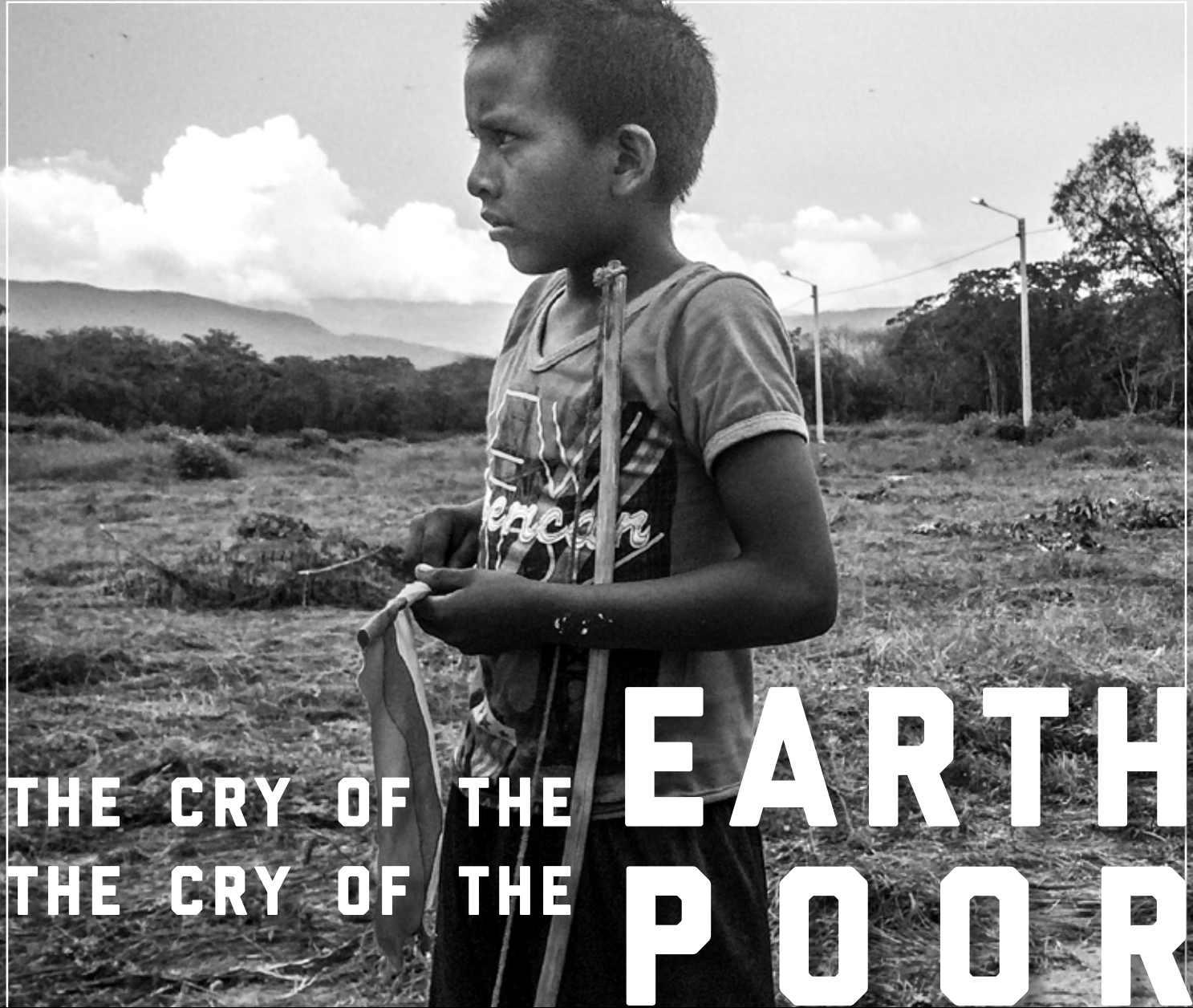


CLEAN WATER • THE WATER PLANET'S FIRST RESPONDERS • CITIZEN ACTION

# WATERKEEPER®



## THE CRY OF THE EARTH THE CRY OF THE POOR

"I DO NOT DENY MY FEARS, BUT THOSE OF US WHO WORK TO PROTECT THE ENVIRONMENT AND THE VICTIMS OF COAL MINING AND COAL TRANSPORT MUST ACCEPT THE RISKS."

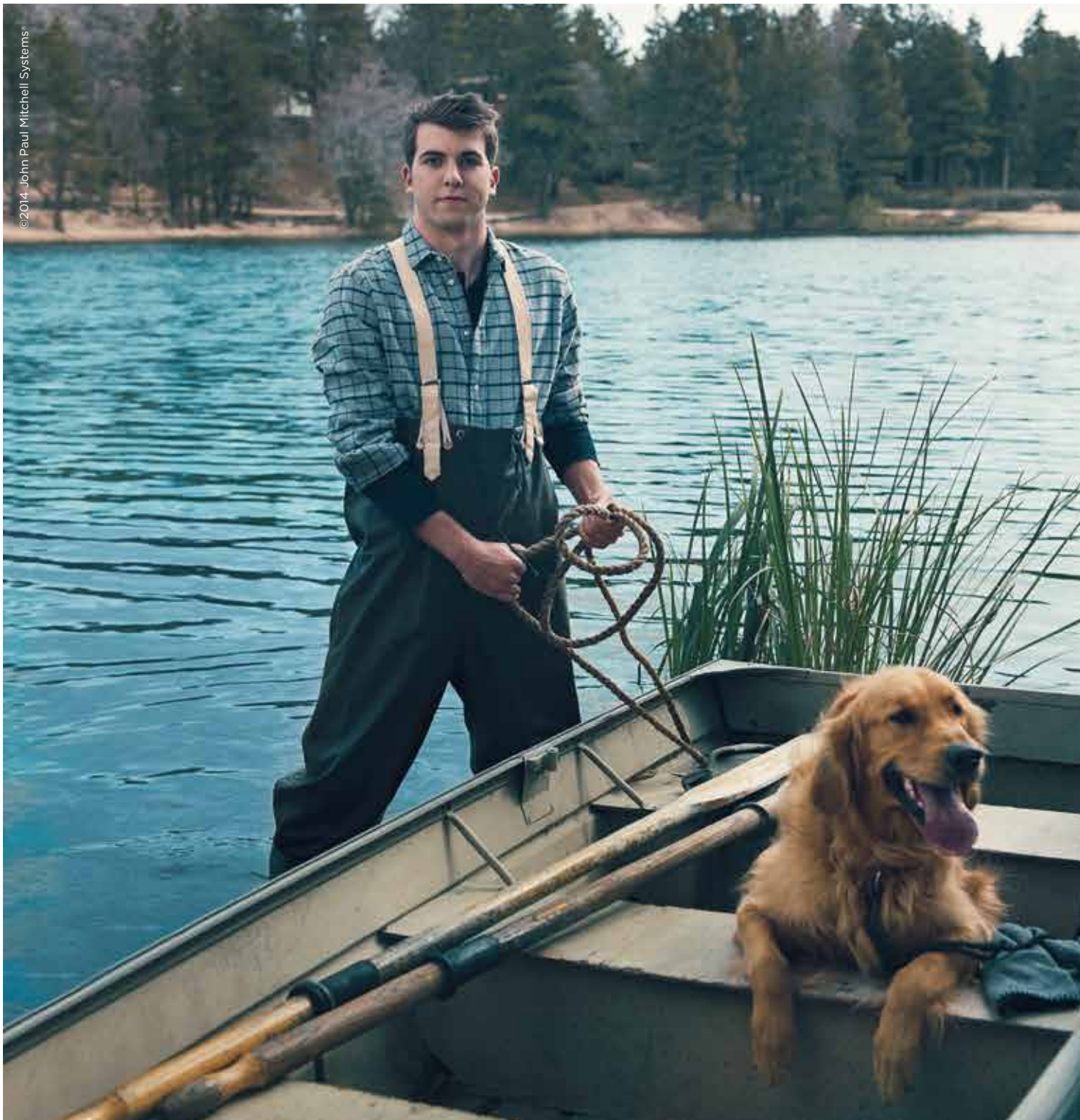
LILIANA GUERRERO, BOCAS DE CENIZA WATERKEEPER, COLOMBIA

VOLUME 11, ISSUE 2 \$5.95



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John Paul DeJoria,  
Co-founder and Chairman of the Board  
Photographed with his son (and Joe)



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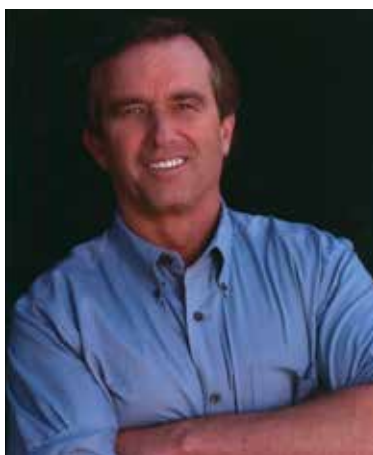
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## LETTER FROM THE PRESIDENT ROBERT F. KENNEDY, JR.



## UNCOMMON HEROES FIGHTING FOR OUR COMMON HOME

What do poor and indigenous communities in northeast Colombia's coal-mining regions, African-American and Latino communities in rural North Carolina, and the residents of fishing villages on Senegal's Atlantic coast all share?

They are victims of environmental racism. They are also, as you can read in this issue of Waterkeeper magazine, being helped in their struggles for environmental justice by Waterkeeper Alliance and local Waterkeeper organizations.

It's no secret that polluting industries and industrial-waste sites are often located in communities that offer the least resistance. It is one of the ironbound laws of life that pollution and the direst environmental consequences gravitate to communities with the least political and economic power, that the worst pollution plagues the least powerful. Forcing people without much political voice or economic clout to bear the burden of pollution, disease and misery is most certainly a form of racism.

In the United States, the costs of pollution are borne disproportionately by African Americans, Latinos and Native Americans. It is they who get stuck with too many power plants and oil refineries, waste-transfer stations and toxic-waste and garbage dumps. It is they who suffer higher infant mortality, poorer health and shorter life spans, lost jobs and resources, and a greatly diminished quality of life.

HERE ARE JUST A FEW EXAMPLES:

- People of color are nearly twice as likely as others to live in areas with dangerous industrial pollution, according to a 2006 study. The lower the average income, the higher the risk.
- California's most polluted zip code is East Los Angeles, an overwhelmingly Latino community.
- Native American lands and sacred places are often sites of extensive mining operations, and millions of tons of radioactive uranium tailings have been dumped on Navajo lands, one result of which has been astronomically higher rates of sexual-organ cancer among Navajo teenagers than the national average.
- Latino farm workers suffer more chemical-related injuries and illnesses than any other workforce in the nation, due to pesticide exposure. According to U.S. EPA estimates, 10,000 to 20,000 farmworkers are poisoned annually and suffer long-term effects that can result in cancer, neurological disorders, hormonal and reproductive health problems, including infertility, and birth defects.
- Pollution-related asthma is killing African Americans in unprecedented numbers – five times the rate of whites – and New York's predominantly African-American Harlem neighborhood has the highest rate of asthma in the United States. According to the Centers for Disease Control, asthma rates for black children increased 50 percent between 2001 and 2009.
- In North Carolina, industrial hog facilities, known as concentrated animal feeding operations or CAFOs, have been disproportionately located in African-American and Latino communities, where residents are forced to endure odors, seriously degraded water quality and the embarrassment associated with the facilities operating near their homes.

But justice may finally be on the way, thanks in large part to the work of North Carolina's Waterkeepers and Waterkeeper Alliance staff





PHOTO: WATERKEEPER ALLIANCE



PHOTO: DONN YOUNG

ABOVE LEFT, HANN BAYKEEPER MBACKE SECK, CENTER, LEADS THE FIGHT AGAINST THE POLLUTION IN HANN BAY THAT HAS SICKENED VILLAGERS AND IMPOVERISHED FISHERMEN; RIGHT, RESIDENTS OF MINORITY COMMUNITIES IN EASTERN NORTH CAROLINA MUST WEAR MASKS OUTDOORS BECAUSE OF THE FOUL ODORS FROM INDUSTRIAL HOG FACILITIES THAT HAVE BEEN DISPROPORTIONATELY PLACED THERE.

members Rick Dove, Larry Baldwin and Gray Jernigan. In late 2014, Waterkeeper Alliance filed a complaint with the U.S. EPA's Office of Civil Rights alleging that lax regulation of hog-waste disposal by the North Carolina Department of Environment and Natural Resources discriminates against communities of color in eastern North Carolina. As a result, the EPA is undertaking a broad investigation of the CAFO industry in that region.

The destructive effects of environmental racism are not, however, exclusive to the United States. Everywhere in the world, the poor and the marginalized are bearing the greatest burdens from pollution, ecological destruction and climate change. In many places where poor and indigenous people live, oil, coal and other minerals are being extracted in ways that are devastating their lands and destroying their cultures and livelihoods.

This is certainly the case in northeast Colombia, where multinational coal companies operate gigantic open-pit mines in the La Guajira and Cesar Departments. The people who have lived there for decades, in some cases centuries, are mostly Afro-Colombian and indigenous peasants who have survived by farming, hunting, fishing and day labor. Multinational mining came to La Guajira in the 1980s and to Cesar in the 1990s. Since then, these communities have had to endure pollution and poisoning of their lands and waters, profound social and cultural disruption, forced displacement, and a reign of terror imposed by military and paramilitary forces that has wrought harassment, death threats, murders and massacres.

In La Guajira, expansion of a single mine, the Cerrejón, which is one of the largest open-pit mines in the world, has resulted in the forcible displacement of 17 villages.

Bocas de Ceniza Waterkeeper Liliana Guerrero is leading the fight for the rights of these communities, working to stop the

IN THE UNITED STATES, THE COSTS OF POLLUTION ARE BORNE DISPROPORTIONATELY BY AFRICAN AMERICANS, LATINOS AND NATIVE AMERICANS. IT IS THEY WHO MUST BEAR THE BURDENS OF HIGHER INFANT MORTALITY, POORER HEALTH AND SHORTER LIFE SPANS, LOST JOBS AND RESOURCES, AND A GREATLY DIMINISHED QUALITY OF LIFE.



PHOTO: PETE HARRISON



PHOTO: WATERKEEPER ALLIANCE

ABOVE LEFT, COLOMBIAN WATERKEEPER LILIANA GUERRERO, LEFT, AND DONNA LISENBY, WATERKEEPER ALLIANCE'S GLOBAL COAL-CAMPAIGN MANAGER, ARE WORKING TOGETHER IN THE DEFENSE OF POOR AND INDIGENOUS COLOMBIAN COMMUNITIES WHOSE LANDS AND WATER ARE BEING POISONED BY MULTINATIONAL COAL COMPANIES; RIGHT, AFTER ATTENDING A CONFERENCE ON COAL, WATER POLLUTION AND CLIMATE-CHANGE, HOSTED IN DAKAR, SENEGAL BY HANN BAYKEEPER AND WATERKEEPER ALLIANCE, EL HADJI DAUDA GUEYE, CENTER, THE IMAM OF THE VILLAGE OF BARGNY ON HANN BAY, VOICED HIS OPPOSITION TO A COAL PLANT THAT WAS BEING PROPOSED NEAR HIS VILLAGE.

destruction that multinational coal companies have caused. And she is doing so at great personal risk, for Colombia ranks second in the world in murders of environmental activists.

"I do not deny my fears," she says. "I do not want to add my name to the list of environmental activists in Colombia who have been assassinated, but those of us who work to protect the environment and the victims of coal mining and coal transport must accept the risks."

In Senegal, a multinational company planned to build a coal-fired power plant near the small fishing village of Bargny on Hann Bay, just south of the capital city of Dakar. Mbacke Seck, who heads Hann Baykeeper, the first Waterkeeper organization in Africa, organized opposition to the project.

For more than two decades, Mbacke has been a leader in the battle against industrial pollution in Hann Bay that has impoverished fishermen, sickened villagers and fouled its beaches. But only within the last couple of years, through his work with Waterkeeper Alliance's international team of coal campaigners led by Donna Lisenby, has Mbacke learned how to oppose the coal industry.

"In two years," Donna says, "Mbacke has gone from not having the expertise to advocate against coal to becoming a recognized leader in Senegal who is skilled at gaining the attention of local media and at using 'people power' in the movement to stop the construction of coal-fired power plants."

Following protests over the plant near Bargny, development banks in Africa and the Netherlands halted funding for the project, while seeking further information on the scope of environmental and social impacts – impacts that the campaign against the coal plant had brought to light.

"Thanks to Waterkeeper Alliance," Mbacke has commented, "my voice now carries across my country."

These stories vividly illustrate that substantial change is emerging from the bottom up in the struggle against environmental racism. By demanding that societies around the world make fairer and more rational choices for their least powerful citizens, the environmental-justice movement is rooting the larger environmental movement in the fight for a more just world.

No one has articulated that connection more powerfully than Pope Francis in his encyclical *Laudato Si'*. "A true ecological approach," Francis writes, "always becomes a social approach; it must integrate questions of justice in debates on the environment, so as to hear both the cry of the earth and the cry of the poor."

From the title to the closing prayer, the pope's prophetic challenge to the powerful is deeply rooted in the spirituality of St. Francis of Assisi, with its deep reverence for God's creation and for the poor and suffering of the world.

It is a spirituality in which my own life is deeply rooted; my father and I were named for St. Francis and he has always been a guidepost in my life and my work.

His is a way of looking at the world that seems perfectly suited to this present time, in which the most pressing issues we face are global poverty and inequality and a planetary environmental crisis.

Waterkeeper organizations around the world have been and will continue to be impassioned advocates against the insidious erosion of democratic principles that occurs when the well-being of the many are sacrificed for the interests of the few.

Only by nurturing and encouraging an authentic social movement that regards the preservation of the natural world as part of the larger struggle for, in Pope Francis's words, "our common home," will we solve our present predicament.

Waterkeeper Alliance is proud to be a full partner in that struggle.



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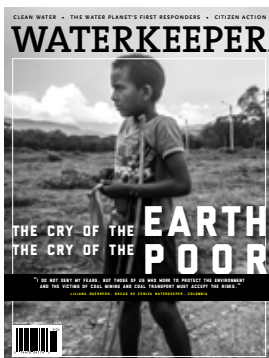


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## ON THE COVER:

This boy is a member of the indigenous Wayuu people in northern Colombia. He and his family had to abandon their village because of the expansion of the massive Cerrejón open-pit coal mine, which has resulted in the often-violent displacement of 60,000 people, massive environmental pollution and serious health problems. All of this has led to nearly 65 percent of the local population living in poverty today.

Design by BoyBurnsBarn/John Turner

Photo by Pete Harrison

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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.

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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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Waterkeeper  
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Photos above courtesy of California Coastkeeper Alliance;  
photo left shot on a GoPro Hero 3 Edition by Joe O'Brien

Protecting and defending the California coast is the only job Sara Aminzadeh, executive director of California Coastkeeper Alliance, ever wanted. She majored in environmental studies and political science at the University of California, Santa Barbara, and immersed herself in local environmental work, logging many hours at the Santa Barbara Aquarium, tracking endangered foxes on Santa Cruz Island, and removing non-native species from the wetlands near Isla Vista.

Sara was first introduced to the Waterkeeper movement in college, when she volunteered at Santa Barbara Channelkeeper and read *The Riverkeepers*, a book by John Cronin and Robert F. Kennedy, Jr. that chronicles Hudson Riverkeeper's fight to restore that pollution-plagued waterway. Sara then earned a law degree from the University of California Hastings College of the Law in San Francisco and joined San Francisco Baykeeper as a legal fellow.

Today, Sara leads California Coastkeeper Alliance (CKKA), which unites 12 local Waterkeeper organizations

from San Diego to the Oregon border. As executive director she works at both the state level and with local Waterkeepers. "What binds us all is an unrelenting focus on fighting for waters that are swimmable, fishable and drinkable," she says.

Every day, around the world, polluters are poisoning our waterways and harming people's lives. And everywhere Waterkeepers are fighting to protect everyone's right to swimmable, drinkable, fishable water. We are the world's fastest-growing environmental movement and a powerful force working to protect and defend our most precious resource, water, locally and globally.

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Waterkeeper Alliance is a 501(c)(3) non-profit organization. Your \$25 contribution or more entitles you to a one-year subscription to WATERKEEPER magazine, which has annual subscription value of \$12. The balance of your contribution is tax deductible to the extent of the law.





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"If we don't do something, we're going to lose this coast. But one person can't save the day. It's got to be everyone together."

**Ramón Navarro**

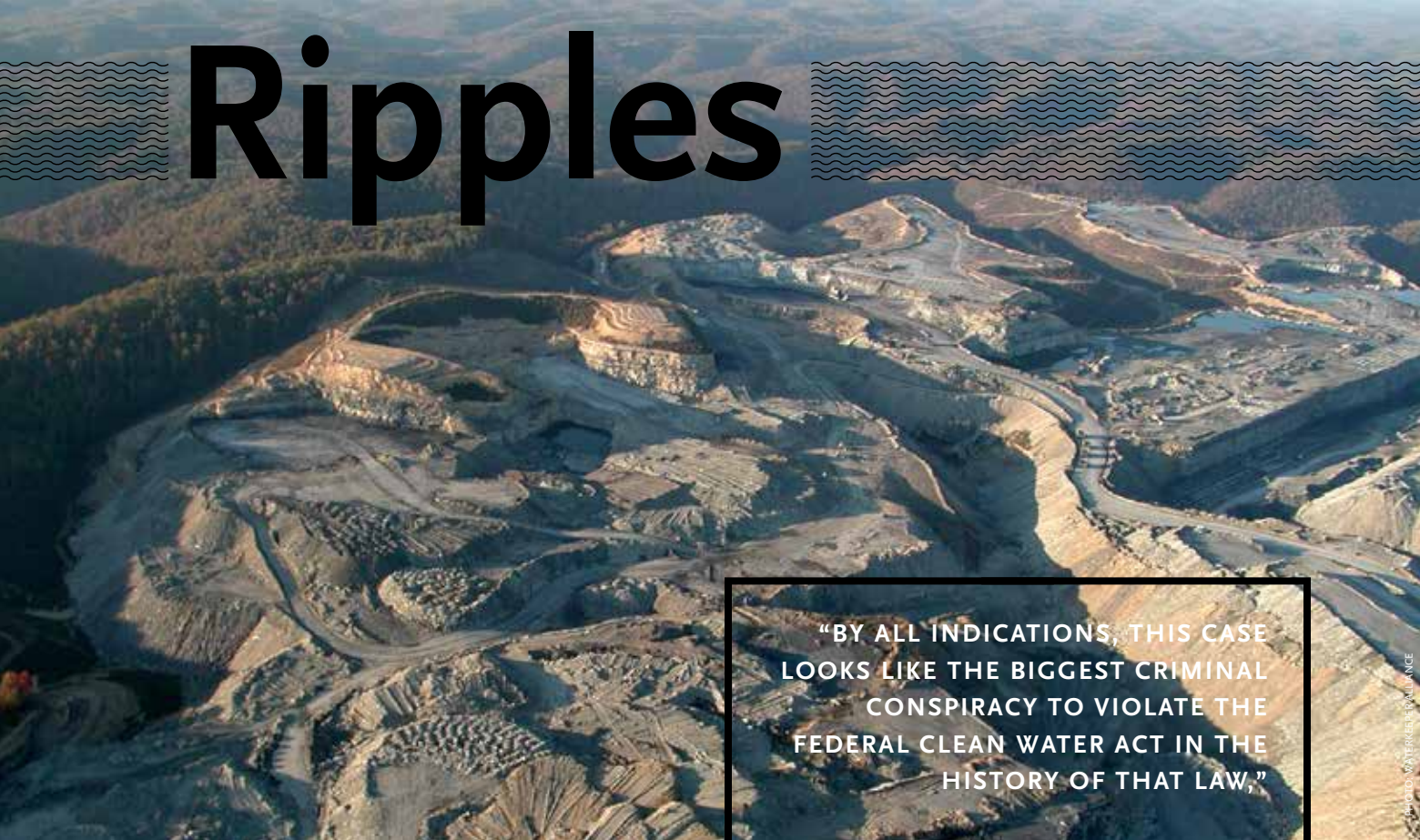
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# Ripples



MOUNTAINTOP-REMOVAL COAL MINING IN EASTERN KENTUCKY HAS CONTAMINATED THOUSANDS OF MILES OF HEADWATER STREAMS.

“BY ALL INDICATIONS, THIS CASE LOOKS LIKE THE BIGGEST CRIMINAL CONSPIRACY TO VIOLATE THE FEDERAL CLEAN WATER ACT IN THE HISTORY OF THAT LAW,”

WATERKEEPER ALLIANCE ATTORNEY PETE HARRISON

## SUIT MAKES SUN SHINE BRIGHTER ON KENTUCKY MINING POLLUTION

Waterkeeper Alliance and Kentucky Riverkeeper joined a coalition of citizens' groups in filing a federal lawsuit against Frasure Creek Mining, LLC, for submitting to the State of Kentucky more than 100 false water-pollution-monitoring reports on its coalmines in the state. These reports are intended to ensure that companies stay within the permitted limits for pollutants, but Frasure Creek reports hid nearly 20,000 violations of the federal Clean Water Act. The violations carry a maximum penalty of more than \$700 million.

The Kentucky Energy and Environment Cabinet share culpability with the company, having failed for years to take action against mounting violations, which occurred at mountaintop-removal coal mines in Floyd, Magoffin, Pike and Knott counties in eastern Kentucky.

“Self-reported data are the backbone of Clean Water Act enforcement,” says Alice Howell, of the Sierra Club's Cumberland

(Kentucky) Chapter. “When companies like Frasure Creek submit false data it completely undermines all the protections we have in place to make sure our water is safe.”

Frasure Creek, once Kentucky's largest producer of coal from mountaintop-removal mining, is a subsidiary of Essar Group, a multi-billion-dollar international corporation based in India.

“By all indications, this case looks like the biggest criminal conspiracy to violate the federal Clean Water Act in the history of that law,” says Waterkeeper Alliance attorney Pete Harrison. The coalition also includes Appalachian Voices, Kentuckians For The Commonwealth, and the Sierra Club.

Frasure Creek has long been guilty of false reporting. Almost five years ago, citizens' groups uncovered falsified pollution reports that led to two cases against the company, which have yet to be resolved. In both cases, the cabinet reached slap-on-the-wrist settlements with the company, pre-empting citizen involvement. After a Kentucky judge threw out those settlements last December, the cabinet appealed the ruling. That case continues. Meanwhile, in January, the cabinet initiated action against the company. The citizens' groups have filed to intervene in that action to ensure that the State of Kentucky appropriately enforces the law.

“Our state officials have turned a blind eye to what is obviously a serious problem,” says Ted Withrow, a member of Kentuckians for the Commonwealth and retired Big Sandy River Basin coordinator for the Kentucky Division of Water. “False reporting is widespread within the coal industry, but state regulators have little incentive to identify problems like these when there are false reports that make everything look great.”

Kentucky Riverkeeper Pat Banks adds that, as coal production declines in the state, “we need to be more diligent than ever to make sure companies can't cut corners at the expense of local residents and the environment. We need healthy people and a healthy environment for eastern Kentucky to be able to flourish.”

“Coal jobs may be leaving the state, but they're leaving behind the industry's legacy of environmental damage for us to clean up.”



*We've been conserving water*

# SINCE A SINGLE TUB

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U.S. EPA INTO ONE GEORGIA CREEK.



PHOTO: CHATTAHOOCHEE RIVERKEEPER

## A CHICKEN CROSSROAD AT A GEORGIA PLANT

of the World,” processes approximately eight million pounds of chicken every day. Staff at CRK wondered whether or not runoff from these sites was responsible for the die-off, as they are a common symptom of a waterway overwhelmed by bacteria. CRK quickly initiated a monitoring program on that section of the creek, and over the next few months staff regularly waded into the water during rains and collected samples to determine whether nearby chicken-processing plants were responsible for the bacteria that was killing the fish.

Their tests consistently indicated that stormwater drains connected to a plant owned by Pilgrim's Pride, one of Georgia's largest chicken processors, were dumping more than 10,000 times the amount of bacteria approved by the U.S. Environmental Protection Agency (EPA) into the creek.

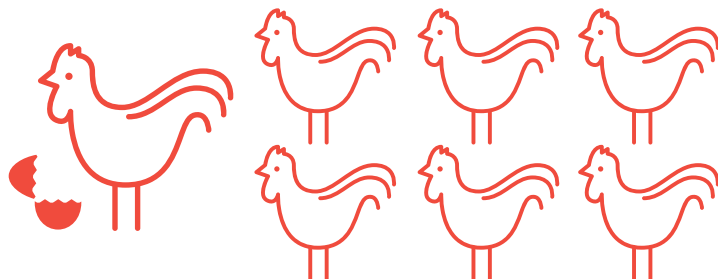
Flat Creek's polluted waters were flowing six miles through residential and commercial areas and into Lake Lanier, part of the Chattahoochee River and the main source of drinking water for metro Atlanta.

Federal and state laws require that industrial facilities like Pilgrim's Pride obtain a permit to release stormwater from their sites into local streams, creeks and rivers, and must monitor and test the stormwater to ensure that it's not polluted. But year after year, Pilgrim's Pride failed to properly test stormwater and meet pollution-elimination goals. Georgia's Environmental Protection Division (EPD) issued notices of violations but did not force the facility to take more concerted action to remedy the problem. The poultry industry wields considerable political clout in the state.

In 2012, Chattahoochee Riverkeeper sent letters to Pilgrim's Pride, documenting the excessive bacteria coming from the Gainesville site and demanding action to stop the pollution of Flat Creek. The company did not respond. When the state failed to take action, CRK turned to the EPA. After a series of meetings, federal EPA regulators conducted a surprise inspection of the plant in August 2014. They issued a comprehensive inspection report in January 2015, documenting dozens of Clean Water Act violations.

The report tells a grim story: feathers, blood and maggots litter the pavement and clog pipes that are supposed to convey only rainwater from the site to Flat Creek. Trucks carrying thousands of caged chickens are sprayed with water, which mingles with chicken feces and runs off to a pipe draining directly into the creek. Photos show open dumpsters packed with chicken parts and more feathers.

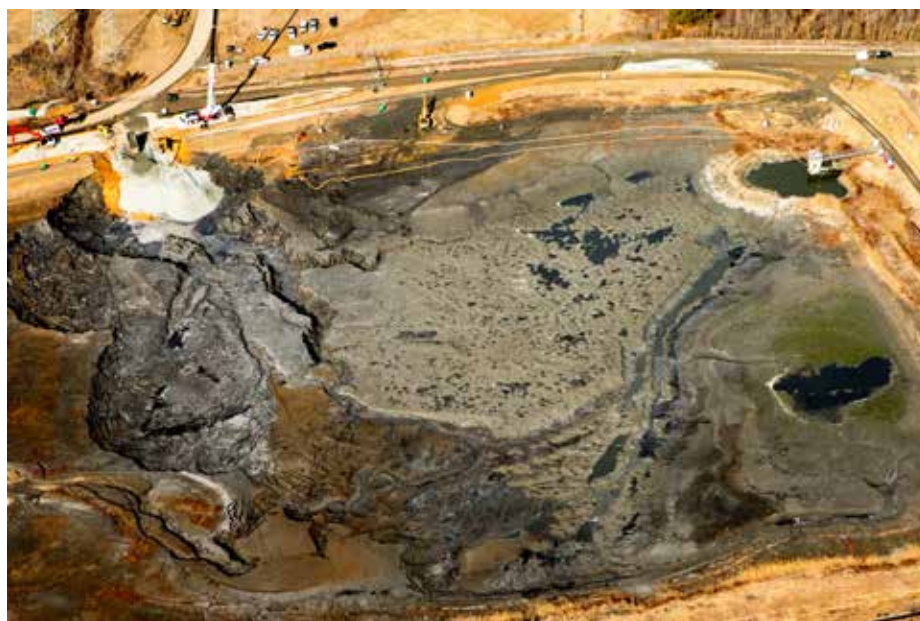
The EPA directed Pilgrim's Pride executives to meet with agency staff to determine how the facility will clean up the site. The company will also most likely be fined. “We hope that the case will set new standards for the poultry industry,” Chattahoochee Riverkeeper Jason Ulseth said, “and that both EPA and Georgia's EPD will require other facilities like Pilgrim's Pride's Gainesville site to take steps to fix their serious pollution problems. These facilities must comply with clean-water laws to protect public health and water quality downstream.”







THE COLLAPSED COAL-ASH IMPOUNDMENT AT DUKE ENERGY'S DAN RIVER POWER PLANT SPILLED 140,000 TONS OF TOXIC WASTE INTO THE DAN RIVER.



PHOTOS BY RICK DOVE

**WATERKEEPER ALLIANCE STAFF WERE AMONG THE FIRST RESPONDERS ON THE SCENE WHEN THE COLLAPSED DAN RIVER STEAM STATION BEGAN SPEWING 140,000 TONS OF TOXIC SLUDGE AND WASTEWATER INTO THE DAN RIVER.**

## LIGHTS-OUT FINE FOR DUKE ENERGY

In May, Duke Energy, the nation's largest private utility, pleaded guilty in federal court to nine criminal counts of violating the Clean Water Act. The company agreed to pay \$102 million in fines and restitution to resolve a federal investigation into its criminal mismanagement of toxic coal-ash basins in North Carolina. The fine is the second largest criminal penalty in the history of the Clean Water Act, and the largest criminal penalty ever paid in North Carolina. But it is only the latest in a string of financial liabilities related to coal ash that have been imposed on the company since a stormwater pipe collapsed in February 2014 beneath a 60-year-old coal-ash impoundment at Duke's Dan River Steam Station in Eden, North Carolina.

Duke Energy also faces substantial civil liabilities that could result from lawsuits brought by environmental groups and state regulators for continuing illegal pollution at all of its 14 coal-ash sites in North Carolina. Leakage of ash at these locations was documented by Waterkeeper Alliance staff, local Waterkeeper organizations and others prior to the Dan River spill, and seven lawsuits are currently pending before state and federal courts in North Carolina.

"We now know without any doubt that our joint

legal action and rapid response to the Dan River spill paved the way for a federal criminal investigation into Duke Energy's mismanagement of coal-ash dumps across North Carolina," said Marc Yaggi, executive director of Waterkeeper Alliance.

The continuing civil litigation, he added, may cause "further adverse effects to the company's bottom line."

Waterkeeper Alliance staff were among the first responders on the scene when the collapsed Dan River Steam Station began spewing 140,000 tons of toxic sludge and wastewater into the Dan River. And the Alliance continues to fight against coal-ash pollution in communities across the country.

Pete Harrison, Waterkeeper Alliance attorney and U.S. Coal Campaign manager, considers it "unfortunate" that it took "relentless efforts" by the litigants to hold Duke Energy accountable. "Without pressure from these citizen groups," he said, "government officials would have continued to turn a blind eye to the company's illegal pollution."

But now, he concluded, "the company has to report to probation officers for the next five years like any other criminal. The days when Duke Energy was held above the law in North Carolina have come to an end."



ACTIVISTS ERECTED A GIANT COFFIN AT LOANCO BEACH ON THE MAULE COAST AS A SYMBOL OF THEIR BATTLE AGAINST THE DEADLY THREAT OF A COAL-FIRED POWER PLANT.



PHOTOS BY RODRIGO DE LA O GUERRERO

AFTER THEIR DEFEAT OF THE PROPOSED LOS ROBLES POWER PLANT, CITIZENS CAME TO LOANCO BEACH TO CELEBRATE WITH A BONFIRE.

## A BONFIRE INSTEAD OF COAL-FIRE: CHILEANS CELEBRATE VICTORY AGAINST A POWER PLANT

OUR VICTORY IS DUE TO A  
MORE EMPOWERED SOCIETY  
THAT DEMANDS MORE SPACE  
TO ADVOCATE FOR ITS  
OWN INTERESTS.

In a significant shift for business-friendly Chile, citizens' groups are successfully suing to block massive projects over threats to coastal waters, glaciers, human health, indigenous rights and biodiversity.

Along central Chile's scenic Maule coast, communities recently celebrated the collapse of a proposal to build the Los Robles coal-fired power plant after the permit authorizing its construction expired. Under Chilean law, companies have five years to begin a project from the date of approval of an environmental impact assessment. AES Gener, a subsidiary of giant U.S. independent power-producer

AES, had failed to do so at Los Robles, and their right to develop the facility has expired.

Citizens' Action for the Defense of the Maule Coast fought for seven years to block the project, and reacted to its victory with a vigil and a great bonfire fueled by rubble remaining from the massive 2010 earthquake and tsunami whose epicenter was in Maule.

"For us, it's a special day, hard to believe, but an important, historic day without doubt," Maule Itata Coastkeeper Rodrigo de la O declared at the celebration. "The community was organized, active and emphatic in defining their own development path. Our victory is due

to a more empowered society that demands more space to advocate for its own interests and for the preservation of our natural heritage for future generations."

When the 750-megawatt Los Robles plant was first proposed in 2007, a spontaneous, diverse citizens' movement was formed to oppose it. Local non-governmental organizations and residents, commercial fishermen and tourism operators all participated, and legislators and mayors of nearby municipalities also joined the campaign.

The coalition became the Citizens' Action for the Defense of the Maule Coast, and pioneered the use of social networks and the Internet as campaign tools in Chile.

They attracted new members, produced publications, and organized marches, caravans and massive demonstrations. They learned about coal and how destructive it is in every stage of its life-cycle, educated citizens about coal pollution, the health problems associated with such plants, and the possible impacts on fisheries and water resources. They submitted more than 600 comments for the environmental impact assessment, causing delays in the project-approval process. They launched legal actions.

And they won.

— Aviva Imhof



# LEAVE YOUR MARK BY LEAVING NO MARK AT ALL

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**HYDROGEN AND OXYGEN GO IN. WATER COMES OUT.**

The new Toyota Mirai hydrogen fuel cell vehicle marks a turning point in automotive history. Learn more and leave your mark of support at [www.toyota.com/mirai](http://www.toyota.com/mirai)



Prototype shown. Production model may vary.



EL HADJI DAOUDA GUEYE, THE IMAM OF THE VILLAGE OF BARGNY, RIGHT, LED HIS COMMUNITY'S SUCCESSFUL OPPOSITION, ABOVE AND FAR RIGHT, TO THE BUILDING OF A COAL-FIRED POWER PLANT NEARBY.



PHOTOS BY WATERKEEPER ALLIANCE

## NORWEGIAN FUND BREAKS CLEAN FROM SENEGAL COAL PLANT

The world's richest sovereign wealth fund, Norway's Government Pension Fund Global, has divested shares of Jindal Steel and Power, the multinational Indian company that is the primary sponsor of a proposal to build the largest coal-fired power plant in Senegal, in the town of Mboro, near the capital city of Dakar.

"Coal is the dirty energy of the past that pollutes air, water and the climate," said Mbacke Seck, Senegal's Hann Baykeeper. "The people of Senegal are very happy that shares have been divested from Jindal and send our heartfelt appreciation to

the Norwegian government. We prefer to see international funding support renewable-energy projects that will power a sustainable future for Senegal."

Since 2013, the coal investments of Norway's sovereign wealth fund have been the subject of continuing political debate in that country, during which several of Norway's political parties and environmental groups have called for an exclusion of coal stocks and bonds from the fund's portfolio. Their success was clear this past March when European non-governmental organizations analyzed and updated the fund's holdings-list and found that it had divested interests from 53 coal companies, including 16 based in the United States, 13 in India and five in Australia.

"Senegal and all the countries affected by the positive actions of the Norwegian pension fund had great reason to celebrate World Water Day on March 22nd after the announcement that shares were divested

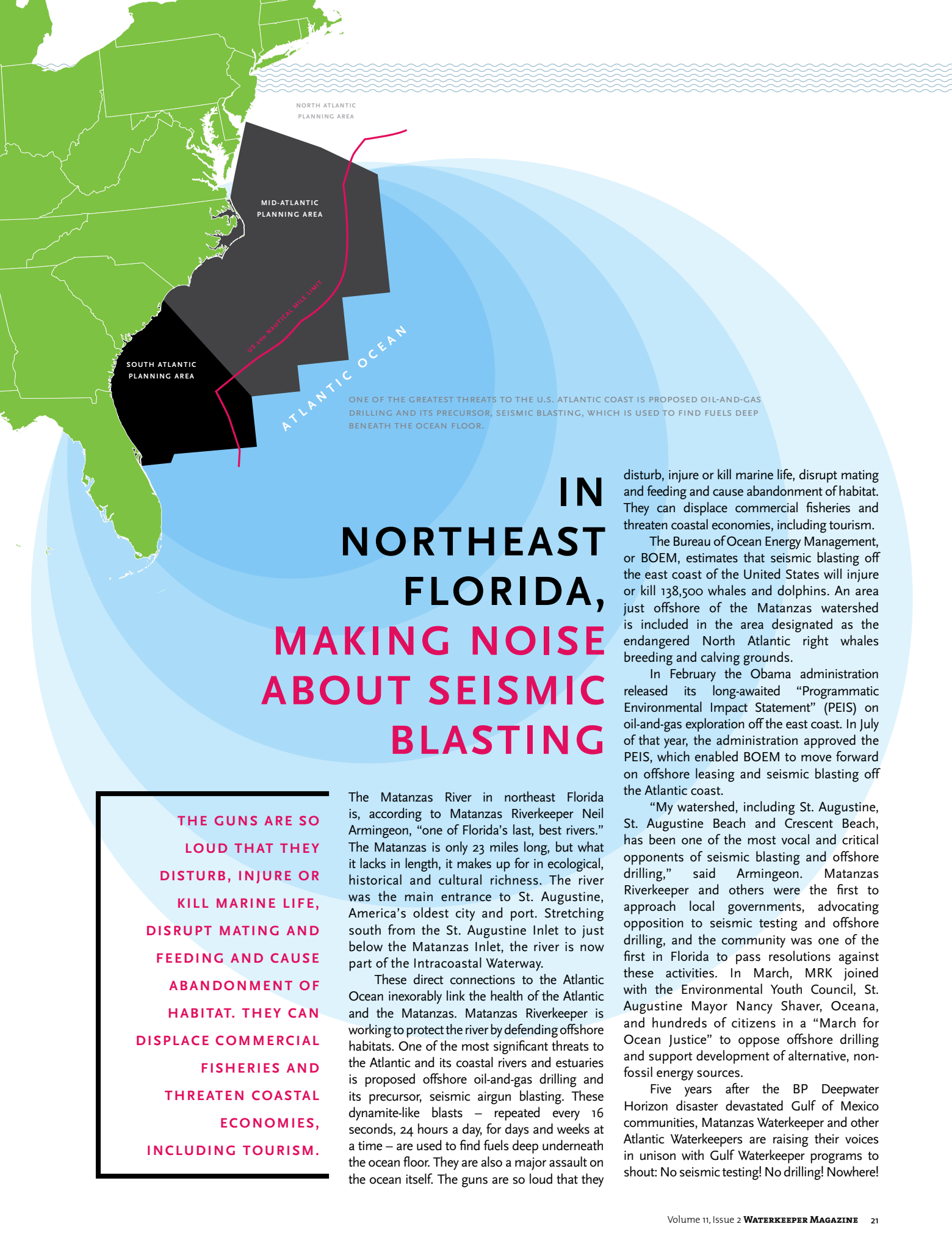
from 53 of the world's riskiest coal companies," said Sharon Khan, international director of Waterkeeper Alliance. "Coal-fired power plants have profoundly negative impacts on water and, in order to make the planet-saving transition to a low-carbon future, we must stop building them."

Hann Baykeeper is among the 263 local Waterkeeper organizations in 31 countries represented by Waterkeeper Alliance all across the world that are rising up against the outdated use of highly polluting coal as an energy source. A recent international conference on coal, water pollution and climate-change hosted in Dakar by Hann Baykeeper and Waterkeeper Alliance made a believer of El Hadji Daouda Gueye, the imam of the village of Bargny on Hann Bay, where another coal plant was being proposed.

"We have learned that if the coal-fired power plant is built it will have significant, daily harmful impacts to our water and communities," he said. "We call upon the African Development Bank, the government of Senegal, our country's Economic and Social Council and SENELEC, our national electric company, to follow the wise decision of the world's largest sovereign investment fund and divest its financial interest in the Sendou coal-fired power plant. It would be better for future generations of the Senegalese people if the 118 billion African francs needed to build the Sendou coal plant is reinvested in responsible renewable-energy projects that will power Senegal's economic future and provide clean jobs."

A little more than a month after the imam's comments, the African, West African, and Netherlands development banks suspended funding for the Sendou plant in Bargny. The banks' decision was largely the result of the advocacy campaign initiated by Hann Baykeeper and Waterkeeper Alliance. "We applaud the development banks," Khan said, "but we still have much work to do making decision makers fully aware of the health, environmental and social impacts of coal, as well as the failures of 'clean coal' technology to keep deadly toxic pollution out of the water."





NORTH ATLANTIC  
PLANNING AREA

MID-ATLANTIC  
PLANNING AREA

SOUTH ATLANTIC  
PLANNING AREA

US 400 NAUTICAL  
MILE LIMIT

ATLANTIC OCEAN

ONE OF THE GREATEST THREATS TO THE U.S. ATLANTIC COAST IS PROPOSED OIL-AND-GAS DRILLING AND ITS PRECURSOR, SEISMIC BLASTING, WHICH IS USED TO FIND FUELS DEEP BENEATH THE OCEAN FLOOR.

# IN NORTHEAST FLORIDA, MAKING NOISE ABOUT SEISMIC BLASTING

THE GUNS ARE SO  
LOUD THAT THEY  
DISTURB, INJURE OR  
KILL MARINE LIFE,  
DISRUPT MATING AND  
FEEDING AND CAUSE  
ABANDONMENT OF  
HABITAT. THEY CAN  
DISPLACE COMMERCIAL  
FISHERIES AND  
THREATEN COASTAL  
ECONOMIES,  
INCLUDING TOURISM.

The Matanzas River in northeast Florida is, according to Matanzas Riverkeeper Neil Armingeon, “one of Florida’s last, best rivers.” The Matanzas is only 23 miles long, but what it lacks in length, it makes up for in ecological, historical and cultural richness. The river was the main entrance to St. Augustine, America’s oldest city and port. Stretching south from the St. Augustine Inlet to just below the Matanzas Inlet, the river is now part of the Intracoastal Waterway.

These direct connections to the Atlantic Ocean inexorably link the health of the Atlantic and the Matanzas. Matanzas Riverkeeper is working to protect the river by defending offshore habitats. One of the most significant threats to the Atlantic and its coastal rivers and estuaries is proposed offshore oil-and-gas drilling and its precursor, seismic airgun blasting. These dynamite-like blasts – repeated every 16 seconds, 24 hours a day, for days and weeks at a time – are used to find fuels deep underneath the ocean floor. They are also a major assault on the ocean itself. The guns are so loud that they

disturb, injure or kill marine life, disrupt mating and feeding and cause abandonment of habitat. They can displace commercial fisheries and threaten coastal economies, including tourism.

The Bureau of Ocean Energy Management, or BOEM, estimates that seismic blasting off the east coast of the United States will injure or kill 138,500 whales and dolphins. An area just offshore of the Matanzas watershed is included in the area designated as the endangered North Atlantic right whales breeding and calving grounds.

In February the Obama administration released its long-awaited “Programmatic Environmental Impact Statement” (PEIS) on oil-and-gas exploration off the east coast. In July of that year, the administration approved the PEIS, which enabled BOEM to move forward on offshore leasing and seismic blasting off the Atlantic coast.

“My watershed, including St. Augustine, St. Augustine Beach and Crescent Beach, has been one of the most vocal and critical opponents of seismic blasting and offshore drilling,” said Armingeon. Matanzas Riverkeeper and others were the first to approach local governments, advocating opposition to seismic testing and offshore drilling, and the community was one of the first in Florida to pass resolutions against these activities. In March, MRK joined with the Environmental Youth Council, St. Augustine Mayor Nancy Shaver, Oceana, and hundreds of citizens in a “March for Ocean Justice” to oppose offshore drilling and support development of alternative, non-fossil energy sources.

Five years after the BP Deepwater Horizon disaster devastated Gulf of Mexico communities, Matanzas Waterkeeper and other Atlantic Waterkeepers are raising their voices in unison with Gulf Waterkeeper programs to shout: No seismic testing! No drilling! Nowhere!

WHILE PICTURESQUE, THE CATTAIL STANDS ALONG THIS STRETCH OF THE ST. LAWRENCE RIVER ILLUSTRATE THE LOSS OF BIODIVERSITY DUE TO OUTDATED WATER-LEVELS MANAGEMENT.

## LET THE RIVER FLOW

The St. Lawrence River flows through Canada, the United States and First Nation's territories and connects the Great Lakes to the Atlantic Ocean. Part of the largest freshwater system on earth, it is a source of drinking water for millions of people in both Canada and the United States. It is also a breathtakingly beautiful recreational mecca that supports a vital tourism-based economy in many small communities.

Its gorgeous scenery, however, hides serious ecological damage that is causing a decline in fish-and-wildlife populations. An outdated plan for regulating water levels has persistently and severely eroded an estimated 64,000 acres of essential coastal wetlands, which include extensive fish-spawning and nursery grounds, the lifeblood of the river's ecosystem, precipitously lowering the number of northern pike, common terns and other key-indicator species that it supports.

The International Joint Commission (IJC), a bi-national organization established in 1909, has regulated water levels on Lake Ontario and the St. Lawrence River since the 1950s, when the St. Lawrence Seaway opened the river and the Great Lakes to international shipping, and the massive Moses-Saunders hydropower dam was completed on the river. The regulation plan adopted then primarily

served the special interests of commercial navigation and hydropower production.

Further, when the seaway opened the environment was not a consideration, and the regulation plan that was adopted, and that remains in effect today, stifled the natural ebb and flow of the river. The unnatural regulation of water levels resulted in the clogging of wetlands with mats of cattails, diminishing the benefits they provide, such as purifying water by absorbing excess nutrients and providing habitat and feeding grounds for aquatic and avian species.

Now there is a once-in-a-lifetime opportunity to reverse the devastating impacts of the unnatural water levels. In June 2014, after 15 years of study and consultation among governments, non-governmental organizations, and communities and businesses around the basin, the IJC recommended a new plan to the U.S. and Canadian governments. This "Plan 2014" would return some of the natural fluctuations in water levels and restore 65,000 acres of coastal wetlands and hundreds of miles of lake and river shorelines. And the ecosystem would once again thrive.

Waterkeeper organizations throughout the Great Lakes region, including Upper St. Lawrence Riverkeeper, Lake Ontario Waterkeeper, Ottawa Riverkeeper, and Buffalo-Niagara Riverkeeper, have added their voices in support of the plan as it slowly makes its way through an interagency review process. But it will not be implemented

unless these advocates win the approval of Canadian Minister of Foreign Affairs John Baird and U.S. Secretary of State John Kerry. "Waterkeepers are combining their efforts to reach the highest levels of government in both countries," said Upper St. Lawrence Riverkeeper Lee Willbanks. "It's a once-in-100-years chance to return the St. Lawrence to its once-bountiful condition."

**THE UNNATURAL REGULATION OF WATER LEVELS RESULTED IN THE CLOGGING OF WETLANDS WITH MATS OF CATTAILS, DIMINISHING THE BENEFITS THEY PROVIDE, SUCH AS PURIFYING WATER BY ABSORBING EXCESS NUTRIENTS AND PROVIDING HABITAT AND FEEDING GROUNDS FOR AQUATIC AND AVIAN SPECIES.**



PHOTO: UPPER ST. LAWRENCE RIVERKEEPER





MONTEREY COASTKEEPER STEVE SHIMEK STANDS BESIDE A DITCH FILLED WITH TOXIC FARM RUNOFF THAT EMPTIES INTO THE SALINAS RIVER AND ITS TRIBUTARIES.

## SUIT WILL WASH CLEAN CALIFORNIA SALAD BOWL

In April, after more than four-and-a-half years of litigation, Monterey Coastkeeper won a bitter court battle against the Monterey County Water Resources Agency. Monterey Coastkeeper sued the agency in 2010, contending that the agency was responsible for cleaning up polluted waters that flow from the Salinas Valley into Monterey Bay. The ruling by Superior Court Judge Thomas Wills states that the agency must obtain a waste-discharge permit from the Central Coast Regional Water Quality Control Board, which will require monitoring and restrictions.

"It feels great that we won," said Monterey Coastkeeper Steve Shimek. "But it's only the first round. Next, we need to be ready for the inevitable foot-dragging appeal, while at the same time following up with the Water Quality Control Board to ensure the discharge restrictions are meaningful. And we also

must push the state for better agricultural source-controls."

Tables across America are laid every night with broccoli, cauliflower, leaf and head lettuce, artichokes and strawberries grown in "America's Salad Bowl," California's Salinas Valley. But it all arrives at a great environmental cost. Up to four yearly crop cycles require tons of pesticides and fertilizers per acre that create toxic runoff into groundwater aquifers that are the main source of water for all of the valley's residents. This witches' brew from the bountiful farmland often makes domestic water supplies undrinkable. Or it infests the Salinas River and its tributaries, critically endangering steelhead trout, and, where their flows enter the Pacific, triggering toxic algae blooms that kill sea otters and other marine life. The enormous demands of this agriculture,

moreover, can draw so much water from the river and its tributaries that their summer flows cease entirely.

Just west of the valley, on California's central coast, one can see, in the same panoramic view, the affluence of Pebble Beach on the Monterey Peninsula and the water-parched polluted farm communities of San Lucas and San Jerardo. Well-water in the latter has been found to be contaminated at 10 times the acceptable drinking-water standard for nitrates, and residents complain of rashes, hair-loss and frequent sickness and disease.

In 2008, Monterey Coastkeeper began to take legal steps to clean up this mess. Its long-term goal, said Shimek, is not to damage the region's agriculture, but to make it more efficient as well as more responsible.

"The growers paint us as against farming, he says, "but nothing could be further from the truth. The fertilizer and toxics in farm runoff are wasted to the crop – they have left the farm, and we are against wasteful as well as polluting farm practices."

To solve the waste problem, growers will have to apply only the nutrients and pesticides required to grow their crops. To alleviate pollution, they will need to more effectively treat toxic farm runoff. Monterey Coastkeeper is working to involve more agencies in treatment solutions.

In the rural parts of Monterey County, the Water Resources Agency maintains and operates an agricultural-wastewater sewer-system consisting of a complex network of ditches, dams and pumps that move entirely untreated water into the Salinas River and Elkhorn Slough National Estuarine Reserve. In the lawsuit the agency argued that it had no responsibility for water quality or for pollution in the river and wetlands – that it's job was simply to "help" the polluted water along.

"That's as if I collected Chicago's garbage, dumped it in New York, and then claimed I didn't pollute New York, Chicago did, because it was Chicago's garbage," said Shimek. Judge Wills agreed.

## QIANTANG RIVER WATERKEEPER AIRS THE ISSUE OF COAL POLLUTION



QIANTANG RIVER WATERKEEPER HAO XIN STANDS ABOVE A LOCAL RESERVOIR EMBANKMENT ADORNED WITH THE CHINESE CHARACTER FOR "DRAGON," OFTEN REGARDED AS A PROTECTOR OF WATER IN CHINESE CULTURE.

Nonetheless, the overwhelming popular response to the video encouraged Hao Xin, Qiantang River Waterkeeper in Hangzhou, the largest city in Zhejiang province on China's east coast, to propose to the local state television station that they present a forum on reducing coal use.

The station, aware of Hao's widely recognized success in improving the water quality of the Qiantang River, which flows through Hangzhou, agreed, with the cooperation of government agencies and community members, to air the "Qiantang River Forum: Actions Under the Dome" on March 15th.

The show featured meteorological and environmental experts, officials from the environmental-protection bureau, and representatives of the community and local businesses in an open discussion about addressing air pollution in the city. Coal burning was recognized as the largest contributor to the toxic haze that frequently hangs overhead, and the director of the Municipal Air Quality Office, Jiang Binhuan, announced that the city planned to reduce another one million tons of coal use by the end of 2015. Among other solutions offered by participants was increased use of public transportation.

Following the forum, Qiantang River Waterkeeper launched an effort to stop the use of small coal-stoves by street vendors, which remained widespread despite being outlawed in China ten years ago. A two-night investigation of this usage by Waterkeeper volunteers, accompanied by local media, led local authorities to remove 26 coal-stoves from one market and a local company to generously donate gas stoves to replace them.

"We're still trying to discover the source of the coal and stoves," said Hao, recognizing that there are thousands more in use. "With the help of our many volunteers, we're planning to remove all the coal stoves in Hangzhou in the next few months."

China's pollution, largely from coal combustion, is the cause of more than a million premature deaths each year. And not everyone in the Chinese government is ignoring this crisis.

In February, the website for the *People's Daily*, the country's official government newspaper, posted a documentary entitled "Under the Dome," about China's pollution crisis, and the newly appointed minister of environmental protection, Chen Jining, praised the video as China's "Silent Spring" moment, a reference to the 1962 book by Rachel Carson that catalyzed America's modern environmental movement. In less than 48 hours, "Under the Dome" was viewed more than 100 million times, and twice that number within the next few days. Then government officials took it down.



# PUGET SOUNDKEEPER SCORES MAJOR VICTORY FOR SEATTLE'S MUCH-ABUSED DUWAMISH RIVER. BY BEN GOLDFARB

**O**n a drizzly Seattle afternoon – April on the calendar, November in the air – an endless parade of tractor-trailers rolls through a towering green gate and enters Terminal 18, the largest shipping terminal in the Pacific Northwest.

A forest of huge red cranes looms over barges as long as football fields; longshoremen in hardhats and orange life jackets scramble across the yard. Anchor chains, each link as long as a man's forearm, lie in rusting piles. Behind a barbed-wire fence, rows of multicolored shipping-containers, stacked like giant Lego bricks, reach for the sky, each cargo-laden block coming from or bound for a distant destination: Shanghai, Tokyo, Kuala Lumpur.

This is 400-acre Harbor Island, where the Northwest's booming economy reckons with its environmental misdeeds. The island sits at the mouth of Seattle's only river, the Duwamish, and was built from sediment dredged up from the river's bed in 1909. Its creation was just one of many historical abuses inflicted on the river. The first and, perhaps most grievous, was the dispossession of the Duwamish people, the first human inhabitants of the river, from their ancestral fishing grounds by white settlers in the mid 19th century. In a bitter irony, the City of Seattle took its name from one of the last and greatest Duwamish leaders, Chief Seattle,

whose attempts at accommodating the U.S. government and the settlers were met by a series of land grabs and broken agreements, ultimately resulting in the nearly complete expulsion of the Duwamish from the river that had been the center of their communal life for 10,000 years.

Though early Duwamish explorers lured farmers with reports of a "beautiful plain of unrivaled fertility," Seattle's vision for the river soon turned from agriculture to shipping and heavy industry. Starting in 1913, engineers packed the river's meanders with 20 million tons of mud and sand, separating it from its tributaries. The Duwamish was once a sinuous 13 miles long. Today it's a ruler-straight five.

Once the channel had been dredged and the tidal marshes filled in, businesses ranging from food-processing plants to paper mills moved in. Especially devastating were municipal sewer overflows and the arrival of Boeing, which in 1936 purchased a 28-acre parcel of land on the Duwamish and began cranking out B-17 bombers. In 1945, state researchers discovered that hundreds of pounds of polluting waste were flowing from Boeing's facilities into the Duwamish daily. The company also used coolants rife with PCBs in its manufacturing processes, although at the time little was known about the toxic effects of these new chemical compounds.



# FROM BORN

Although PCBs were eventually banned, the dumping of other pollutants, such as arsenic and dioxins, continued, and in 2001 the Environmental Protection Agency declared the Lower Duwamish Waterway a Superfund site. Boeing, the City of Seattle, King County, the Port of Seattle and other polluters began preliminary cleanup efforts a few years later, but it wasn't until December 2014 that the EPA announced its long-overdue final plan. The \$342 million scheme calls for dredging up enough toxic muck to fill 29 Olympic swimming pools and burying another 24 acres of river-bottom in sand. The restoration and monitoring will take 17 years.

Such a mistreated body of water would seem to be incapable of supporting life. Yet the Duwamish is still rich with fauna. Herons stalk crabs along Harbor Island's fringes; in the distance, a harbor seal pops its gleaming head from the iron-colored water. The river supports four species of Pacific salmon, as well as steelhead and cutthroat trout.

"I've seen a sea lion come out of the water with a salmon in its mouth right opposite the container facility," says Puget Soundkeeper Chris Wilke. "I've seen ospreys, eagles, diving ducks. I'm constantly amazed by nature here."

But while the Duwamish may be on the mend, its pollution

is far from ancient history. In 2010, Wilke and his team at Puget Soundkeeper discovered that the 196-acre Terminal 18 was discharging illegal quantities of several contaminants into the river, and failing to take action as required by its permit. Puget Soundkeeper sued SSA Terminals, the company that operates the facility. The final settlement, struck in January 2015, not only mandates an extensive cleanup of industrial stormwater discharges – it also puts other facilities on notice that the Duwamish is a dumping-ground no longer.

"In general, things are getting better, but there's still a fear that industry and our city could re-pollute this river," Wilke says. "The Duwamish doesn't have the capacity to absorb more pollutants. We have to give it a chance to recover."

**F**ew people know the Duwamish as well as Wilke, a tall, sturdily built man with an unruly salt-and-pepper beard, an amiable smile and an intense stare that tells you he means business. He wears an aqua-green Waterkeeper Alliance sturgeon tattooed on his right bicep. In a city whose booming tech industry has attracted a flood of migrants, Wilke is a rare Central Seattle native,

and his connection to Puget Sound runs deep. An old Northwest maxim holds that “When the tide is out, the table is set,” and Wilke’s family lived those words, setting traps for Dungeness crabs and digging for littleneck clams. As a youth, he would swim with friends at Gas Works Park, the site of a former gasification plant in the city’s Wallingford neighborhood.

“One day the whole thing was taped off, and there were guys from the EPA in moon suits taking samples,” Wilke recalls. “That was a sign for me that our waters were not so clean.”

In college, Wilke decided to pursue a degree in marine science but then switched to follow his other love, music. He eventually sold stereo equipment for more than a decade. “It was a job that turned into a career, without me paying attention,” he likes to say. But he also got serious about fishing. One memorable day, he caught three Coho salmon off a Puget Sound beach – a feat he’s yet to duplicate. As his love for the sound grew stronger, he began asking himself questions about its health, including why there weren’t more salmon swimming in it. “By the end of 2000, I knew the environment wasn’t going to protect itself, it was up to us,” he says. “And I knew exactly what I wanted to do.”

He went back to school to study nonprofit management, and, in 2002, started volunteering at Soundkeeper. Volunteering turned into a job, and the job turned into the directorship and the role of Puget Soundkeeper. All the while, he retained his passion for angling; by now, he’s caught every species of Pacific salmon – on a fly.

“For me, fishing provides that strong connection to place,” Wilke says. “This is the place I want to protect. This is where I make my stand.”

In western Washington, making a stand means tackling the problem of polluted stormwater runoff, which deposits some 14 million pounds of toxic chemicals into Puget Sound annually. When most people think of stormwater pollution, they think of the domestic contaminants – fertilizer, engine oil, paint, gasoline – that wash from driveways and lawns every time it rains. But, although such municipal runoff is indeed a crisis in Puget Sound, the Duwamish is plagued by industrial toxicants, most notably copper and zinc, which flow into the river from the facilities arrayed along its banks. High doses of copper can kill fish, and lower exposures damage their sense of smell, which harms the ability of salmon to migrate and escape predators. Zinc impairs fishes’ reproduction and growth.

Over the years, Soundkeeper has identified and sued dozens of facilities that have discharged illegal amounts of these metals and other pollutants into the Duwamish. Sometimes spotting lawbreakers has been easy. Once, a Soundkeeper patrol happened upon a mile-long oil sheen. Other times they’ve seen suspicious white foam piled up at outfalls. But not all sources of pollution are so obvious, which is why Soundkeeper also scrutinizes the discharge-monitoring reports that facilities have to file four times a year with the state’s Department of Ecology.

Review of one of these reports led to Soundkeeper’s most recent triumph. In 2010, Wilke and his team noticed that two container facilities on Harbor Island – SSA’s Terminal 18 and Total Terminals’ Terminal 46 – were introducing more turbidity and discharging far more copper, zinc, and, in SSA’s case, fecal coliform, than the law allowed. (SSA claimed the coliform was coming from bird excrement; Wilke suspects that it was due to a lack of sanitary facilities for truck drivers.) Nor were these sporadic mistakes. The terminals reported law-breaking activities in all of that year’s quarterly reports.

In 2011, Soundkeeper sued the companies, demanding that they install mandatory stormwater-treatment systems – low-tech boxes that trap pollutants in sand and other filter material. Total Terminals, whose 88-acre Terminal 46 handles some 225,000 containers per year, quickly settled, agreeing to install a treatment system, subject itself to tougher monitoring, and pay \$89,000 to the Puget Sound Stewardship and Mitigation Fund, a program that gives grants to local environmental



TOP: SSA TERMINALS’ 200-ACRE TERMINAL 18 CONTAINER FACILITY IS THE LARGEST IN THE PACIFIC NORTHWEST. ABOVE: PUGET SOUNDKEEPER KAYAKTIVISTS PADDLE ON THE DUWAMISH RIVER.

**“ONE DAY THE WHOLE THING WAS TAPED OFF. AND THERE WERE GUYS FROM THE EPA IN MOON SUITS TAKING SAMPLES. THAT WAS A SIGN FOR ME THAT OUR WATERS WERE NOT SO CLEAN.”**

groups for projects that improve the sound’s water quality and habitat.

But SSA proved far less pliant, and, much to Soundkeeper’s frustration, Washington’s Department of Ecology didn’t offer much help by enforcing its own laws.

Washington is generally considered a national leader in stormwater regulation. In 2013, for instance, the state phased in rigorous rules, championed by Soundkeeper, that require cities and counties to pursue low-impact development techniques, like permeable pavement and green roofs. Yet, in the wake of Soundkeeper’s lawsuit with SSA, the Department of Ecology granted Terminal 18 a waiver from having to meet water-quality standards, claiming, in effect, that SSA was already doing enough to clean up its act.





ALL PHOTOS: PUGET SOUNDKEEPER



TOP: PUGET SOUNDKEEPER'S BOAT PATROLS NEAR SSA'S TERMINAL 18. ABOVE: A GREAT BLUE HERON PERCHES BESIDE A STORMWATER OUTFALL ON THE DUWAMISH RIVER. STORMWATER RUNOFF IS THE NUMBER-ONE SOURCE OF TOXIC POLLUTION IN PUGET SOUND.

reached in January, was a decisive victory for clean water: Far from the three-percent-solution originally proposed, the company agreed that 50 percent of Terminal 18 would receive stormwater treatment, and another 40 percent of the site would be subject to stronger monitoring. If the latter portion doesn't meet standards, it, too, must be treated. A treatment system, which Wilke says could end up costing SSA some \$10 million, will be installed by 2020. And SSA will pay \$215,000 to the Puget Sound Stewardship and Mitigation Fund.

"It shows that, even if Ecology is willing to succumb to industry pressure, we won't stand for that," says Kinn. "We weren't going to be scared away just because they wanted a fight."

"The SSA settlement is a triumph of citizen oversight," said Richard Smith of Smith and Lowney, PLLC, one of Soundkeeper's attorneys on the case. "Without citizens holding them accountable, SSA would have received a pass from the state on the work needed to control their pollution to the Duwamish River."

**A**lthough Soundkeeper's settlements will help avert new pollution, and the EPA's cleanup plan will gradually improve this damaged waterway, the river's advocates are under no illusions about the difficulties ahead.

"We're still looking at a 20-year period," B.J. Cummings, former Puget Soundkeeper and now development-and-policy advisor with the Duwamish River Cleanup Coalition, told *High Country News* in December. "That's a whole other generation of families growing up with poison fish on the table."

Given that progress sometimes seems to advance as slowly as the glaciers that once carved Puget Sound, an environmentalist could be forgiven for growing discouraged. But Wilke remains undaunted. For the first time in many years, the river's defenders can plausibly imagine a future in which Department of Health advisories against eating fish and shellfish are lifted, salmon recover their historic abundance, and water quality satisfies Clean Water Act standards.

"It may take a long time before all that is achieved, but that's what the law requires – so why shouldn't it happen?" demands Wilke. "It's a lot of hard work, but we accumulate victories along the way." **W**

*Shortly before we went to press with this issue, Puget Soundkeeper Chris Wilke contacted us with an anecdote that seemed the perfect coda to Ben Goldfarb's story. "One afternoon, a man came into Soundkeeper's office," Chris said, "and told us his name was Ken Workman and he was a member of the Duwamish Tribal Council. Not only that, but the great Duwamish leader Chief Seattle was his great, great, great, great grandfather. I told him about Soundkeeper's long-standing work to protect his ancestral waterway, and after listening he said he would like to become a member of our organization. He added that he would like Soundkeeper's staff to share widely that the Duwamish people support the work of Puget Soundkeeper. We work hard to earn people's respect for our mission and our work, but praise from a descendant of the original stewards of the river was in a whole new category."*

*Ben Goldfarb is a correspondent at High Country News, a magazine that covers environmental issues in the American West. His writing has also appeared in Scientific American, Earth Island Journal, and Hakai Magazine. He tweets at @ben\_a\_goldfarb.*

"That's just crazy," says Katelyn Kinn, staff attorney for Soundkeeper. "This site was clearly discharging pollution, but Department of Ecology tried to let it off the hook,"

Soundkeeper managed to get the waiver struck down by the Pollution Control Hearings Board, but the fight was far from over. SSA put out an engineering report that called for stormwater treatment on a measly six acres of the terminal – just three percent of its total area – and the Department of Ecology accepted the plan.

"The state seems to be content with progress," Wilke complains. "As long as the situation on the ground is getting a little better, they feel like they're doing a good job."

But Soundkeeper still had the Clean Water Act on its side, and as the trial date drew closer, SSA had little choice but to sit down at the negotiating table and consent to a deal. The settlement,



THE  
FALSE

PROMISE

OF

HYDROPOWER



# COSTA RICA'S WRONG-MINDED HYDROELECTRIC POLICY IS CONTRIBUTING TO ONE OF THE WORLD'S MOST MISUNDERSTOOD POLLUTION PROBLEMS.

BY GARY WOCKNER, POUFRE RIVERKEEPER

As we stood on our boards and paddled away from the cove at Malpais and turned south past the wave-break, I felt a rush of what Costa Ricans call *pura vida* – “pure life.” The wind was calm, the sun glaring, and the sea slightly rolling along this headland that includes the 3,000-acre Cabo Blanco National Park. Our guide, Andy Seidensticker, had moved to Costa Rica just to surf and paddleboard these waves at the southern tip of the Nicoya Peninsula on the Pacific coast.

This excursion with Carolina Chavarria, executive director of Nicoya Peninsula Waterkeeper, topped off my water-filled trip to Costa Rica this past winter. With the park to our left, we paddled just outside the wave-break, chatting, watching wildlife, soaking in the sun until we reached a warm freshwater spring that bubbled up in the ocean about 100 meters offshore. Surrounded by the bubbles, we sat on our boards and rested before paddling back to the cove. As the wind picked up and swells rose higher, the return paddling became more strenuous, as did our conversation about the watery challenges facing Costa Rica.

There are as many problems as blessings in the country's abundant waters, and Chavarria and her staff are energetically confronting those problems, many of which are caused by the country's booming tourist industry. Costa Rica has exemplary environmental laws but they are poorly enforced. Restaurants, hotels, and home- and road-construction generate sewage and runoff that flow directly into rivers and the ocean.

In Santa Theresa, the home of the Nicoya Peninsula Waterkeeper, five miles from Malpais, the water supply descends from the country's inland mountains out of a massive and rapidly expanding network of dams and through a snaking tangle of canals, pipes and dikes. Many of Costa Rica's dams also produce hydroelectric power, which provides 80 percent of Costa Rica's electricity. Government and business officials speak of this as “clean energy” that is “carbon free.” Nothing could be further from the truth.

A few months before visiting Costa Rica I had written a post for the environmental website EcoWatch entitled “Dams Cause Climate Change: They Are Not Clean Energy.” Based on research I'd done in fighting dam proposals on my own river, the Cache le Poudre, as well as my work advocating for the already-dammed Colorado River, I've come to believe that hydropower is one of the biggest environmental problems our planet faces. Construction of hydroelectric dams around the world is surging dramatically, guided by the false premise that they produce clean energy, even as study after study refutes this claim.

The principal environmental menace of hydroelectric dams is caused by organic material—vegetation, sediment and soil—that flows from rivers into reservoirs and decomposes, emitting methane and carbon dioxide into the water and the air throughout the generation cycle. Studies indicate that in tropical environments and high-sediment areas, where organic material is highest, dams can release more greenhouse gas than coal-fired power plants. Philip Fearnside, a research professor at the National Institute for Research in the Amazon, in Manaus, Brazil, and one of the most cited scientists on the subject of climate change, has called these dams “methane factories.” And, according to Brazil's National Institute of Space Research, they are “the largest single anthropogenic source of methane, being responsible for 23 percent of all methane emissions due to human activities.”

Even that number 23 may be low; the emissions can be huge even in temperate climates. A 2014 article in *Climate Central* offered a disturbing comparison: “Imagine nearly 6,000 dairy cows doing what cows do, belching and being flatulent for a full year. That's how much methane was emitted from one Ohio reservoir in 2012. [Yet] reservoirs and hydropower are often thought of as climate-friendly because they don't burn fossil fuels to produce electricity.” Another 2014 article in the same publication pointed out that, because very few dams and reservoirs are being studied, their methane emissions are mostly



THERE ARE BLESSINGS AS WELL AS PROBLEMS AMID COSTA RICA'S ABUNDANT WATERS. POUDRE RIVERKEEPER GARY WOCKNER FELT THE RUSH OF WHAT LOCALS CALL "PURE LIFE" ON A PADDLEBOARDING TRIP OFF THE NICOYA PENINSULA NEAR MALPAIS.

**DAMS AND RESERVOIRS HAVE  
FLOODED AND DISPLACED  
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RIVERS AND PERPETRATED  
MASSIVE HUMAN RIGHTS ABUSES  
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AND RENEWABLE ENERGY."**



unaccounted for in climate-change analyses across the planet.

An article published in the 2013 book *Climate Governance in the Developing World* focused this failing on Costa Rica: These [methane] emissions, however, are neither measured nor taken into account in calculating Costa Rica's carbon balance. Given that the nation's electricity demand is projected to increase by 6 percent per year for the foreseeable future, and that the majority of this is to be met with increased hydroelectricity production, including such emissions in neutrality calculations would probably make it quite difficult for the country ever to achieve its goals.

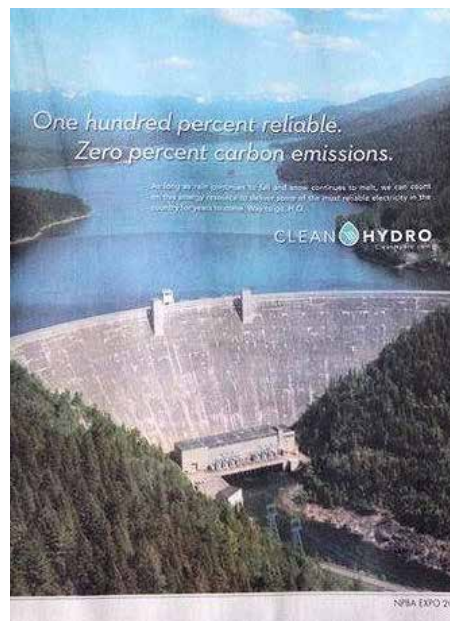
Indeed, in February and March of this year, Costa Rica's government-owned electric utility issued press releases announcing that the country is on track to reach its "carbon neutrality" goals by 2021, stating that "88% of its electricity came from clean sources" in 2014 and that, during the first 75 days of 2015, it had been 100 percent powered by "clean" and "renewable" energy. News agencies across the world spread this misinformation about hydroelectric power. CNN claimed the prize for irresponsible reporting when it ran a TV news-segment entitled, "A Carbonless Year for Costa Rica." More surprising still, some American environmentalists also took the bait. Green groups, including many national organizations, splashed the stories and scientifically false information across social media – 350.org ran a large Facebook meme celebrating Costa Rica's achievement.

Even worse, the myth of carbon-free hydropower is embedded in the Kyoto protocol's "Clean Development Mechanism" to address planetary climate change, and is increasingly being implemented. The program calls for a bigger investment in hydropower than in any other type of purported "clean energy." Such recommendations heavily influence funding-decisions made by the U.S. government and international lenders such as the World Bank and International Monetary Fund. In fact, the World Bank states on its website: "As demand grows for clean, reliable, affordable energy, along with the urgency of expanding access to reach the unserved, hydropower has assumed critical importance."

In the United States the Department of Energy published a report in 2014 calling for "new hydropower development across more than three million U.S. rivers and streams," and it is not unreasonable to fear that the United Nations Conference on Climate Change later this year in Paris will be polluted with "hydropower = clean energy" propaganda.

As governments and funders have gravitated more and more to hydropower over the last 10 years, the dam industry has accordingly ramped up its "green washing." It pretends, as it has for decades, that its activities are benign, while dams and reservoirs have flooded and displaced communities, destroyed rivers and perpetrated massive human rights abuses across the planet, under the false promise of "clean and renewable energy."

In the United States, along the Colorado River, the directors of Glen Canyon and Hoover Dams, two of the biggest river-destruction schemes in human history, continue to claim those dams supply "clean energy" and erroneously calculate the "carbon offset" of their hydropower versus the alternative of coal power. In 2013, at a public meeting of 1,200 people in Las Vegas, I heard industry officials make such claims, which have repeatedly been repudiated by Colorado Riverkeeper John Weisheit. Like the tobacco industry refusing for decades to accept that its product causes cancer, the dam industry, in



A U.S. GOVERNMENT PAMPHLET TOUTS THE BENEFITS OF HYDROPOWER. BECAUSE VERY FEW OF THE WORLD'S DAMS ARE BEING STUDIED, THE HUGE AMOUNTS OF METHANE THEY EMIT ARE MOSTLY UNACCOUNTED FOR IN CLIMATE-CHANGE ANALYSES.

public statements and advertisements, flouts the science that links methane emissions to hydropower. And to make matters worse, the U.S. Department of Energy reinforces the myth of clean hydropower.

This myth seems to permeate energy discussions everywhere. A week after my paddleboard adventure, a whitewater guide on Costa Rica's Rio Tenorio, in the country's northwest coastal area, described to me and a group of fellow rafters how his country's rivers had been harnessed beneficially to produce "clean energy" and clear the way to a nearly carbon-free future.

Costa Rica is now completing the largest hydropower dam in Central America, a project that will likely devastate the Reventazón River. The 426-foot-tall structure is being touted as a shining example of Costa Rica's commitment to the goals of the Kyoto Protocol, and the "Clean Development Mechanism," in particular. The methane emissions it will create do not appear to have been considered, and may never be measured. But as troubling as Costa Rica's situation may be, it represents just one small piece of an enormous global problem.

Dams are being built at a record pace all across the world. The Chinese government recently proposed to build the largest hydropower project in the world across the border in Tibet. Just one of the dams to be included would be three times the size of the current world-record-holder, Three Gorges Dam on the Yangtze River. Further, the conservation group International Rivers reports that, "Currently, no less than 3,700 hydropower projects are under construction or in the pipeline" across the planet.

Hydropower is dirty energy, and should be regarded just like fossil fuel. And environmentalists, far from embracing it, should be battling to shut down hydropower plants and block the arrival of new ones just as vigorously as we work to close and prevent construction of dirty coal plants. At this critical moment in the planet's history, philanthropic funders that support action against climate change must fund a movement against hydropower. Unless the scientific truth about methane emissions from dams is more widely acknowledged, *pura vida* will never be achieved in Costa Rica or anywhere else. **W**



# WHAT TO DO WHEN STATE REGULATION STINKS

ABOVE, NORTH CAROLINA'S MORE THAN 2,200 INDUSTRIAL HOG OPERATIONS — WHICH HOUSE MORE THAN 10 MILLIONS HOGS THAT PRODUCE 40 MILLIONS GALLONS OF WASTE DAILY — ARE LOCATED DISPROPORTIONATELY NEAR MINORITY COMMUNITIES. ABOVE RIGHT, DAVID E. PEARSALL LIVES CLOSE TO A HOG FACTORY FARM IN EASTERN NORTH CAROLINA. HE WEARS A MASK WHENEVER HE IS OUTDOORS BECAUSE, HE SAYS, THE SMELL FROM THE FARM IS SO BAD.





# **NORTH CAROLINA'S WATERKEEPERS ARE USING THE CIVIL RIGHTS ACT TO CLEAN UP MINORITY COMMUNITIES.**

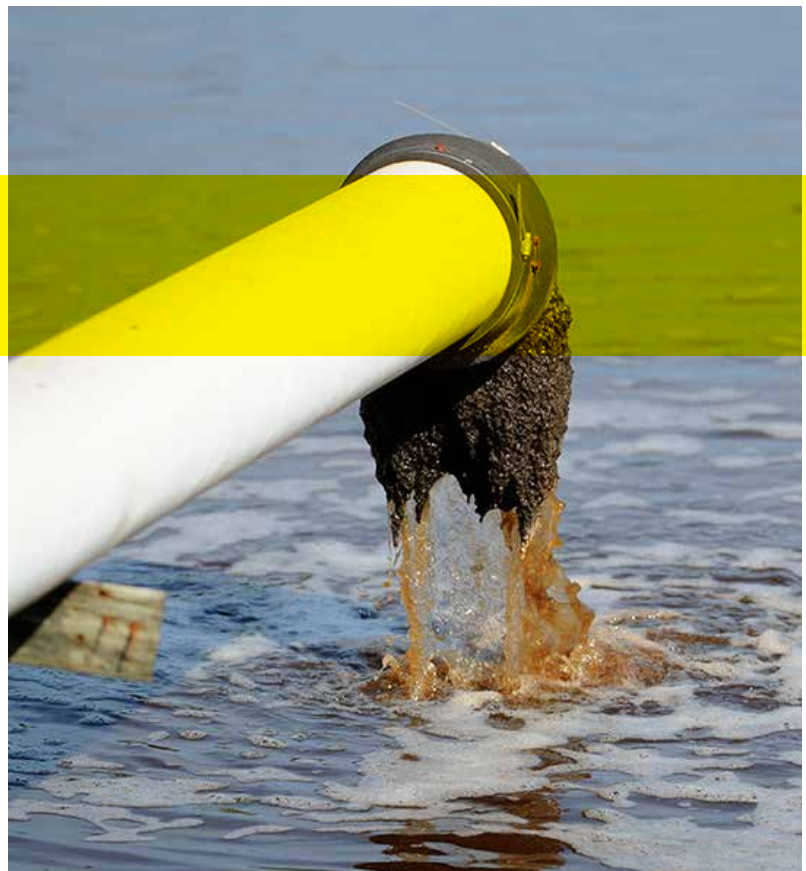
**BY GRAY JERNIGAN, WATERKEEPER  
ALLIANCE STAFF ATTORNEY**

**PHOTOS BY DONN YOUNG**

ake a drive through eastern North Carolina, and you'll see beautiful stands of longleaf pine, vast blackwater swamps, and some of the most productive agricultural land on earth. But you will also likely detect a faint, disturbing odor wafting from the highest concentration of industrial hog operations in America.

For local communities, which are disproportionately African-American, Native American and Latino, that odor is neither faint nor occasional. It's with them every day, a constant accompaniment to the rampant water-and-air pollution that these operations create, and that cause health problems, swarms of insects, and diminished property values, stealing the joy from living in a place they've called home since long before the hog industry arrived.

In the 1980s, as the state's massive tobacco industry began to decline, the hog industry moved in to fill the void. Ever since, local North Carolina Riverkeepers, with support from Waterkeeper Alliance, have been documenting pollution from these Concentrated Animal Feeding Operations, or CAFOs, and communities have repeatedly asked the North Carolina Department of Environment and Natural Resources (DENR) for stronger protections. Citizens have tried to reach a resolution with government officials that is agreeable to neighbors, regulators, and the industry. Some have brought civil complaints for nuisance and trespass against individual facilities.

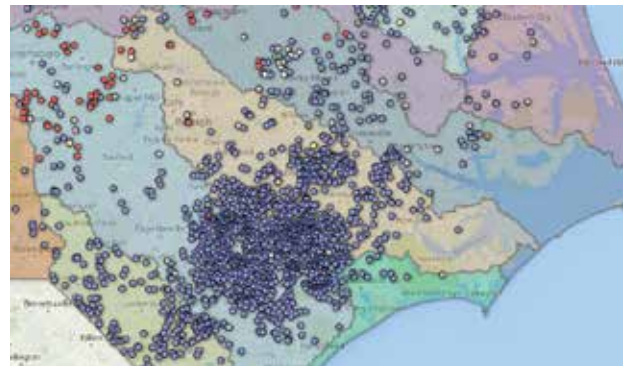


ABOVE, OPEN-AIR, UNLINED HOG WASTE PONDS STORE UNTREATED ANIMAL EXCREMENT THAT CAN CONTAIN TOXINS SUCH AS AMMONIA, HYDROGEN SULFIDE, NITRATES AND PATHOGENS. BELOW, A MAP FROM THE N.C. DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES SHOWS THE CONCENTRATION OF HOG FACTORY OPERATIONS IN EASTERN NORTH CAROLINA.

Joining the fight has been the North Carolina Environmental Justice Network (NCEJN), a statewide, grassroots organization of community members and other groups. Its director, Naeema Muhammad, has been a leader in the battle for nearly two decades.

“Poor people, and people of color especially, continue to suffer from the horrible conditions brought on by the industrial hog industry,” says Muhammad. “People just can’t ignore this.”

Most hog operations in North Carolina operate under a State General Permit, which supports the assumption that pollutants, including fecal bacteria and nutrients, stay on site. The permit allows the industry to flush hog feces and urine into open, unlined pits and then to spray this “liquid manure” onto nearby fields under the pretext of it being used as fertilizer. The problem is that there is too much of the waste being produced for the soil or crops to absorb it all. Much of the waste runs off the fields, which are extensively ditched to facilitate drainage in the low-lying coastal plain, and the waste contaminates nearby waters. It also drifts as a noxious mist onto neighboring properties.



“You can’t imagine what it’s like to live next to one of these hog operations,” says Devon Hall, project manager at the Rural Empowerment Association for Community Help (REACH), an organization that strives to improve the quality of life for people of color in the area. “It’s hard to enjoy the outdoors and it’s embarrassing to invite company over, because the flies and the smells make life miserable.”

But over the decades, complaints have largely fallen on deaf ears. Hall points out that DENR staff had attended his group’s “collaborative problem-solving workshops,” which





LIQUEFIED HOG WASTE IS SPRAYED ONTO NEARBY FIELDS, LIKE THE ONES ABOVE IN NEW BERN, N.C., WHICH ARE TYPICALLY RIDDLED WITH DITCHES THAT MOVE THE WASTE DIRECTLY INTO STREAMS AND RIVERS.

were funded by EPA, but still the state agency neglected to act. Even after a January 2015 study published by researchers at the University of North Carolina and Johns Hopkins University linked high levels of fecal bacteria in local waterways to industrial hog operations, state officials have been dismissive of citizens' concerns.

In 2014, after the state renewed the General Permit for hog operations without offering better protections, residents and the groups representing their interests took their strongest stand yet. Waterkeeper Alliance, NCEJN and REACH, represented by Earthjustice and the University of North Carolina Center for Civil Rights, filed a complaint with the U.S. Environmental Protection Agency Office of Civil Rights under Title VI of the Civil Rights Act of 1964. The complaint alleges that the State's lax regulation of hog-waste disposal discriminates against minority communities in eastern North Carolina, and that its Department of Natural Resources' recent permit allowing thousands of hog facilities to function without adequate waste-disposal controls violates federal law.

"We've been asking the state and our representatives for years to do something different about how this industry operates in the state," says NCEJN's Muhammad. "It was an insult to the community and to the people of the state of North Carolina to renew those permits."

In February of this year, the EPA's Office of Civil Rights announced that it had accepted

the complaint filed against DENR and would proceed with an investigation of whether the agency's actions have been sufficient to remedy what has become an institutionalized system of discrimination against minority communities.

Using the Civil Rights Act as a tool to stem industrial pollution may seem unorthodox to some, but it is not a new concept. Under the law, when a state-implemented regulatory program receives funding from the federal government, it must operate in a way that does not have a disproportionate negative impact on communities of color. When this requirement is violated, the EPA is authorized to cut off federal funding for the program, but it can choose less severe protective measures such as increased monitoring, inspection and enforcement.

Access to clean water – and air – are rights that are fundamental for citizens of a nation that is governed by the people. Ultimately, the residents of eastern North Carolina have been deprived of the rights to life, liberty and the pursuit of happiness promised to Americans by the Founding Fathers, and Waterkeepers have a responsibility to speak for them when their voices are not heard.

"I am confident that the EPA investigation will find it to be true that DENR has long failed to fulfill its obligation to protect citizens," says Larry Baldwin, "and we look forward to having representatives come to eastern North Carolina to see the impacts first-hand." **W**

**"YOU CAN'T IMAGINE WHAT IT'S LIKE TO LIVE NEXT TO ONE OF THESE HOG OPERATIONS. IT'S HARD TO ENJOY THE OUTDOORS AND IT'S EMBARRASSING TO INVITE COMPANY OVER, BECAUSE THE FLIES AND THE SMELLS MAKE LIFE MISERABLE."**

"The negative impacts that hog operations have on the environment and neighboring communities is outrageous, and the government is turning a blind eye to those in harm's way," says Larry Baldwin, CAFO Coordinator at Waterkeeper Alliance. "It's time the state took its responsibility to protect the citizens of the eastern portion of the state seriously."

# **WON'T BA** **COLOMBIA'S** **COAL-WAR WARRIOR**



**LA GUERRERA**  
**DE LA LUCHA, CONTRA**  
**LA PRODUCCIÓN**  
**DE CARBÓN EN COLOMBIA**  
**NO DARÁ MA**



# CK DOWN

**A PESAR DE LOS RIESGOS, LILIANA GUERRERO, LA WATERKEEPER Y DIRECTORA EJECUTIVA DE LA ORGANIZACIÓN NO GUBERNAMENTAL BOCAS DE CENIZA WATERKEEPER EN LA CIUDAD DE BARRANQUILLA, NO SE RENDIRÁ JUNTO CON SU ORGANIZACIÓN EN LA LUCHA JURÍDICA POR FRENAR LOS DAÑOS AMBIENTALES CAUSADOS POR LA MEGAMINERÍA DEL CARBÓN EN COLOMBIA, NEGOCIO MULTIMILLONARIO DESARROLLADO POR LAS MULTINACIONALES QUE ESTÁN ACTIVAS EN SU PAÍS.**

**DESPITE THE RISKS, BOCAS DE CENIZA WATERKEEPER LILIANA GUERRERO WON'T GIVE UP HER FIGHT TO END THE ECOLOGICAL AND HUMANITARIAN DISASTER THAT BIG COAL HAS BROUGHT TO COLOMBIA.**

BY PETER HARRISON,  
WATERKEEPER ALLIANCE STAFF ATTORNEY

POR PETER HARRISON  
WATERKEEPER ALLIANCE STAFF ATTORNEY

**T**here is an old saying that dynamite comes in small packages. At just a smidgen over five feet, Bocas de Ceniza Waterkeeper Liliana Guerrero is pure Colombian dynamite. From her small office on a busy street in Barranquilla on Colombia's north coast, Guerrero is leading a determined charge to stop the destruction that multinational coal companies are wreaking on her country, and she is doing it in spite of considerable personal risk.

It is no coincidence that Colombia is the largest producer and exporter of coal in Latin America and is also second in the world, to Brazil, in murders of environmental activists, according to the U.S. Energy Information Administration and the latest Global Witness report. As Waterkeeper Alliance's president, Robert F. Kennedy, Jr., has remarked, "Wherever you find Big Coal, you will find a subversion of democracy." Nowhere more so, perhaps, than in Colombia.

Barranquilla is located in the delta where the Magdalena River, Colombia's most important waterway, meets the Caribbean Sea. It is an industrious port city and is also home to the Barranquilla Carnival, second only to Rio de Janeiro's in size and energy. Not surprisingly, the city's residents, called barranquilleros, have a reputation for being both hard working and fun loving, embodying the two competing characteristics of

**H**ay un viejo dicho que dice "la dinamita viene en paquetes chiquitos". Pasando los cinco pies de altura por poco, la Bocas de Ceniza Waterkeeper, Liliana Guerrero es dinamita pura. Guerrero está liderando una difícil misión con mucha motivación para parar la destrucción causada por las multinacionales y la producción de carbón en su país, la cual ha sido facilitada por la débil vigilancia ambiental de los gobiernos de turno, así como por los cambios de normatividad que han hecho más laxo el licenciamiento ambiental y minero en Colombia, entre otras causas, y lo está haciendo aún sabiendo el gran riesgo personal que puede estar implicado.

No es por casualidad que Colombia es el productor y exportador de carbón más grande en Latino América, líder en violaciones de derechos humanos en el Hemisferio Occidental, y el segundo en el mundo, después de Brasil, con la tasa más alta de defensores ambientales asesinados según estudios mundiales por gobiernos y ONGs, incluyó el último informe de la ONG Global Witness. Como fue bien expresado por el presidente de la Alianza Waterkeeper, Robert F. Kennedy, Jr., "Donde encuentras a los Grandes del Carbón, también encontrarás una subversión de la

# RCHA ATRÁS

# IT IS NO COINCIDENCE THAT COLOMBIA IS THE LARGEST PRODUCER AND EXPORTER OF COAL IN LATIN AMERICA AND IS ALSO SECOND IN THE WORLD, TO BRAZIL, IN MURDERS OF ENVIRONMENTAL ACTIVISTS.

PHOTO BY PETE HARRISON

their city. Liliana Guerrero is no exception. She can be light-hearted but there is also a no-nonsense aspect to her; putting you on notice that once she starts something, she is deadly earnest about finishing it.

Guerrero's family has lived in Barranquilla for at least five generations (that is as far back as the records go), and she has a deep, almost palpable love for the place. She named her organization Bocas de Ceniza Waterkeeper after the area where the Magdalena River empties into the Caribbean Sea. Ceniza, meaning "ashes," describes the color of the water where the often-muddy river mingles with the sea.

When Guerrero started her organization, the main problem she thought she would be dealing with was Barranquilla's untreated domestic and industrial sewage, which were polluting the Magdalena River and devastating the legendary coastal mangrove stands in the Mallorquín marshes north of the city.

"I did not think the coal industry would be the greatest threat to Barranquilla and our precious wetlands, mangroves, river and sea," she says. "But as the industry expanded, I came to understand the magnitude of the devastation of open-pit mining in the departments of César and La Guajira, as well as from the transportation of mined coal across the department of Magdalena and the catastrophic spills into the ocean at the coal-export ports."

When the construction of a "super port" was proposed in Barranquilla to increase coal

exports to more than 20 million tons of coal per year, and reports of rail and coal-barge spills increased, it became clear to her that the coal industry had become the greatest threat. "And there was no choice but to oppose what they were doing," she says.

She faced a serious obstacle not in the country's laws, but in its failure to enforce them. Since 1991, when Colombia enacted a new constitution, the country has had some of the most advanced environmental legislation in the world. The constitution's fundamental reforms were designed to protect both the basic rights of citizens (especially disadvantaged and indigenous groups, of which Colombia has 84 distinct ones) and collective rights, including the right to a healthy environment. But more than two decades later, these are mainly paper promises.

"Legal experts may claim that Colombia has a 'green' constitution that ensures the people's right to a healthy environment and clean drinking water," says Guerrero, who is a lawyer. "But the government's commitment to this once-promising ecological legislation remains little more than political oratory divorced from effective enforcement."

In reality, Colombia's magnificent ecosystems, which include wetlands, mangrove forests and alpine tundra, are continuously endangered, in part because of lax regulatory practices that allow licenses to be summarily issued for environmentally destructive commercial projects, especially in the exploration and mining of hydrocarbons.

By the end of 2012, the Colombian government, according to its National Audit Office, had signed 9,400 mining licenses, covering 5.6 million hectares. Of those licenses, 3,760 are currently being exploited, spanning 2.1 million hectares, which is almost two percent of the country's territory. More than 19,000 pending mining-title petitions reportedly target 40 million additional hectares of the 114 million hectares in the entire country, representing 45 percent of the land.

**T**he U.S. Energy Information Administration reports that Colombia's coal production doubled between 2002 and 2012, making it the world's 11th-largest producer of hard coals. And it is now the world's 5th largest coal exporter, sending nearly 94 percent of its coal production abroad. The mining and transportation of coal has contributed to the degradation of vital ecosystems in the country's northern regions, particularly in the departments of César, La Guajira and Magdalena.

"What we are witnessing," Guerrero says, "is that the Colombian government's mining policies are flouting the provisions of the 1991 constitution and the jurisprudence of the Constitutional Court, reducing the foundation of Colombian environmental law to nothing more than beautiful prose decorating legal texts."

In the state of César in northeastern Colombia, the multinational Drummond Company, which was founded in Alabama in 1935, operates one of the largest open-pit mines in the world, the colossal Pribbenow mine. Since





democracia.” En Ningún lugar es más cierto esto que en Colombia.

Barranquilla está ubicada en el Norte de Colombia, sobre la margen occidental del río más importante de Colombia, el río Magdalena, donde desemboca al mar Caribe., .Es una ciudad portuaria e industrial, y es donde se realiza el Carnaval de Barranquilla, designado por la UNESCO como patrimonio oral e inmaterial de la humanidad, segundo en tamaño y energía en relación con el carnaval de Rio de Janeiro. No es sorprendente que los habitantes de la ciudad, los barranquilleros, sean conocidos por ser amorosos y a la misma vez trabajadores, incorporando estas dos características competitivas de su ciudad. Liliana Guerrero no es una excepción. Ella tiene mucho amor, pero hay un aspecto de su carácter que no aguanta tonterías y uno se da cuenta cuando empieza algo que se siente muy motivada por terminar.

La familia de Guerrero ha vivido en Barranquilla por más de cinco generaciones y ella tiene un amor profundo y palpable por el lugar. Nombró su organización “Bocas de Ceniza” por ser este el lugar donde desemboca el majestuoso río Magdalena. Bocas de Ceniza hace referencia al color cenizo que adquiere el océano cuando el río, se encuentra con el mar Caribe.

La inadecuada disposición de desechos sólidos, vertimientos de aguas residuales domésticas e industriales sin tratar al río Magdalena y la Ciénaga de Mallorquín, devastación de mangles, entre otros,

fueron los problemas centrales contra los cuales Guerrero pensó que su organización iba a luchar.

“No pensamos que la industria del carbón sería la amenaza más grande para nosotros, mi comunidad y los preciosos ecosistemas de manglares y humedales, los ríos y el mar,” explica Guerrero. “Sin embargo al empezar a observar la expansión de la industria del carbón, comprendimos la magnitud de los impactos ambientales devastadores que la extracción de carbón a cielo abierto ha causado en los departamentos de la Guajira, y César, además de los impactos ambientales generados por el transporte del mineral en el departamento del Magdalena y los siniestros de derrame de carbón en el mar a los puertos de exportación.

Con la propuesta de construcción del Super Puerto en Barranquilla, por donde se espera aumentar las exportaciones de carbón en más de 20 millones de toneladas de carbón al año, y noticas de más derrames de carbón, empecé a darme cuenta que la industria de carbón había llegado a ser la amenaza más grande para la salud y prosperidad de mi gente, la belleza increíble del país y la diversidad ecológica de mi tierra. Sentí que nuestra organización no tenía ninguna otra opción que oponerse a lo que estaban haciendo”.

Desde 1991, cuando Colombia

ABOVE, ONE OF THE SMALLER OPEN-PIT COAL MINES IN COLOMBIA’S CÉSAR DEPARTMENT, ONLY A FRACTION OF THE SIZE OF DRUMMOND’S NEARBY PRIBBENOW MINE. A WITCH’S BREW OF TOXIC HEAVY METALS CAUSES MINING WASTEWATER TO HAVE A DEEP TEAL-BLUE COLOR.

promulgó su nueva constitución, el país posee una de las legislaciones en materia de protección de derechos fundamentales y

colectivos más avanzadas en el mundo. Las reformas fundamentales del sistema legal en dicha constitución fueron diseñadas para proteger los derechos fundamentales de los ciudadanos (protegiendo especialmente a los grupos étnicos, indígenas y población en condiciones de debilidad manifiesta) y , se reconocieron plenamente los derechos colectivos relacionados con la protección del medio ambiente.

Han transcurrido más de dos décadas desde la promulgación de la constitución de 1.991 y muchos de esos derechos existen solamente en el papel. “Los expertos legales pueden aseverar que Colombia tiene una constitución “verde” que asegura a la gente el derecho a un medio ambiente sano, incluyendo el derecho fundamental al agua potable,” explica Guerrero, quien es abogada litigante, “pero el compromiso del gobierno por el cumplimiento de esta legislación ecológica, que antes inspiraba esperanza, queda como poco más que un discurso político muy divorciado de una ejecución efectiva.”

En realidad, los ecosistemas maravillosos de Colombia, que incluyen humedales, manglares, y páramos, están



LILIANA GUERRERO ON THE BEACH AT THE FISHING VILLAGE OF SANTA VERONICA WHERE SHE IS DOING FIELDWORK WITH THE COMMUNITY.

it acquired the rights to the nearly two billion tons of coal reserves at Pribbenow in the late 1980s, Drummond has destroyed large tracts of land to expand the mine, displacing entire villages and causing widespread social disruption.

For years the Drummond Company has been a kingpin in the Alabama coal industry, operating numerous open-pit and underground mines. CEO Garry Neil Drummond has amassed extraordinary political clout within the state, and the company enjoys an extremely favorable regulatory setting in which environmental permits are often treated as mere formalities to be rubber-stamped.

Thirty years ago, Drummond set its sights on Colombia, with its massive deposits of high-quality coal, cheap labor with few regulations, and a national government desperate to generate revenue from economic development. Former Alabama Governor Bob Riley, whose election campaign in 2002 received substantial contributions from Drummond, led a cadre of Alabama officials and industry representatives on a tour of Colombia to “explore economic partnerships,” which included a meeting with the President of Colombia.

Not long after Drummond started operations at its Pribbenow mine, problems began. Miners responded to low pay and dangerous working conditions by forming a union, a risky thing to do in Colombia, which is widely regarded as one of the most dangerous countries in the world to be a labor activist. A 2011 survey published by the International Trade Union Confederation reported that 49 trade unionists were killed in Colombia in 2010,

more than in the rest of the world combined.

Drummond’s reaction to the organizing effort was swift and severe, according to court documents filed in the United States. The company allegedly hired right-wing paramilitaries to protect its properties and enforce its will, and eventually called on the national government to supply armed troops, which continue to guard Drummond’s mines and railways.

Economic despair often plagues communities near coalmines; mining inevitably disrupts existing ways of life and drives away other opportunities for commerce. Drummond has been accused of coercing, often with violence, indigenous people to abandon their land when their presence interfered with the expansion of mines, and of assassinating people living near its rail lines because of their outspoken opposition to the pollution resulting from coal transport. Some of the claims were later dismissed; others are still pending.

Around Drummond’s mines, the environmental devastation continues to mount, while poverty remains a severe problem. Dust from the mines inundates nearby villages, damaging residents’ health. Vibrations from the frequent explosions at the mines fracture the walls in houses. “In less than a decade,” says Guerrero, “the land of César will be so scarred from mining operations that it will resemble the surface of the moon.”

Even more frightening, perhaps, is the serious threat to César’s waterways and the aquifers that supply water to its entire population. Toxic heavy metals from the mines

contaminate rivers and groundwater, fouling the only local sources of drinking water nearby, and again posing a huge threat to public health.

“This bleak panorama,” Guerrero says, “demonstrates Colombia’s urgent need for strong and organized advocacy, community participation and international attention.”

Late last year, Bocas de Ceniza Waterkeeper and Waterkeeper Alliance co-hosted a conference in Barranquilla that was the most ambitious effort to date to spur action against the abuses of coal-mining companies in Colombia. About 100 members of Colombian civil-society groups attended and received training from Waterkeeper Alliance staff – including Donna Lisenby, the alliance’s global coal-campaign manager – in science, advocacy and communications. Lisenby is a native of North Carolina and comes by her outrage over the depredations of coal companies firsthand, having watched the destruction of much of Appalachia at the hands of America’s coal barons. She often employs the fiery rhetoric of a country preacher and has been traveling the world for the last several years organizing Waterkeepers and their allies in their opposition to the continued reliance on coal and other carbon-based fuels.

“The coal companies weren’t content destroying 475 Appalachian mountains, burying 2,000 miles of pristine streams and killing hundreds of people from black lung in the U. S.,” she says. “Now they want to do it on an even larger scale in Colombia. They can’t be allowed to repeat their deadly history and leave yet another wasteland of poisoned water, devastated



constantemente en peligro de extinción, en parte por las laxas prácticas regulatorias que permiten el otorgamiento exprés de licencias ambientales especialmente para proyectos en los campos de la minería, exploración y explotación de hidrocarburos, actividades que son altamente impactantes y están destruyendo los recursos naturales del país.

A finales del 2.012, según la Contraloría General de la República, en Colombia habían sido suscritos 9.400 títulos mineros, cubriendo 5.6 millones de hectáreas. De estos títulos mineros 3.760 están en explotación y abarcan 2.1 millones de hectáreas, un área de casi dos por ciento del territorio nacional. Hay más que 19.000 solicitudes de títulos mineros por resolver; igualmente se reportó, que las áreas con interés minero en el país son aproximadamente 40 millones de hectáreas de las 114 millones de hectáreas que conforman el territorio nacional.

**S**egún la Oficina de Administración de Información de Energía de los Estados Unidos de Norteamérica, la producción de carbón en Colombia aumentó el doble entre los años 2002 y 2012, convirtiéndose en el undécimo productor de carbón a nivel mundial. Colombia exporta casi un 94 por ciento de su producción anual y ahora es el quinto exportador más grande del mundo. La minería y transporte de carbón han contribuido a la degradación de los ecosistemas vitales en las regiones del norte del país, particularmente en los Departamentos de César, La Guajira y Magdalena

“Lo que observamos” dice Guerrero, “es que las políticas mineras del gobierno Colombiano van en contravía de los postulados de la constitución de 1991 y la jurisprudencia de la Corte Constitucional, reduciendo la base de la ley ambiental Colombiana hasta nada más que una hermosa prosa decorando los textos legales.”

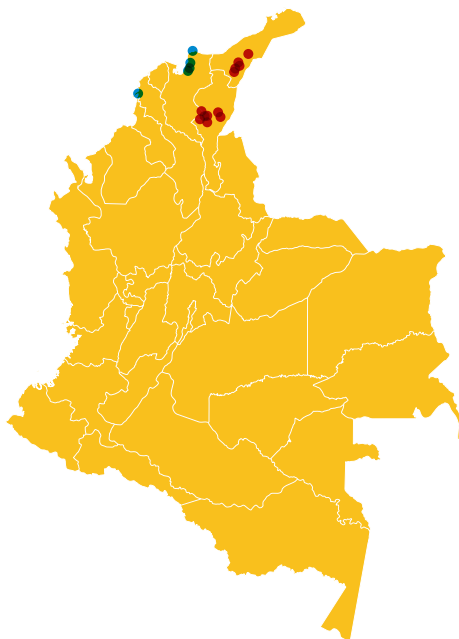
En el Departamento de César en el noreste de Colombia, la controvertida multinacional minera norteamericana, Drummond Company, originaria del estado de Alabama, opera una de las minas a cielo abierto más grandes del mundo, la enorme mina Pribbenow. Desde que adquirió los derechos para operar dicha mina, con casi mil millones de toneladas de reserva de carbón en Pribbenow a finales de los años 80, Drummond ha destruido grandes extensiones de tierra para expandir la mina, obligando al desplazamiento de poblaciones enteras y causando problemas sociales a gran escala.

Por años Drummond Company ha reinado en la industria de carbón en Alabama, operando en este estado

varias minas a cielo abierto y subterráneas. El CEO Garry Neil Drummond ha amasado una tremenda influencia política en el estado y la empresa disfruta de regulaciones favorables, logrando que el trámite de los permisos ambientales constituyan meras formalidades aprobados con una simple rúbrica.

Hace treinta años, Drummond fijó su mirada en Colombia, con sus depósitos masivos de carbón de alta calidad, mano de obra barata, pocas regulaciones y un gobierno nacional desesperado por generar ingresos para su desarrollo económico. En ese entonces, el gobernador de Alabama, Bob Riley, cuya campaña electoral recibió contribuciones sustanciales de Drummond, lideró un grupo de funcionarios públicos de Alabama y representantes del sector industrial en un tour hacia Colombia para “explorar alianzas económicas,” que incluyó una reunión con el Presidente de Colombia.

Después de poco tiempo de realizado ese viaje, Drummond inició operaciones en la mina Pribbenow y los problemas comenzaron. En respuesta a un pago mínimo y condiciones laborales muy peligrosas, los mineros se unieron formando un sindicato de trabajadores, algo riesgoso en Colombia, siendo globalmente reconocido por ser uno de los países más peligrosos para realizar activismo laboral. Una encuesta publicada en el 2011 por La Confederación de la Unión de Comercio Internacional, reportó que en 2010, 49 sindicalistas fueron asesinados en Colombia, un número que excede los casos



THE MINING AND TRANSPORTATION OF COAL HAS CONTRIBUTED TO THE DEGRADATION OF VITAL ECOSYSTEMS IN COLOMBIA'S NORTHERN REGIONS, PARTICULARLY IN THE DEPARTMENTS OF CÉSAR, LA GUAJIRA AND MAGDALENA.

totales a nivel mundial de ese año.

La reacción de Drummond al esfuerzo de organización de los sindicalistas fue pronta y severa. Según los documentos presentados ante el tribunal estadounidense, se reportó que la empresa presuntamente contrató paramilitares para proteger su propiedad e imponer su poder, y eventualmente solicitaron al gobierno nacional que suministrara fuerza armada oficial, quienes continúan vigilando las minas y ferrocarriles de Drummond.

La desesperación económica afecta a las comunidades cercanas a las minas de carbón en Colombia, dado que la minería inevitablemente altera la vida diaria y evita que otras oportunidades de comercio florezcan. Drummond fue acusado de forzar, a menudo con violencia, a la población de abandonar sus tierras cuando su presencia interfirió con la expansión de minas, y de asesinar más de 100 personas viviendo cerca de las líneas ferroviarias por su franca y abierta oposición a la contaminación que resultó del transporte del carbón. Algunos reclamos fueron después descartados; otros quedan pendientes.

Alrededor de las minas de Drummond, el desastre ambiental sigue aumentando, mientras la pobreza permanece como un problema severo. El polvo de las minas inunda los pueblos cercanos, causando problemas graves de salud. Además, las vibraciones a causa de las frecuentes explosiones en las minas ocasiona la fractura de las paredes de las casas. “En menos de una década, la zona minera del César estará tan herida por las operaciones de minería que su suelo va a parecerse a la superficie lunar”, expresa Guerrero.

Más preocupante aún, es la amenaza seria que enfrente el recurso hídrico superficial del César y los acuíferos que suministran agua a su población. Los metales pesados tóxicos de las minas vertidos o descargados indirectamente a los ríos y aguas subterráneas, contaminan las únicas fuentes cercanas de agua potable, pendiendo un peligro enorme sobre la salud pública.

“Ese desapacible panorama, demuestra la urgente necesidad en Colombia de una fuerte y organizada abogacía, constante y motivada participación comunitaria y atención a nivel internacional,” dice Guerrero.

Finalizando el año pasado, la Waterkeeper Bocas de Ceniza y la Alianza Waterkeeper fueron los co-anfitriones de una conferencia internacional en Barranquilla esfuerzo ambicioso para tomar acciones contra los abusos de las empresas de minería de carbón en Colombia. Alrededor de 100 personas, afiliados a grupos de



MAULE ITATA COASTKEEPER RODRIGO DE LA O GUERRERO CAME TO THE WATERKEEPER ALLIANCE COAL CONFERENCE IN BARRANQUILLA TO SHARE HIS EXPERIENCE BATTLING BIG COAL IN CHILE. HERE HE IS SAMPLING WATER FOR POLLUTION DOWNSTREAM OF A COLOMBIAN COAL MINE.

landscapes and dying people.”

She points with some satisfaction to a ruling in a prior Constitutional Court case – originally brought as a fundamental rights action on behalf of a family in César hurt by Drummond’s coal mining – that forced the Colombian government to begin creating the country’s first-ever national commission to formulate rules to mitigate air and water contamination from coal mining and transportation.

“Liliana Guerrero saw this as a once-in-a-lifetime chance to force every coal company in Colombia to address the effects of their terrible pollution,” Lisenby says. “She noticed that the government had failed to include representatives from environmental groups alongside the official members of the commission to help draft the new rules, and she knew that, without their early involvement, the process would be dominated by the coal industry, and the result would be rules too weak to protect her country’s land, water and people.”

Shortly before the conference, Guerrero filed a rights petition before the Ministry of Environment and Sustainable Development, requesting the inclusion of her organization in the rule-making process. The ministry never answered her petition, so she filed a fundamental rights action against the ministry for inaction.

The government tried to stonewall Guerrero’s early participation, finally responding to her first legal filing during the legal proceedings of her follow-up action by

informing her that she could participate only after they had finished drafting the rules behind closed doors.

“That was like lighting a match to the small bundle of dynamite that is Liliana Guerrero,” Lisenby says. She immediately fired off a legal action petitioning the Constitutional Court to select her rights action for revision and a verdict, detailing Bocas de Ceniza Waterkeeper’s fundamental right in Colombian law and demanding inclusion.

In early 2015, she followed it up with a revised rights petition to the Office of the Ombudsman and to two separate judges from the Constitutional Court. “But that still wasn’t enough for Liliana. Instead of sitting back and waiting on the court process to unfold, she began organizing national support by contacting other civil-society groups in Colombia and asking them to file amicus briefs requesting that the government include her as the environmental representative.”

None of the groups, however, has yet agreed to her request and she has found herself very much alone in her fight for inclusion. “In Colombia, that is a dangerous place to be,” says Lisenby. Nevertheless, Guerrero refuses to back down.

“I do not deny my fears,” she says. “I do not want to add my name to the list of environmental activists in Colombia who have been assassinated, but those of us who work

to protect the environment and the victims of coal mining and coal transport must accept the risks.”

Guerrero plans to pursue other legal options. She may seek to enforce the Constitutional Court ruling mandating the protection of the fundamental rights of the citizens living in the catchment area of one of Drummond’s mines, which led to the formation of the national public policy commission. She is also considering filing a new legal action to uphold her own fundamental right to participate in the way government regulates coal pollution.

“The coal companies, their investors and their allies in government think that they have already won,” says Guerrero. “But I believe in the law, and I know I have the support of Waterkeeper Alliance and of Waterkeepers around the world who are engaged in similar struggles, and that gives me more courage.”

And so she will continue to argue for the legal protections of all Colombians’ right to a healthy environment, according to Colombia’s laws.

“I will continue to fight,” Guerrero says. “I will pursue every legal action necessary to protect communities threatened by coal and to end the ecological and humanitarian disaster that these companies and governmental policies have inflicted on Colombia.” W.



la sociedad civil, asistieron y recibieron capacitación del personal de la Alianza Waterkeeper entre ellos, la señora Donna Lisenby, gerente de la campaña global de carbón de la alianza – en ciencia, abogacía y comunicaciones. Lisenby es nativa de Carolina del Norte, quien ha observado de primera mano la destrucción de los Apalaches, los atropellos y estragos causados por los barones norteamericanos dueños de las empresas de carbón. La Señora Lisenby, quien ha estado viajando por el mundo en los últimos años, emplea su encendida retórica de predicadora organizando los Waterkeepers y sus aliados en su trabajo de oposición a la dependencia del carbón y otros combustibles fósiles, promoviendo el uso de energías limpias.

“Las empresas de carbón no estaban contentas destruyendo 475 montañas de los Apalaches, enterrando 2000 millas de quebradas prístinas y matando cientos de personas de pulmón negro en Estados Unidos de Norte América. Ahora quieren hacerlo a gran en Colombia también. No se les puede permitir que repitan su historia mortal y dejar otra vez un lugar baldío de agua envenenada y gente muerta,” señaló Lisenby”

Una sentencia de la Corte Constitucional, originada en una acción de tutela presentada por una familia en César que fue afectada por la minería de carbón de Drummond, obligó al gobierno Colombiano a elaborar una política nacional de prevención y mitigación de los impactos causados por la minería y transporte del carbón en agua y aire.

“Liliana vió esta oportunidad única para forzar a cada empresa de carbón en Colombia de enfrentar los efectos de su horrible polución,” explica Lisenby. “Pero ella notó que el gobierno falló en incluir la representación de los grupos ambientales, junto a los actores del Sistema Nacional Ambiental (SINA) para ayudar a formular las nuevas reglas, y ella supo, que si estos grupos no están involucrados desde el inicio, el proceso sería dominado por la industria del carbón y que el resultado serían reglas demasiado débiles como para proteger los recursos naturales de su país, su agua y su gente.”

Un tiempo antes de la conferencia, Guerrero presentó un derecho de petición, ante el ministerio de Ambiente y Desarrollo Sostenible, pidiendo la inclusión de su organización en el proceso de elaboración de la política, el cual no fue contestado obligándose a la presentación de una acción de tutela en contra de este ministerio.

El gobierno intento bloquear la temprana participación de Guerrero, respondiendo a su petición- en el trámite de la acción de tutela- informándole que solamente podía participar en la etapa de socialización de la misma, después que la política “a puertas cerradas”,



GUERRERO INSPECTS THE SHORELINE WATERS IN THE PORT OF CAIMAN NEAR BARRANQUILLA.

estuviere formulada.

“Eso fue como encender un fósforo al pequeño paquete de dinamita que es Liliana Guerrero,” dice Lisenby. Inmediatamente, Guerrero continuó con la acción legal iniciada contra el gobierno en Noviembre, con el objeto que la Corte Constitucional seleccionara el fallo de

**“THOSE OF US  
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tutela para su revisión.

Comenzando el año 2015, Liliana solicitó a la Defensoría del Pueblo y a dos magistrados de la Corte Constitucional que presentaran petición de insistencia de revisión del fallo ante la corte. “Pero aún no fue suficiente para Liliana,” expresa Lisenby. “En vez de ponerse a esperar noticias del proceso en la Defensoría y en la corte, ella empezó a organizar apoyo nacional contactando otros grupos de la sociedad civil en Colombia y pidiendo a ellos la presentación de un escrito de amicus curiae, apoyando la petición de que el gobierno incluya a Bocas de Ceniza Waterkeeper como representante ambiental.

Ninguno de los grupos se han puesto de acuerdo con su solicitud hasta la fecha, y Liliana se encuentra muy sola en su lucha por la inclusión que merece. “En Colombia, estar solo es peligroso en estos casos,” dice Lisenby. No obstante, Guerrero no renuncia.

“Yo no niego mis temores,” expresa ella. “No quiero agregar mi nombre a la lista de activistas ambientales en Colombia que son asesinados, pero quienes trabajan para proteger el medio ambiente y a las víctimas de la minería y transporte de carbón deben aceptar el riesgo.”

Bocas de Ceniza Waterkeeper pretende seguir con otras opciones legales. La organización demandará el cumplimiento del fallo de tutela T- 154 del 2.013 por la protección de los derechos fundamentales de los ciudadanos viviendo en la zona de captación de las minas de Drummond que causó la creación de la comisión nacional de política pública. También está explorando la presentación de una nueva acción de tutela por violación de su derecho fundamental de participación en el proceso gubernamental de la regulación de contaminación de carbón.

“Las empresas de carbón, sus inversionistas y aliados en el gobierno piensan que jurídicamente ya han ganado,” explica Guerrero. “Pero nosotros creemos en el derecho y sabemos que contamos con el apoyo de la Alianza Waterkeeper y de los Waterkeepers alrededor del mundo, quienes también están involucrados en luchas similares, y eso nos da más coraje y respaldo internacional.”

Así Bocas de Ceniza Waterkeeper va a seguir luchando por la protección legal del Derecho a un Medio Ambiente Sano de acuerdo con las leyes Colombianas.

“Seguiremos luchando,” dice Liliana, “y perseguiremos cada acción legal necesaria para proteger a las comunidades amenazadas por la producción de carbón y frenar el desastre ecológico y humanitario que estas empresas han impuesto en Colombia, favorecidas por las políticas gubernamentales. **W**



## WATER VISIONS IN THE DESERT: 2015 BOARD OF DIRECTORS RETREAT

The annual Board retreat, a crucial part of Waterkeeper Alliance's calendar year, took place last spring in Phoenix, Arizona. The Board of Directors and staff leaders come together at this time to ensure that our rapidly growing global movement stays true to the ideals on which it was founded, and that the concepts and vision of our movement progress clearly and effectively.

Waterkeeper supporters and Leadership Circle members Bob Smith and Deanna Clarkson-Smith hosted the meeting for the fourth consecutive year. Another Leadership Circle member, Gabriele Bertaccini, founder and executive chef of il Tocco Food and Culinary Mischief of Phoenix – whose passion for fine dining is rivaled only by the passion of the world's 263 Waterkeepers for clean water – was in charge of cuisine, and earned a special thank you from all who attended.







# MAKE A SPLASH!

Waterkeeper Alliance's SPLASH Event Series, sponsored by Toyota, invites communities to take to their local waterways to swim, kayak, paddleboard or just to play. "The aim is to strengthen people's connection to their local waters and to educate them on the important roles they can play, in partnership with their local Waterkeeper organizations, in protecting these vital resources," said Marc Yaggi, Waterkeeper Alliance's executive director.

The 2015 SPLASH Series kicked off in Malibu, California, on April 18 at Los Angeles Waterkeeper's day of paddleboarding, "Stand Up for Clean Water." It continued with the Russian Riverkeeper's Great Russian River Race in Sonoma, a 10-mile paddle down the Hackensack River in New Jersey, the Mobile Baykeeper's Grandman Triathlon in Alabama, the Back to the Chattahoochee River Race and Festival in Georgia, the Hudson Riverkeeper Sweep in New York, and the Buzzards Bay Swim in Massachusetts. The New York Harbor Regatta and Puget Sound Clean-Up rounded out this year's events.

"Over the past five years, through the SPLASH Series, Toyota has contributed \$1 million to help Waterkeeper Alliance and local Waterkeeper organizations involve thousands of people in protecting their local waterways," said Yaggi. "We are thankful to Toyota for underwriting this national program to encourage this type of involvement on such a large scale."



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# THE JOKES WERE ON AND FOR – US



WATERKEEPER ALLIANCE PRESIDENT ROBERT F. KENNEDY, JR., AND COMEDIAN SARAH SILVERMAN

The work of Waterkeepers is challenging, exciting and highly rewarding. But funny? Not until this past spring.

An Earth Day event called “Keep It Clean,” held by Waterkeeper Alliance in Los Angeles in April, presented established and emerging comedians who drew attention to the global water crisis and the work of Waterkeepers on six continents. The bill included Martin Short, Robert Klein, Tig Notaro, Sarah Silverman, Ray Romano, Dan Aykroyd, Jon Lovitz, Kevin Nealon and others. In addition to the stand-up extravaganza, “Keep It Clean” featured a keynote address by Robert F. Kennedy, Jr., president of Waterkeeper Alliance.

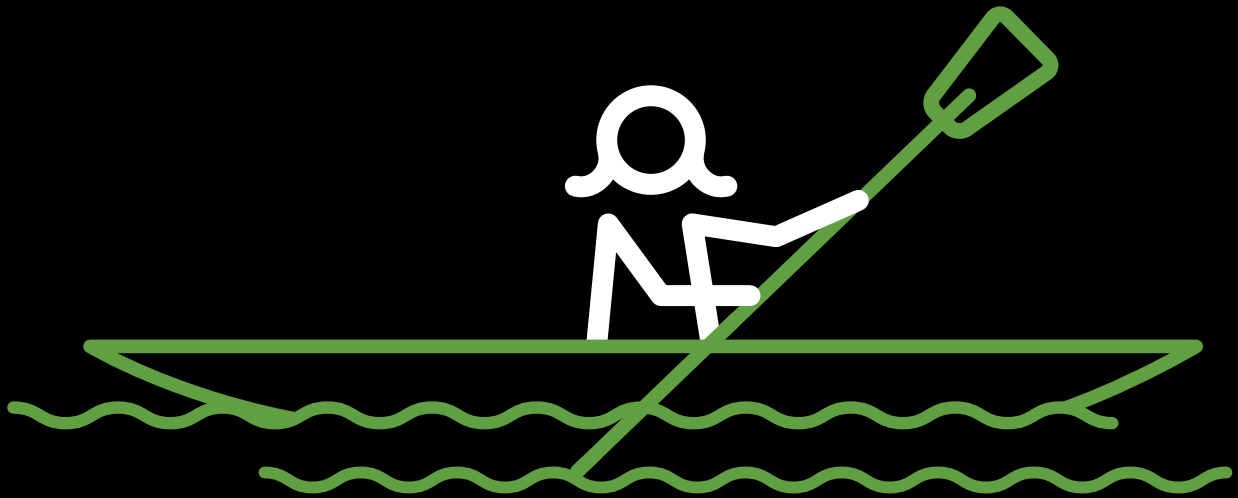
To accompany their merriment, guests had a chance to check out the Toyota Mirai, which uses hydrogen and oxygen to power its all-electric engine and emits only pure water. They also got a preview of the “Keep It Clean” video campaign, directed by Rachael Harris, actress, comedian, producer and Waterkeeper Alliance Leadership Circle member. She kicked off the release of the first videos on the June 30th Today Show. A second wave of videos is being launched this fall.

Proceeds from the benefit are helping to advance Waterkeeper Alliance's work protecting the world's watersheds and championing clean water, and a second comedy event is planned for next year's Earth Day.





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SUNRISE ON THE GOOSENECK OF THE COLORADO RIVER IN CANYONLANDS NATIONAL PARK, ONE OF THE LAST GREAT UNTOUCHED PLACES IN THE AMERICAN WEST.

# COLORADO CONFERENCE CONFRONTS CLIMATE CHANGE AND ENVIRONMENTAL RACISM

BY PETER CLEARY  
DIRECTOR OF COMMUNICATIONS

The many serious water-related issues facing the American West made Boulder, Colorado the perfect setting for the 2015 Waterkeeper Alliance annual conference. Dirty-energy projects, drought, water-diversions and environmental racism – the burdening of the worst pollution on the poorest communities – all plague the region.

In particular, the Colorado River watershed, which is the primary water supply for more than 40 million people in California, Arizona, Nevada, New Mexico and Mexico, is threatened with thousands of proposed dirty-energy projects.

New oil and gas wells, including many new fracking operations, have increased across the headwaters region of the Colorado Plateau, resulting in pollution that is poisoning both the lands and waters of priceless desert watersheds. To make matters worse, multinational corporations are poised to strip mine hundreds of thousands of acres of federal lands in Utah's deserts for tar sands oil and oil shale, creating a sprawling industrial landscape that threatens productive habitat for myriad fish and wildlife species.

And planned diversions of Colorado River waters threaten to dry up downstream flows to people and wildlife, even as drought grips the lower portions of the basin and rising air-temperatures shrink supply from headwater snowpack.

Nearly 300 members of Waterkeeper organizations came to Boulder to help bring global attention to these and similar issues that Waterkeepers face across the world, and to learn new skills, share experiences and inspire one another. The conference included over 40 workshops and panels focused on skills Waterkeepers need to protect their local waterways. In addition, regional strategy sessions gave attendees the chance to network about common issues and regional advocacy efforts.

To celebrate local tradition, the conference opened with an invocation from Lakota tribal member Doug Goodfeather and a dance performance from Grupo Folklórico Sabor Latino, a Mexican indigenous musical ensemble. Local host-committee members – Poudre Riverkeeper Gary Wockner, Colorado Riverkeeper John Weisheit and Alamosa Riverkeeper Cindy Medina – then described





TOP, RIVER ACTIVISTS TAKE A STAND, AND BARE IT ALL, IN SUPPORT OF THE PROTECTION AND RESTORATION OF THE COLORADO RIVER WATERSHED; ABOVE, SENEGAL'S HANN BAYKEEPER MBACKE SECK, CENTER, AND CHINA'S QIANTANG RIVER WATERKEEPER HAO XIN, CENTER RIGHT, WITH NEW WATERKEEPERS FROM AFRICA AND SOUTH ASIA; RIGHT, CLIMATE ACTIVIST TIM DECHRISTOPHER.

the huge threats facing the Colorado River watershed and discussed the urgency of organizing opposition.

Thursday morning workshops featured such practical topics as "Why Your Organization Needs to Run as a Business" and "Taking the Mystery Out of Starting a Citizen-Science Water Quality Monitoring Program."

Vernice Miller Travis, former director of the Natural Resources Defense Council (NRDC)'s Environmental Justice Initiative, was the lunchtime speaker. For more than 25 years, she has fought for the inclusion of low-income, minority and indigenous communities in environmental decision-making at the federal, state, local and tribal levels. She talked about the effects of environmental racism in marginalized communities, recalling that after a huge sewage-treatment plant was built in the 1980s along the Hudson River shore of New York's West Harlem neighborhood, where she grew up, "we felt like an endangered species." She challenged conference participants to make this issue a priority and to commit to greater racial diversity in their organizations.

After dinner, two members of Black Mesa Waterkeeper's board, Marilyn Tewa and Howard Dennis, who are members of the Hopi Tribe, spoke about the terrible legacy of toxic pollution on Hopi and Navajo lands, but also about their successes fighting polluters and unresponsive governmental agencies.

Friday began with morning workshops that ranged from management and skill-building presentations to discussions on how the Waterkeeper movement should respond to the most pressing environmental crisis of our time, global climate change. "The Climate Crisis and the Road to Paris" was moderated by Jacob Scherr, who initiated NRDC's advocacy on climate change in 1989 and has been engaged in all of the major UN climate-change conferences,

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including Kyoto (1997) and Copenhagen (2009). Now a senior adviser to Waterkeeper Alliance on the subject, he talked about the Paris conference's goal of achieving a legally binding agreement

on climate from all the nations of the world. He said he believed a rapidly growing groundswell of grassroots groups will increasingly drive the world's transition away from reliance on fossil fuels, and that Waterkeepers can and must play a key role in that movement.

"From now on," he said, "you all must think of yourselves not only as Waterkeepers but as Waterplanetkeepers."

Afternoon sessions included "A Busy Person's Guide to Surviving in the Digital Age" and the weightier "The Climate Crisis Movement and Climate Adaptation Policy."

The board meeting on Friday's reviewed the past year's success and presented plans for the coming year. Long Island Soundkeeper Terry Backer, one of the Waterkeeper movement's founders, and Reverend Dr. Gerald L. Durley, a veteran of the Civil Rights struggles of the 1960s and former dean of Clark Atlanta University, were guests. Rev. Durley shared his insights on how the Waterkeeper movement can become more diverse.

After dinner that evening, conference participants heard from climate activist Tim DeChristopher, who in 2008 blocked a Bureau of Land Management oil-and-gas-lease auction of public lands near Arches and Canyonlands National Parks in Utah when he won bids on 14 parcels, totaling 22,500 acres, for \$1.8 million, although he had neither the intention nor the money to pay for them. For this act of civil disobedience, he served two years in federal prison, but, after a court injunction, the U. S. Department of the Interior canceled many of the leases. He later founded the climate-justice organization Peaceful Uprising.



ABOVE LEFT, REVEREND DR. GERALD L. DURLEY; CENTER, ROBERT F. KENNEDY, JR., WITH THE CONFERENCE'S LATIN AMERICAN CONTINGENT OF WATERKEEPERS; RIGHT, THE CONFERENCE'S WATERKEEPERS IN FISH-LIKE FORMATION.

DeChristopher spoke passionately about the need for a broad, determined nonviolent movement to meet the unprecedented threats to all life on earth posed by a changing climate.

Robert F. Kennedy, Jr., Waterkeeper Alliance's president, closed the evening with a rousing speech, again focused on environmental justice.

"Everywhere in the world, the poor and the marginalized are bearing the greatest burdens from pollution, ecological destruction and climate change," he said. "Consequently, the movement for environmental justice is now an international movement."

Recalling the early days of the Waterkeeper movement, he said that the NAACP joined his first legal case as chief attorney for Hudson Riverkeeper because the pollution was occurring in an African-American neighborhood. And he quoted former NAACP chief Benjamin Chavis: "Environmental pollution is more than our most potent civil rights issue; it is an issue of survival."

He challenged Waterkeepers to continue, in spite of the dangers, to confront polluting industries and the "captured" government agencies that too often do those industries' bidding, and urged them to fight for a world in which the riches of the earth are preserved and shared equitably.

Rev. Durley took the stage on Saturday morning to voice his belief that climate change and environmental justice are the most urgent moral issues of our time.

"Today's environmental movement," he said, "is the Civil Rights movement of the 21st Century." And of the Waterkeeper movement, he pronounced, "Your cause is just. Your time is now. The planet needs you more than ever before."

The conference concluded Saturday night with dinner and the skits performed by Waterkeepers from each region that have been a feature of the last three annual get-togethers. The highlight was the "Waters of the World" performance by Waterkeepers from 15 countries in Asia, Africa and Australia. Each member had brought a vial of water from his or her waterway, which was poured into a common urn to symbolize the Waterkeeper movement's unity across countries and continents.

## POST-CONFERENCE COMMENTS BY WATERKEEPERS SUMMED UP ITS POWER AND VALUE:

"I LIKED THE FOCUS ON ENVIRONMENTAL JUSTICE, RACIAL AND SOCIAL EQUITY AND INCLUSION AS THEMES THROUGHOUT CONFERENCE PANELS AND SPEECHES."

"A HIGHLIGHT WAS SEEING AND HAVING OPPORTUNITIES TO GET TO KNOW, LEARN FROM AND LAUGH WITH SOME OF THE BEST CLEAN-WATER ATTORNEYS AND ADVOCATES IN THE WORLD. THE BETTER WE KNOW EACH OTHER BY NAME AND FACE, THE MORE WE WILL CONNECT IN BETWEEN CONFERENCES, AND THE STRONGER WE WILL ALL BE AS A MOVEMENT."

"MEETING WATERKEEPERS FROM ALL OVER THE WORLD HAS DEFINITELY GIVEN ME A RENEWED SENSE OF EXCITEMENT FOR THE WORK WE'RE DOING."

"THE CONFERENCE LEFT ME FEELING RECHARGED AND INSPIRED."





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We're happy to report that Skinny Dip has returned! And with it, the good news that the Colorado River has once again met the sea and we are working to make that a permanent union. Part of our mission then and now is to support clean water advocates and Waterkeepers protecting local waterways. Jump into your local efforts and learn about the important work of Waterkeeper Alliance at [waterkeeper.org](http://waterkeeper.org).



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