved in 1994 as the 11th licensed Waterkeeper group in the United States. (In 2012 the name was changed to Chattahoochee Riverkeeper.)

From the beginning it was clear that UCR's biggest challenge would be to force the City of Atlanta to overhaul its sewer system and stop decades of chronic pollution of the Chattahoochee and its tributaries – although state officials had warned that this task would be far too expensive and, in fact, impossible.

Undaunted, UCR went about building a coalition of affected downstream parties, and, in the summer of 1995, this group of six local

system upgrades, and compliance with water-quality standards in the quickest, most cost-effective and efficient manner.

As the case made its way through the judicial process, UCR continued to patrol the Chattahoochee and its tributaries, finding many sewage-spills and other contamination that were revealed in colorful, if disgusting, detail on the pages of the *Journal-Constitution*.

In early 1997, the U.S. Environmental Protection Agency decided to conduct a thorough investigation of the city's entire sewage system and insisted that state environmental officials join the federal agency in what became a historic five-month joint-enforcement review. The regulators made unannounced visits to sewage plants and walked urban streams to determine the extent of the problem. The situation was even worse than anyone had expected.

POLLUTION 'A MATTER OF UNDISPUTED FACT'

That year, Federal Judge Thomas Thrash issued an order in UCR's favor on a summary judgment motion, finding that it was "a matter of undisputed fact that the CSO treatment facilities are dumping massive amounts of proscribed metals and fecal coliform into the tributaries of the Chattahoochee."

The question became how Atlanta would fix its sewer system to meet federal water-quality standards – and how the city and its 420,000 residents, 20 percent of whom were low-income, would fund the multi-billion-dollar effort.

Shortly after the order was issued in the CSO lawsuit, the EPA offered to work with the State of Georgia's environmental agency to help UCR settle the case. The agencies would then proceed on their own with a legal action to tackle the extensive SSO problems that also plagued the city.

In 1998, UCR and the regulators agreed

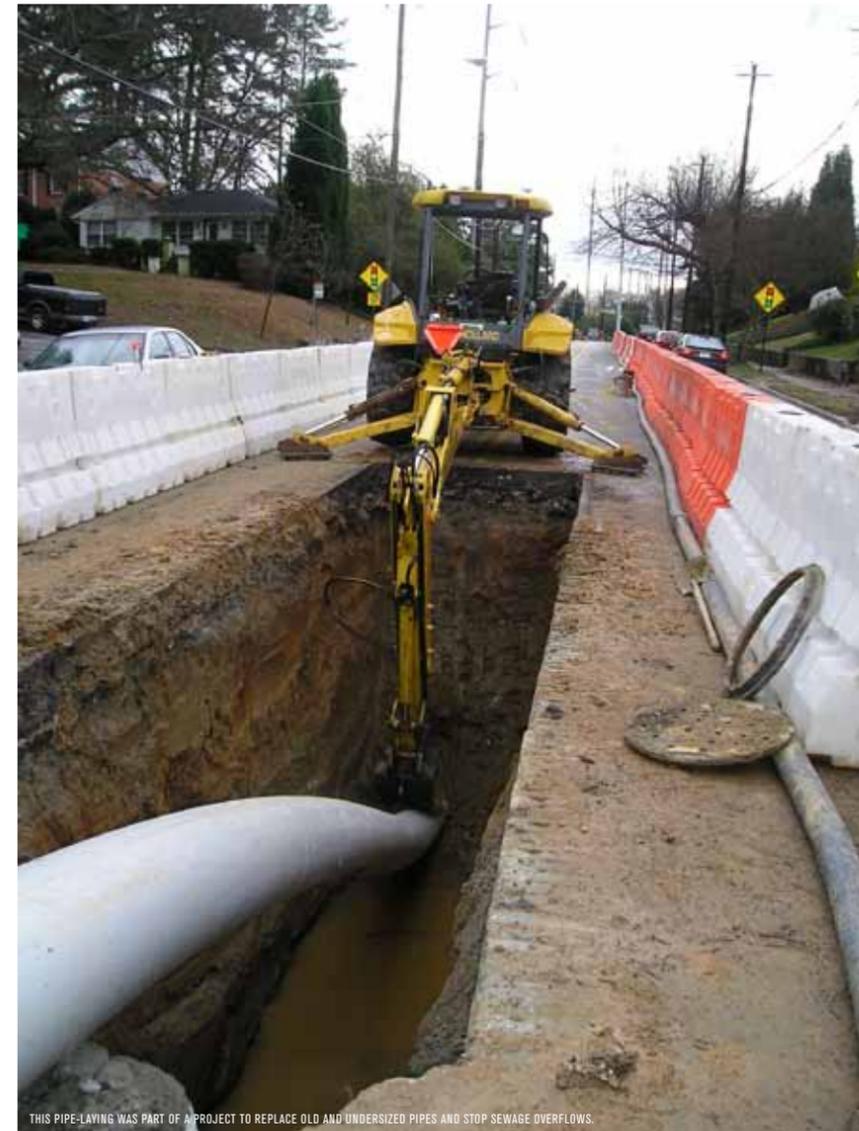
THAT EFFORT REPRESENTS ONE OF THE MOST SUCCESSFUL ACT IN THE ACT'S 40-YEAR HISTORY. BY THE 1970S, ATLANTA'S SEWER-TIME IT RAINED, RAW SEWAGE WAS DISCHARGED INTO

health, recreation and property values, but they did nothing.

In one old and densely settled section of the city, rain that flowed into storm drains was funneled into the same system that carried household and industrial sewage to treatment plants. During even small rain events, the sudden inflow of rainwater swamped the sewage treatment system and created combined sewer overflows (CSOs). The resulting mix of stormwater and untreated sewage flowed into

governments, two environmental organizations, a lake homeowners association, a chamber of commerce and two individuals sent a 60-day notice letter to the City of Atlanta, alleging violations of the Clean Water Act at the sewage facilities that discharged into the Chattahoochee River watershed. After receiving no response from the city or regulatory agencies, UCR and its co-plaintiffs filed a federal court suit in October 1995. UCR had clear goals in mind: a federal consent decree, specific deadlines for

to a settlement with the City of Atlanta requiring studies and analyses that would lead to a remedial-action plan for all of the city's CSO facilities. The city committed to a deadline to meet water-quality standards at the CSO outfalls. In addition to a \$2.5 million fine, the city agreed to remove every piece of trash from 37 miles of urban streams, and to invest \$25 million in a greenway acquisition program for the purchase and permanent protection of streamside lands.



THIS PIPE-LAYING WAS PART OF A PROJECT TO REPLACE OLD AND UNDERSIZED PIPES AND STOP SEWAGE OVERFLOWS.

PHOTO COURTESY OF CITY OF ATLANTA

ENFORCEMENTS OF THE CLEAN WATER SYSTEM WAS SO OVERLOADED THAT EVERY CITY CREEKS AND, ULTIMATELY, THE RIVER.

THE "SEWER MAYOR"

The new century brought a new and more environmentally responsible administration to Atlanta. In 2001, Shirley Franklin, the first African-American woman to become mayor of any major Southern city, was inaugurated. She talked so frequently about sewage issues that she even dubbed herself "The Sewer Mayor." She also realized that the city's drinking-water

system was just as decrepit as its sewer system, and needed a major overhaul. She asked the president of the Georgia Institute of Technology to oversee a blue-ribbon panel of national experts to review the city's proposed sewer-cleanup plan, and when they approved it, she worked to fund upgrades of the sewer- and water-infrastructure – estimated to cost more than \$3 billion.

The mayor and others, including Upper Chattahoochee Riverkeeper, conducted a

long campaign to raise water and sewer rates to help pay for the improvements. The Atlanta City Council finally approved a substantial rate increase in 2004. It was, said one prominent leader of the Metro Atlanta Chamber of Commerce, one of the most important votes in Atlanta's history. Later that year, the citizens overwhelmingly approved a one percent sales-tax increase for four years to help repair the sewers and clean up the Chattahoochee and its tributaries. That increase has now been re-approved twice by the voters, most recently in the spring of 2012.

Georgia's Republican governor agreed to help Atlanta's Democratic mayor and pledged \$500 million in low-interest loans; however, neither the state nor federal government has provided other substantial financial assistance. The multi-billion-dollar clean-up program has fallen almost exclusively on the backs of city residents and businesses, who now pay Georgia's highest local sales-tax and the country's steepest water and sewer rates.

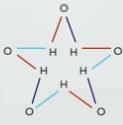
CLEANER TODAY

Today, 97 percent of the untreated sewage that flowed from Atlanta's decrepit sewer system in the 1990s has been stopped, and the annual discharge of hundreds of billions of gallons of this contamination no longer threatens public health and environmental quality. By 2014, 99 percent of that volume will no longer flow into the area's waterways, and all major capital improvement projects will have been completed at a cost of nearly \$2 billion. All work on fixing Atlanta's CSO problems, which were the impetus for UCR's lawsuit, has been completed on time and under budget. As the result of two "supplemental environmental projects," close to 1,900 acres of green space adjacent to waterways have been permanently protected. And Mayor Kasim Reed has credited the massive sewer overhaul for \$18 billion in investments in Atlanta's downtown.

But these are hard times. Stressed by the recession, repeated droughts and the high demands on its ratepayers, the city petitioned the EPA in 2010 for extra time to finish the remaining SSO upgrades, and it recently received an extension. This additional time will also make it easier for Atlanta to upgrade its drinking-water system. Given Atlanta's good-faith efforts to date, UCR supported the extension.

After all, the Chattahoochee downstream of Atlanta is flowing cleaner today than it has in the memory of most Georgians now living. And birds, fish – and people – are coming back to the river. **W**

[YOU CAN READ ABOUT CHATTAHOOCHEE RIVERKEEPER'S CONTINUING FIGHT FOR THE "HOOC" AT CHATTAHOOCHEE.ORG](#)



THE MAJESTY OF SAN FRANCISCO BAY AND ITS WORLD-FAMOUS BRIDGE LONG MASKED A WORSENING SEWAGE-SPILL PROBLEM.

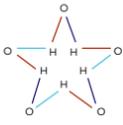
PHOTO COURTESY OF HENRY HUDSON



CALIFORNIA CLEANING

A SCORE OF LAWSUITS IS USING THE CLEAN WATER ACT TO RESTORE THE HEALTH OF LEGENDARY SAN FRANCISCO BAY.

BY DEB SELF, SAN FRANCISCO BAYKEEPER



USING THE CITIZEN suit provision of the Clean Water Act, San Francisco Baykeeper has succeeded in forcing dramatic reductions in sewage spills and overflows into San Francisco Bay.

For years, sewage spills in the Bay Area have been steadily worsening as cities have deferred maintenance and repairs to sewage systems. Most of these systems were built to serve smaller populations in the 1950s and 60s and they are now in dire need of upgrades and repairs. During the winter rainy season, large amounts of rainwater seep into the sewer systems through crumbling pipes or through connections between the sewer and storm drain systems. This swells the volume of water flowing into treatment plants, which

stand-up paddle boarders, kites, kayakers, canoeists and swimmers. Hikers and cyclists are regulars along the shore.

Sewage is a major threat to the bay's health. Sewage can deplete oxygen in the bay, threatening fish, seals, other sea creatures, and plant life. Sewage spills also contain bacteria, viruses and other pathogens. When fishermen, windsurfers, swimmers and others come in contact with water contaminated with sewage, it can cause persistent skin infections and painful stomach disorders.

Five years ago, with sewage spills increasing as crumbling pipes went neglected by cities throughout the Bay Area, Baykeeper began examining individual system spill rates and determining the worst offenders. We took advantage of a state law that requires every

more than 60,000 gallons of sewage polluted popular recreation areas and vital spawning grounds for threatened steelhead trout.

Though their liability was clear, West Bay was utterly opposed to admitting their responsibility under the Clean Water Act. They spent two years fighting our lawsuit, including making several public attacks on Baykeeper's integrity, and despite a federal summary judgment ruling in May 2011 that found them liable for a number of the spills.

We held firm in defense of a healthy bay, and discovered that even while West Bay was objecting, they were busy implementing our recommended fixes to upgrade their leaking sewer pipes. In January, West Bay agreed to a settlement, conceding that Baykeeper's legal action was a significant factor in their decision

“ SYSTEMS REGULARLY SPILLED RAW SEWAGE INTO STORM DRAINS, CREEKS, SLOUGHS AND THE BAY. WE LAUNCHED OUR 'SICK OF SEWAGE' CAMPAIGN IN 2008 TO FORCE THE WORST POLLUTERS TO STOP SPILLING SEWAGE INTO THE BAY AND TO RAISE PUBLIC AWARENESS OF THE HARM CAUSED BY SEWAGE SPILLS. ”

can overwhelm treatment-plant capacity and cause hundreds of millions of gallons of partially treated and untreated sewage to be discharged into local watersheds. During the particularly rainy winter of 2010-11, nearly a quarter-billion gallons of sewage and contaminated rainwater were released into the San Francisco Bay and local waterways.

But relief is on the way. Baykeeper has waged a multi-year campaign to hold cities and sewer agencies responsible for their pollution. Under the Clean Water Act, we have secured settlements compelling the cleanup of sewage spills in 20 Bay Area cities and sewage districts. We have the worst polluters on a path to success.

Despite the sewage pollution, the San Francisco Bay-Delta Estuary is one of the most ecologically productive water bodies in the world. Open-water habitats, intertidal mudflats, rocky shores, salt ponds, marshes, riparian forests and vernal pools all form the iconic water body that defines the character and community of the Bay Area.

A diverse wildlife community and commercial fishery once thrived here and can flourish again. Millions of migratory shorebirds using the Pacific Flyway depend on the Bay as a resting spot. Twenty-two threatened or endangered species, including the snowy plover and the mission blue butterfly, are found in the watershed. Hundreds of rare and endemic plants grow in the wide variety of environmental conditions unique to the Bay Area.

Recreationists ply the bay's waters, including sailors, motor boaters, surfers,

public agency running a sewer system in California to file monthly reports showing how many spills their systems suffered and how much was spilled. The data is posted on the Internet.

Baykeeper discovered that failing sewer systems in the East Bay (across the bay from San Francisco) were releasing millions of gallons of undertreated sewage into the bay. On the Peninsula – directly south of San Francisco – systems regularly spilled raw sewage into storm drains, creeks, sloughs and the bay. We launched our Sick of Sewage campaign in 2008 to force the worst polluters to stop spilling sewage into the bay and to raise public awareness of the harm caused by sewage spills.

Since then, we've made significant progress. Baykeeper has negotiated legally binding agreements requiring major capital upgrades to crumbling sewage infrastructure in 20 of the Bay Area's worst-performing cities and sewage districts. These include the Peninsula cities of Atherton, Burlingame, Burlingame Hills, Hillsborough, Menlo Park, Millbrae, Portola, San Bruno, San Carlos, and South San Francisco, along with the East Bay cities of Alameda, Albany, Berkeley, Emeryville, Oakland, Piedmont, Richmond, Vallejo and the Stege Sanitary District, which serves El Cerrito and nearby communities.

One particular challenge was our case against the West Bay Sanitary District, which serves Menlo Park, Atherton, Portola Valley and surrounding areas. We first brought suit against West Bay in 2009, after documenting hundreds of sewage spills over six years into creeks and sloughs that flow into the Bay. In all,

to begin making upgrades. In just two years, West Bay—once one of the worst-performing sewage agencies in the Bay Area—has reduced sewage spills by two-thirds as a result of our Clean Water Act suit.

Other sewage agencies we sued have been more cooperative. Here's what Chad Davisson, Richmond's wastewater manager, told the San Jose Mercury News: "It never is easy to go out to the ratepayers and ask for more money to make improvements. But I think the suit and the settlement have helped us focus on the need to get it done. We want to be good stewards of the Bay."

Baykeeper is now actively monitoring cities' and sewage districts' compliance with the terms of our legal settlements as they implement major upgrades over the next five to ten years. The 2010 results of our early settlements with Burlingame, Burlingame Hills, Hillsborough, Millbrae and San Carlos demonstrated dramatic 50 percent reductions in their numbers of sewage spills after the sewage agencies improved maintenance practices and repaired broken pipes. We're now analyzing the 2011 results from our settlements, including reviewing new master plans from seven East Bay cities to upgrade their hundreds of miles of leaking sewer pipes in order to rein in massive overflows of undertreated sewage into the bay.

With continued monitoring of the cities where we have Clean Water Act settlements, Baykeeper expects to achieve steep reductions in sewage spills to the bay. Within the next 10 years, we believe sewage spills will cease to be a major threat to the health of the San Francisco Bay, its wildlife and recreational users, thanks to our efforts and to the citizen suit provision of the Clean Water Act. **W**



TOP LEFT, THE SOUTH SAN FRANCISCO SEWAGE TREATMENT PLANT. TOP RIGHT, SAN FRANCISCO BAY IS A RESTING SPOT FOR MILLIONS OF MIGRATORY BIRDS AND A HABITAT FOR 22 THREATENED OR ENDANGERED SPECIES. ABOVE, THE BAY IS HEALTHIER TODAY THAN IN DECADES BECAUSE OF BAYKEEPER'S SUCCESS SECURING LEGALLY-BINDING AGREEMENTS TO UPGRADE SEWAGE INFRASTRUCTURE IN 20 CITIES ACROSS THE BAY AREA.



DECADES AFTER THEIR BANNING, SPOKANE FACES UP TO THE PERSISTENT PERIL OF PCBs. BY BART MIHAILOVICH, SPOKANE RIVERKEEPER

IVERIVAL



PHOTO COURTESY OF BART MIHAILOVICH

THE LOWER SPOKANE RIVER, JUST MINUTES FROM DOWNTOWN SPOKANE.

PCBs OR POLYCHLORINATED BIPHENYLS, are so famous – or infamous – that they’re known in environmental circles as a “legacy pollutant.” And one of the many U. S. waterbodies where they have left their mark is Washington State’s lovely Spokane River.

Legacy pollutants are chemicals, most often used or produced by industrial facilities, that remain in the environment long after being introduced. Once considered a miracle chemical, PCBs were manufactured in the United States from 1929 until they were banned in 1979. They were used in hundreds of industrial and commercial applications, including as dielectric (insulating) and coolant fluids in transformers, capacitors, electric motors and other electrical devices. PCBs entered the environment during their manufacture and use and also frequently leaked or were released from electrical equipment. They became a fiendish toxic hazard because, once in the environment, they do not readily break down and may cycle between air, water and soil for many years. They remain one of the largest obstacles to

clean water – and to restoring the health of the Spokane River watershed.

On the Spokane River, PCB contamination continued to flow from the city’s antiquated stormwater-sewer system long after the banning, although this was discovered only in recent years. But thanks to the Clean Water Act, the Spokane region is on a promising path to solving this problem. Here’s how we got there.

In December of 2009, Spokane Riverkeeper filed a 60-day “notice of violation” with the City of Spokane as a precedent to a federal citizen-enforcement lawsuit to enforce, under the Clean Water Act, a dramatic reduction in these illegal discharges. The notice made clear that City of Spokane officials had known about illegal PCB discharges from city outfalls since 2004 but had repeatedly failed to report or take meaningful and effective steps to stop them. The city had violated both the Clean Water Act and the state’s municipal-stormwater permit for Spokane.

A leading actor in the case was the late Mike Chappell, director of Gonzaga University’s Environmental Law Clinic, who was co-counsel with Riverkeeper attorney Rick Eichstaedt.

“The citizen-enforcement provisions of the

Clean Water Act exist for just these types of situations,” Mike would state repeatedly.

In April 2011, a settlement was reached, which, to the best of anyone’s knowledge, was the largest Spokane-River-related environmental settlement in the region’s history. The agreement called for combined-sewer-overflow fixes, enhanced education and outreach, and funds for restoration projects in the area. But maybe more important than the dollars or the significance of the settlement was the region-wide discussion on PCBs that followed – leading to a well-organized and very sophisticated collective effort to identify PCB sources in the Spokane River basin and address them in various ways, from permit-compliance to clean-up to source-control.

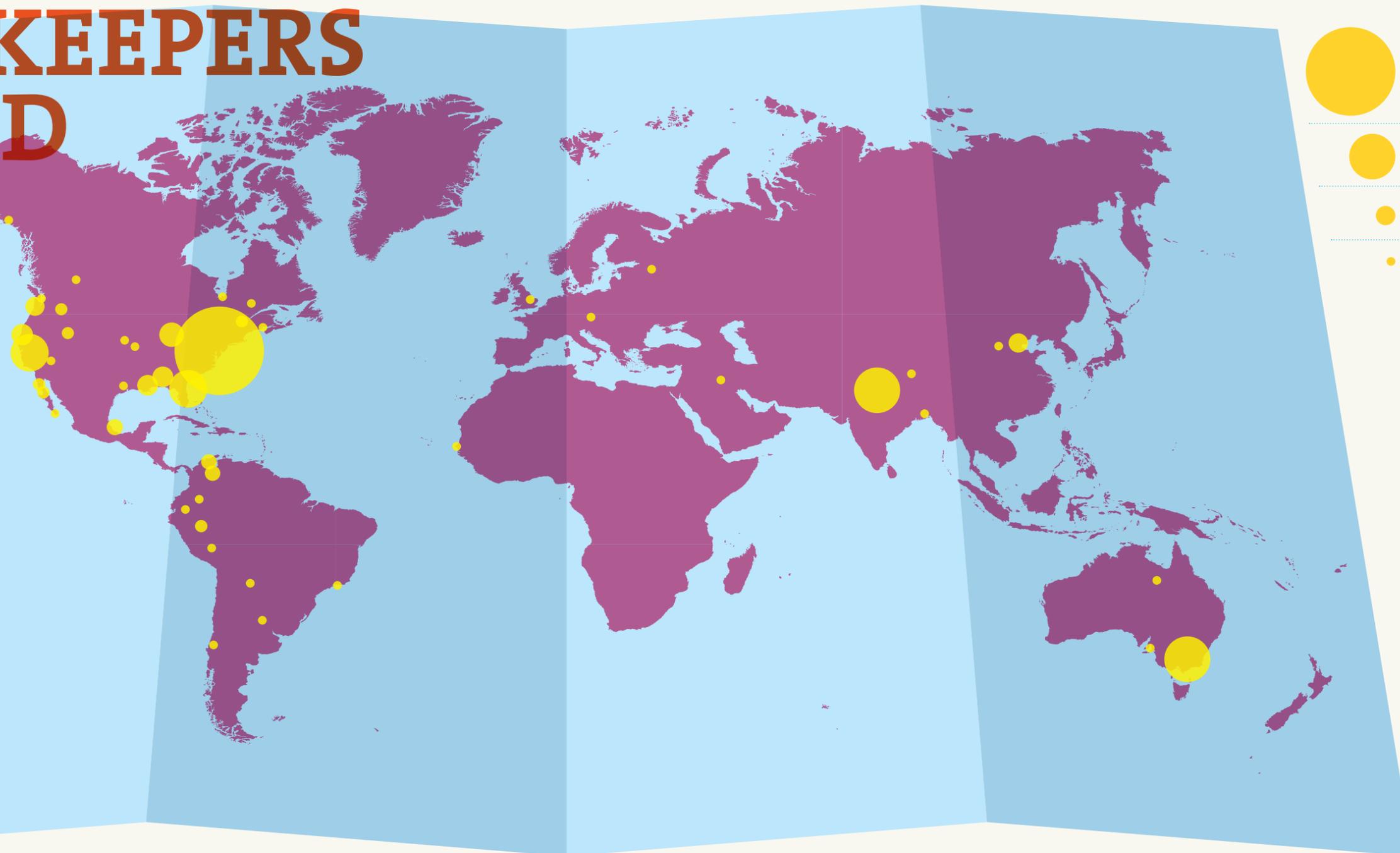
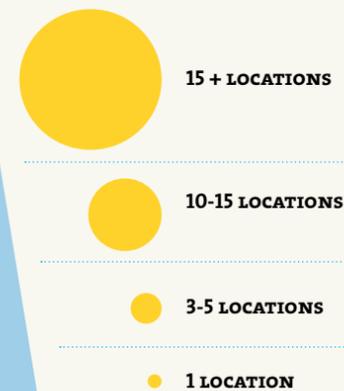
It is our belief that without the Clean Water Act as a vehicle to get us to this place, and without the amicable settlement, PCBs would still be largely unaddressed, and a major source of water pollution in the Spokane River would be further down the “to-do” list. Instead, the Spokane River is cleaner today than it was in 2009.

This process has underscored the critical importance of laws such as the Clean Water Act, Safe Drinking Water Act and Endangered Species Act, as well as many state regulations. It has also demonstrated that the agencies in charge of enforcing these laws must be supported and reinvigorated if they are to do their jobs properly. This is a big push, and it’s going to require us to be not just on the defensive, but the offensive as well.

Over the past 40 years, the Clean Water Act has been a path-breaking statute for tackling America’s water problems. But if we are to solve this country’s, and the world’s, looming water crisis, then we must make sure that is an even more powerful instrument over the next 40 years. Pat Mulroy, general manager of the Southern Nevada Water Authority, and one of the country’s most progressive water managers, has famously said, “If you want to really think outside the box, and really solve our water problems, we need to talk about solutions we’ve never had the courage to talk about before.” Now is the time to show that courage. **W**

WATERKEEPERS AROUND THE WORLD

Waterkeeper Alliance is the most effective advocate for clean water because we act locally and organize globally. Waterkeepers are on patrol in 200 watersheds around the world—standing up to polluters and enforcing your right to clean water.



AFRICA

SENEGAL:

Hann Baykeeper

ASIA

BANGLADESH:

Buriganga Riverkeeper

CHINA:

Beiyun Waterkeeper
Black Reef Coast Waterkeeper
Middle Han Waterkeeper
Middle Huai Waterkeeper
Qiantang River Waterkeeper
Upper Yellow River Waterkeeper

INDIA:

Lower Betwa Riverkeeper
Lower Ganga Riverkeeper
Lower Ken Riverkeeper
Lower Yamuna Riverkeeper
Mid Lower Ganga Riverkeeper
Mid Upper Yamuna Riverkeeper
Mid Upper Ganga Riverkeeper
Mid Upper Yamuna Riverkeeper
Upper Betwa Riverkeeper

Upper Ganga Riverkeeper

Upper Ken Riverkeeper

Upper Yamuna Riverkeeper

IRAQ:

Upper Tigris Waterkeeper

NEPAL:

Bagmati Riverkeeper

AUSTRALIA:

Alpine Riverkeeper
Avon Riverkeeper
Bramble Bay Wetlandskeeper
Coorong and Murray Lakes Waterkeeper
Hawkesbury River Waterkeeper
Mimosa Waterkeeper
Port Phillip Baykeeper
Snowy Estuarykeeper
Surry Riverkeeper
Upper Hunter Waterkeeper
Upper Snowy Riverkeeper
Yarra Riverkeeper

EUROPE

CZECH REPUBLIC:

Morava Riverkeeper

RUSSIA:

Vyatka Riverkeeper

UNITED KINGDOM:

London Canalkeeper

NORTH AMERICA

CANADA:

Fraser Riverkeeper
Fundy Baykeeper
Georgian Baykeeper
Grand Riverkeeper, Labrador
Lake Ontario Waterkeeper
Moose Riverkeeper
Ottawa Riverkeeper
Saskatchewan Riverkeeper
Petitcodiac Riverkeeper

MEXICO:

Bahia de los Angeles Coastkeeper
La Paz Coastkeeper
Loreto Coastkeeper

Los Cabos Coastkeeper

Magdalena Baykeeper

Mexico Valley Waterkeeper

Punta Abreojos Coastkeeper

Rio Grijalva Waterkeeper

Rio Verde Waterkeeper

Tijuana Waterkeeper

U.S. GREAT LAKES:

Buffalo Niagara Riverkeeper
Detroit Riverkeeper
Grand Traverse Baykeeper
Lake Erie Waterkeeper
Milwaukee Riverkeeper
St. Clair Channelkeeper
Upper St. Lawrence Riverkeeper
Yellow Dog Riverkeeper

U.S. GULF OF MEXICO:

Alamosa Riverkeeper
Apalachicola Riverkeeper
Atchafalaya Basinkeeper
Black Warrior Riverkeeper
Cahaba Riverkeeper
Chattahoochee Riverkeeper
Choctawhatchee Riverkeeper

Coosa Riverkeeper

Emerald Coastkeeper

Flint Riverkeeper

French Broad Riverkeeper

Galveston Baykeeper

Grand Riverkeeper, Oklahoma

Hurricane Creekkeeper

Kansas Riverkeeper

Kentucky Riverkeeper

Louisiana Bayoukeeper

Lower Mississippi Riverkeeper

Mobile Baykeeper

Ouachita Riverkeeper

Poudre Riverkeeper

Quad Cities Waterkeeper

Sabine Riverkeeper

St. Louis Confluence Riverkeeper

Tennessee Riverkeeper

Upper Coosa Riverkeeper

Upper Watauga Riverkeeper

Wabash Riverkeeper

West Virginia Headwaters Waterkeeper

Youghiogheny Riverkeeper

U.S. NORTH ATLANTIC:

Anacostia Riverkeeper

Assateague Coastkeeper

Baltimore Harbor Waterkeeper

Buzzards Baykeeper

Casco Baykeeper

Chester Riverkeeper

Choptank Riverkeeper

Delaware Riverkeeper

Great Bay/ Piscataqua Waterkeeper

Gunpowder Riverkeeper

Hackensack Riverkeeper

Housatonic Riverkeeper

Hudson Riverkeeper

Lake Champlain Lakekeeper

Lake George Waterkeeper

Long Island Soundkeeper

Lower James Riverkeeper

Lower Susquehanna Riverkeeper

Massachusetts Baykeeper

Middle Susquehanna Riverkeeper

Miles-Wye Riverkeeper

Narragansett Baykeeper

New York/New Jersey Baykeeper

Patuxent Riverkeeper

Peconic Baykeeper

Potomac Riverkeeper

Raritan Riverkeeper

Sassafras Riverkeeper

Severn Riverkeeper

Shenandoah Riverkeeper

South County Coastkeeper

South Riverkeeper

Upper James Riverkeeper

Virginia Eastern Shorekeeper

West/Rhode Riverkeeper

U.S. PACIFIC:

Animas Riverkeeper

Big Blackfoot Riverkeeper

Black Mesa Waterkeeper

California Coastkeeper Alliance

Colorado Riverkeeper

Columbia Riverkeeper

Cook Inletkeeper

Coos Bay Waterkeeper

Humboldt Baykeeper

Inland Empire Waterkeeper

Klamath Riverkeeper

Lake Pend Oreille Waterkeeper

Los Angeles Waterkeeper

Monterey Coastkeeper

North Sound Baykeeper

Orange County Coastkeeper

Prince William Soundkeeper

Puget Soundkeeper

Rogue Riverkeeper

Russian Riverkeeper

San Diego Coastkeeper

San Francisco Baykeeper

San Luis Obispo (SLO) Coastkeeper

Santa Barbara Channelkeeper

Silver Valley Waterkeeper

Tualatin Riverkeeper

Ventura Coastkeeper

Willamette Riverkeeper

U.S. SOUTH ATLANTIC:

Altamaha Coastkeeper

Altamaha Riverkeeper

Biscayne Bay Waterkeeper

Blackwater/Nottoway Riverkeeper

Cape Fear Riverkeeper

Catawba Riverkeeper

Charleston Waterkeeper

Congaree Riverkeeper

Haw Riverkeeper

Indian Riverkeeper

Lower Neuse Riverkeeper

Ogeechee Riverkeeper

Pamlico-Tar Riverkeeper

Santee Riverkeeper

Satilla Riverkeeper

Savannah Riverkeeper

St. Johns Riverkeeper

Upper Neuse Riverkeeper

Waccamaw Riverkeeper

White Oak-New Riverkeeper

Yadkin Riverkeeper

SOUTH AMERICA

ARGENTINA:

Parana Waterkeeper

BOLIVIA:

Choqueyapu Riverkeeper

BRAZIL:

Guanabara Baykeeper

CHILE:

Futaleufu Riverkeeper

Maule Itata Coastkeeper

COLOMBIA:

Bocas de Ceniza Waterkeeper

Bogota Riverkeeper

Cartagena Baykeeper

Jordan Riverkeeper

Meta Waterkeeper

Rio Cravo Sur Waterkeeper

St. Johns Riverkeeper

Upper Neuse Riverkeeper

Waccamaw Riverkeeper

White Oak-New Riverkeeper

Yadkin Riverkeeper

ECUADOR:

Estero Salado Waterkeeper

Guayllabamba Waterkeeper

PERU:

Central Huallaga Riverkeeper

Ramis Riverkeeper

Rio Mapacho Waterkeeper



WATERKEEPER ALLIANCE



River Rally 2012: A Global Vision for Clean Water

LEFT TO RIGHT, QIANTANG RIVER WATERKEEPER HAO XIN DECRIES (DIRTY COAL); ALEXANDRA COUSTEAU EYES (JOHN WATHEN'S TATTOO); ROBERT F. KENNEDY, JR., DERIDES (THE CORPORATE PLUTOCRATS AND THEIR CRONIES IN CONGRESS); LONG ISLAND SOUNDKEEPER TERRY BACKER CONFIDES (IN WATERKEEPER ALLIANCE'S EXECUTIVE DIRECTOR MARC YAGGI); AND QUAD CITIES WATERKEEPER ART NORRIS PRIDES (HIMSELF, ON BEING ONE OF THE 200 WATERKEEPERS WORLDWIDE FIGHTING FOR CLEAN WATER).

Waterkeeper Alliance and River Network joined forces for the first time this spring to host a gathering of clean-water advocates, and it was the largest such meeting ever held. More than 750 people from 44 U.S. states, the District of Columbia and 16 foreign countries assembled in Portland, Oregon, from Friday, May 4th to Monday, May 7th to address some of the most challenging worldwide water issues at "River Rally 2012." A focal point of the event was a celebration of the 40th anniversary of the United States' landmark Clean Water Act, which has been central to rescuing many of the most toxic waterways in America.

Waterkeeper Alliance's executive director, Marc Yaggi, opened the Rally with an exhortation for water-advocacy groups to find new and creative ways to work together in the fight for clean water. That was followed by a ceremonial invocation by Gerald Lewis, Yakama tribal councilman and chairman of the Columbia River Inter-Tribal Fish Commission. He offered a fitting analogy for the efforts and dedication of those present: "A stream begins very small, very humble. But as it joins others, it grows very big, like the Columbia out here, and gathers all these powers. And this is what gives you water warriors the strength to continue on with your work and your lives."

Lisa Jackson, administrator of the U.S. Environmental Protection Agency, presented the evening's keynote address, in which she affirmed EPA's commitment to expanded Clean Water Act protections, and encouraged the groups to keep fighting for a cleaner environment and for environmental justice. "I know what I'm asking for," she said, "—that it means lawsuits and adversarial positions and confrontations... that is exactly the way the citizens of this country exercise their right to protect themselves, their families and their health."

The following morning, Alexandra Cousteau, an explorer and granddaughter of the legendary oceanographer Jacques Cousteau, offered stories from her family's three-generation-long love affair with water. "Yet," she lamented, "here we stand, at the start of a new millennium, with our most precious resource, water, in critical condition around the globe."

Cousteau is the founder of Blue Legacy, an organization dedicated, she said, "to telling the story of our water planet and inspiring people to take action on critical water issues." She offered the support of Blue Legacy

in helping water advocates tell their stories through film and video.

The core of River Rally is its impressive array of workshops. During the four days of the conference, top-notch professionals provided more than 100 of these, in which they shared "best practices" for watershed restoration, stormwater management, water-quality monitoring, water and energy conservation, green infrastructure, habitat restoration and the provision of safe drinking water.

Robert F. Kennedy, Jr., president of Waterkeeper Alliance, addressed the political threats now imperiling the Clean Water Act in a passionate speech on Saturday evening in which he characterized efforts to roll back protections on the quality of America's water, land and air as direct attacks on democracy itself.

On the last day of the conference, Waterkeeper took the Rally to the streets of Portland, where more than 1,000 attendees joined six Pacific Northwest Waterkeeper organizations – Columbia Riverkeeper, Puget Soundkeeper, North Sound Baykeeper, Coos Bay Waterkeeper, Spokane Riverkeeper and Lake Pend Oreille Waterkeeper – to oppose the export of 150 million tons of Montana and Wyoming coal per year through six proposed terminals in Oregon and Washington. Pressure to build new coal-export facilities has recently increased as coal-mining companies, suddenly facing steep declines in U.S. demand, have begun to set their sights on coal-hungry Asian energy markets. The companies hope to export the coal thousands of miles upwind to China and India, where it will be burned – resulting in toxic air emissions that would ultimately return to the U.S.

Among the speakers were Robert F. Kennedy, Jr., and Qiantang River Waterkeeper and activist Hao Xin from China. The crowd roared as Hao Xin emphatically proclaimed, "Do not make China the dumping ground for your dirty coal!" And Kennedy warned that this American coal would "poison the people in China, and that poison is going to come back here and poison your salmon, your children and your politics."

As River Rally closed, four individuals from Waterkeeper organizations were honored for their commitment to the fight for clean water and healthy watersheds.

Chattahoochee Riverkeeper Sally Bethea, from Atlanta, Georgia, has worked for more than two decades to provide millions of

Georgians with cleaner creeks, streams, lakes and rivers for their drinking water and recreational needs. Early in her tenure, she took on the City of Atlanta's habitual fouling of the Chattahoochee through its sewage discharges. The Clean Water Act citizen suit filed by Chattahoochee Riverkeeper led to one of the largest and most effective sewage treatment overhauls and cleanups in history. (You can read the full story on page 34 of this issue.)

Terry Backer, a fourth-generation commercial fisherman, founded the second Waterkeeper organization, Long Island Soundkeeper. His aggressive campaign to track down municipal and corporate polluters of the sound, and bring federal Clean Water Act lawsuits against them, helped set the tone for the entire Waterkeeper movement. "I've been measured and weighed by my peers, and deemed worthy," he said. "Nothing gets better than that."

Azzam Alwash founded the first Waterkeeper organization in the Middle East, the Upper Tigris Waterkeeper, in 2009. After 20 years as an environmental engineer in the United States, Alwash returned to Iraq in the late 1990s to be a voice for Iraq's fragile ecosystems, many of which had been devastated by more than 30 years of war. His present vision is the creation of a network of Waterkeepers throughout Iraq over the next decade.

John Wathen is Hurricane Creekkeeper in Tuscaloosa, Alabama. For more than 20 years, he has passionately defended the creek from everything from acid and heavy metals associated with coal mining to stormwater runoff from new-construction sites. A skilled photographer, Wathen spent several weeks documenting the disastrous Gulf Coast BP Oil Spill from the air.

Speaking of his original urge to speak up for a creek that had no voice, Wathen expressed a spiritual solidarity with all the attendees: "I felt I was called by a higher power," he said. "And I believe that a lot of you were called to this work, too."

He added, "I'm probably the most loved and hated man in my county, because I do stand up for my waterbody. And I don't care who you are or how much money you've got, don't mess with Hurricane Creek."

Or any of the hundreds of other waterways being protected by the water warriors who attended River Rally.



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MOUNT HOOD, A DORMANT BUT POTENTIALLY ACTIVE VOLCANO, IS LOCATED ABOUT 50 MILES EAST OF PORTLAND, AND IS EASILY VISIBLE FROM MUCH OF THE CITY DURING CLEAR WEATHER.



PHOTO BY DON THOMPSON
FRONT ROW L TO R: DEB SELF, WENDY ABRAMS, CARLA ZILKA, EMILY YOUNG, DEANNA CLARKSON, MARY BETH POSTMAN, DONNA LISEBY, QUENTIN SMITH, BOB SMITH, ROBERT F. KENNEDY JR.
BACK ROW L TO R: BILL SMITH, ELLIE LIBBY, JOE PAYNE, GLENN RINK, GREY HECHT, PETE NICHOLS, MARC YAGGI, BRYCE PERRY, KARL COPLAN



PHOTO BY DON THOMPSON
WITH CAMELBACK MOUNTAIN IN THE BACKGROUND, RETREAT PARTICIPANTS GATHERED FOR CHEF BEAU MACMILLAN'S WATERKEEPER-THEMED MEAL.



BOB SMITH AND DEANNA CLARKSON HOSTED THE BOARD RETREAT.

WATER VISIONS IN THE DESERT: OUR BOARD'S 2012 RETREAT

Holding a meeting about the crucial water challenges facing the world – from climate change to fracking, from lack of access to clean water to crumbling infrastructure – in a desert setting focused everyone that much more on Waterkeeper Alliance's global fight to preserve nature's most vital resource.

The location for this Board of Directors retreat was the oasis-like Sanctuary spa and resort on Camelback Mountain in Scottsdale, Arizona. The time, perfectly arranged to sooth many spirits wearied by winter, was March. And we were able to take advantage of the climate and topography, and quicken the flow of our creative energy, during a bracing hike up the mountain. We also made time to join some Arizona friends for an amazing Waterkeeper-themed meal devised by the Sanctuary's Executive Chef and "Iron Chef America" competition-winner Beau MacMillan. Readers can speculate about what these courses consisted of: waterways & grassroots, vision, advocate, powerful voice, act now, and splash.

Waterkeeper Alliance sends a warm thank-you to Glenn Rink and Michael Shea for arranging our retreat, and to our hosts Deanna Clarkson, Bob Smith and Alliance Beverage. It was an ideal setting for crafting our plans and furthering our vision for swimmable, drinkable and fishable waters worldwide. You can see Chef MacMillan tell his Clean Water Story at youtube.com/user/WaterkeeperAlliance1



WATERKEEPER ALLIANCE



PLEASE JOIN OUR “40 FOR 40” DONOR CIRCLE

This year marks the 40th anniversary of the Clean Water Act. On October 18, 1972, the U.S. Congress signed into law this historic piece of legislation that promised to turn the tide for America’s polluted rivers, lakes, and coastlines, and to hold big polluters accountable for their attacks on the health of the nation’s waterways and its people.

Spurred by catastrophic events like Cleveland’s Cuyahoga River catching fire, the decimation of the majestic Hudson River’s fishery, and a massive oil spill off the coast of Santa Barbara, the American people rose up and demanded change.

This bold legislation put forward by visionaries in Congress returned control of the nation’s waters to the citizens of the United States as part of the public trust.

But even as we celebrate this anniversary and the successful cleanup of so many of America’s most cherished waterways, corporate polluters and their cronies in Congress are attempting to undermine the most extraordinary body of environmental law in the world. Most recently, in the final months of 2011, several bills before the House of Representatives were laden with anti-environmental amendments and “riders” intended to roll back the Clean Water Act’s protections. We, as advocates of clean water and healthy watersheds, cannot allow these efforts to succeed.

So Waterkeeper Alliance has created the CWA 40 campaign, to stand up for the imperiled Clean Water Act through a series of efforts to *celebrate, activate, and advocate* for the basic human right to *swimmable, drinkable, and fishable waters*.

**Help us Celebrate, Activate, and Advocate in honor of the
40TH ANNIVERSARY OF THE CLEAN WATER ACT
by joining us as a leader in this campaign to protect our water!**

FOR MORE INFORMATION PLEASE CONTACT:

Ellie Libby, Director of Development, at 212.747.0622 x17 or elibby@waterkeeper.org

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