Salmon or Coal

Cook Inletkeeper leads the fight against Big Coal's ambitions to gain a foothold in Alaska.

Plus stories on

Africa's First Waterkeeper p.28 / Saving Blounts Creek p.36 / Big Dam Victory p.32
“As a kid, I went camping many summers with the Boys & Girls Club to learn about trees, water and wildlife... an experience I never forgot (and why our products have always been cruelty free). Today, we support Waterkeeper Alliance to protect nature and keep our waterways clean for generations to come, because we care about the environment.”

John Paul DeJoria,
Co-founder and Chairman of the Board
Photographed with his son (and Joe)
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“Robert F. Kennedy, Jr. Shares the Opinion that Climate Denial Should Be Criminalized.”

So wrote Jonathan Chait in New York Magazine last September, echoing National Review’s Kevin Williamson, who made that outlandish claim at one of the Heritage Foundation’s annual “Conferences for Kooks.” Of course, I never said such a thing. I support the First Amendment, which provides room for any citizen to speak, even knowingly, far more vile lies without legal consequence. But reactions at right-wing think tanks and their acolytes at The Washington Times, in talk radio and the blogosphere, have assumed that I did say it, and have responded apoplectically.

I do, however, believe that corporations that deliberately, purposefully, maliciously and systematically sponsor climate lies should receive the “corporate death penalty,” which could be imposed through an existing legal proceeding known as “charter revocation.” State attorneys general can apply this remedy whenever corporations put their profit making before the “public welfare.”

In 1998, New York State’s Republican attorney general, Dennis Vacco, did just this when he revoked the charters of two non-profit, tax-exempt front groups for the tobacco industry, the Tobacco Institute and the Council for Tobacco Research (CTR). Both were creatures of a decade-long campaign funded principally by tobacco giant Brown & Williamson to allow an industry that was killing one out of five of its customers to avoid costly health regulations that would diminish its profit margins. Decades earlier, in 1969, a B&W memo that hinted at these front groups had notoriously proclaimed, “Doubt is our Product.”

The targeted groups, Vacco complained, were “feeding the public a pack of lies in an underhanded effort to promote smoking so as to addict America’s kids.” He seized their assets and distributed them to public institutions.

Laws in every state declare that companies that fail to comply with prescribed standards of corporate behavior may be either dissolved or, in the case of foreign corporations, lose their rights to operate within that state’s borders. These rules can be quite expansive and, in contrast to the U.S. Supreme Court’s recent rulings on campaign finance law, offer companies far less protection than persons. New York, for example, prescribes corporate death whenever a company fails to “serve the common good” and “to cause no harm.”

Just as Big Tobacco funded the Tobacco Institute and CTR to systematically deceive the public about the perils of cigarettes, the carbon cronies, with far larger profits at stake, have funded an army of front groups to persuade the public that global warming is a hoax. For over a decade, petroleum-industry behemoths, led by Koch Industries and ExxonMobil, have waged a successful multi-million-dollar propaganda blitz, using the same techniques honed by the tobacco industry. Both companies are spending massively to compile “junk” science devised to undermine the overwhelming scientific consensus on global warming. Between 1997 and 2013, ExxonMobil pumped nearly $50 million into a network of more than 75 front groups to manufacture skepticism about the oncoming climate catastrophe.

At the same time, Koch Industries has paid at least $67 million to over fifty such groups. Big Carbon has employed many of the same corrupt scientists and public-relations firms as Big Tobacco. And, like that reptilian Brown & Williamson memo in 1969, two secret memos laid out the blueprint for the oil industry’s anti-science offensive. The American Petroleum Institute – lobbyist for ExxonMobil, Chevron, BP, Shell and ConocoPhillips – was the spear-tip of a multi-million-dollar campaign of media manipulation. On April 3, 1998, API presented its “Global Climate Science Communications Action Plan” for “tactics and strategies” to sow doubts about legitimate climate science. Its team would create front groups to “educate” editorial boards and corporate CEOs to challenge, “prevailing scientific wisdom.” Under the rubric “recruiting and training,” API outlined a plan for tapping researchers – “e.g., John Stossel,” the memo suggests – to bamboozle the public. “Victory will be achieved,” API promised, “when average citizens and the media recognize uncertainties in climate science [and] recognition of uncertainties becomes part of the ‘conventional wisdom.’”

Four years later, conservative pollster Frank Luntz sent an influential memo to President George W. Bush and oil-patch lawmakers that applauded the industry for the success of the API campaign. “Voters believe,” he wrote, “there is no consensus about global warming within the scientific community.” Yet he warned Big Carbon’s indurated senators on Capitol Hill that “the science is closing against us” but is not yet closed. “He advised, therefore, ‘you need to continue to make the lack of scientific certainty a primary issue in the debate.’”

Over the next dozen years, a string of front groups, funded primarily by ExxonMobil and Koch, conducted the deceptive anti-science campaign outlined by API and Luntz. Among the groups that have received millions are The Cato Institute, The Heritage Foundation, the Cooler Heads Coalition, the Global Climate Coalition, Americans for Prosperity, Heartland Institute, Committee for a Constructive Tomorrow, George C. Marshall Institute, the State Policy Network, the Competitive Enterprise Institute and the American Enterprise Institute (AEI).

Like the Tobacco Institute and the Council for Tobacco Research, these groups are snake pits, run by corporate-industry lobbyists. They are crowded with propaganda-wizards, slick bioistitutes, snake-oil hucksters, voodoo economists and other so-called “experts” who appear on TV and radio and publish deceptive studies and articles critiquing the “flawed science” predicting climate change. They broadcast zany theories to bolster policies that encourage increased energy consumption; they attack pollution rules, torpedo renewable-energy development and support Big Carbon’s obscene government subsidies.

And they adapt arguments to detour around facts. For example, the Competitive Enterprise Institute (CEI), which describes itself as “a leader in the fight against the global warming scare,” spent years denying that warming was real, and then, as the tsunami of evidence made that position untenable, pivoted to the more defensible posture that human beings are not causing it. More recently, CEI retreated to the terminal default position that global warming is beneficial because it will “create a milder, greener, more prosperous world.” But the floods, fires, drought, rising oceans, disappearing ice caps, melting glaciers, drowned cities and resulting human refugees have not exactly been “mild,” and the most noticeable green growth has been the amount of greenhouse droppings into the hands of the Koch Brothers and ExxonMobil, who are enjoying the biggest profits in world history.

“Thank you, Planet Earth!” The American Enterprise Institute, one of the richest and most influential think tanks in the United States – and the holy of holies of the Intergovernmental Panel on Climate Change report. The report was the most comprehensive review yet of the topic, representing a consensus among thousands of prestigious climate scientists from over 130 nations.

These duplicitous and dangerous corporate propagandists are formidable foes. But any state attorney general with the will and visceras to stand up to them has authority to arrest the charities of each of these mercenary merchants of deceit. A particularly bold attorney general could not just revoke the charters of oil-industry surrogates like AEI and CEI, but could also withdraw state operating-authority from the nationless, soulless oil companies that have sponsored the
“Big Lie” campaigns, and force them to sell their in-state assets to more responsible competitors.

Koch Industries and ExxonMobil are primary candidates for such corporate elimination. No companies have worked harder or spent more money to impede governments from acting against global warming to safeguard public welfare, nor employed artifice on such a massive scale, nor laid out as many millions of dollars to employ fraudulent junk science. Their mendacious crusade is fueled by a greedy, immoral, anti-social pathology that is even starker given the open acknowledgment since 2007 by the other major oil companies, including Shell, Chevron and BP, that burning oil is causing climate change.

“I’m not a U.S. company,” ExxonMobil’s former CEO Lee Raymond famously told his board, “and I don’t make decisions on what is good for the U.S.” Indeed. Nor for the good of mankind.

The notion that a state attorney general might actually execute one of these villainous entities is not a pipe dream. Throughout history these prosecutors have shown a willingness to stand up to America’s biggest corporate bullies, including Wall Street investors, titans of tobacco and oil, and coal-burning utilities, even in eras like the present, when corporate money has subverted our democracy and softened the spines of most politicians. It was, after all, 46 courageous state attorneys general who brought down the tobacco companies, softened the spines of most politicians. It was, after all, 46 courageous state attorneys general who brought down the tobacco companies, and the Standard Oil monopoly and restored economic democracy to America. But that malevolent Frankenstein monster has been reassembled as ExxonMobil, and poses an even greater threat today to our historical values and quality of life.

Let us all look for and vote for attorney-general candidates in our states who promise to stand up to carbon’s duplicitous proxies, fight for justice and democracy and bequest to succeeding generations safe, healthy, communities and a broad prosperity in striking contrast to the corporate oligarchy championed by the Koch Brothers and ExxonMobil.

**FLOODS, FIRES, DROUGHT, RISING OCEANS, DISAPPEARING ICE-CAPS, MELTING GLACIERS, DROWNED CITIES AND RESULTING HUMAN REFUGEES HAVE NOT EXACTLY BEEN “MILD,” AND THE MOST NOTICEABLE GREEN GROWTH HAS BEEN THE AMOUNT OF GREENBACKS DROPPING INTO THE HANDS OF THE KOCH BROTHERS AND EXXONMOBIL, WHO ARE ENJOYING THE BIGGEST PROFITS IN WORLD HISTORY.**

“THANK YOU, PLANET EARTH!”

**LONDON WATERKEEPER IS ALLIANCE’S FIFTEENTH ANNIVERSARY PRESENT**

Waterkeeper Alliance celebrated its 15th anniversary by launching the London Waterkeeper at a gala at that city’s historic St. Pancras Renaissance Hotel on November 7th. Hosted by the Alliance’s co-founder and president, Robert F. Kennedy, Jr., those attending the event included Waterkeeper Executive Director Marc Yaggi, actresses Cheryl Hines, Alliance Trustee Ed Hubennette, vice-president of Marriott Hotels Great Britain, and Theo Thomas, the new London Waterkeeper.

“The promise of the Waterkeeper movement inspires me every day,” Kennedy told the gathering, “because I know that our growing global network of Waterkeepers is playing an increasingly critical role in saving the world’s waters and, ultimately, the planet itself.” We have made great strides in the past 15 years and look forward to a very bright future.

Kennedy pointed out that London desperately needs its own strong voice to challenge polluters and defend its rivers, 58 percent of which fail below the quality criteria set by the European Union’s Water Framework Directive. Raw sewage, toxic waste and oil continue to filthy these waters, and existing laws to protect them are not being enforced.

“As frustrating as this reality is,” said Marc Yaggi, “it is a huge comfort to know that there are people on whom we can depend to fight for our rights – from the foothills of the Himalayas to the banks of the Thames, Waterkeepers are working tirelessly to ensure that our waters are swimmable, drinkable, and fishable. And I am confident that our newly installed London Waterkeeper is up to the challenge.

“This occasion,” he added, “is an opportunity for us to thank the many people who support the cause of clean water, and to lay out our plans to double our size and protect 500 waterways in the coming years.”

The new London Waterkeeper, Theo Thomas, responded that “it is a privilege to bring Waterkeeper Alliance’s approach to defending rivers to the UK. This celebration is the beginning of a movement here that will challenge us as never before those polluting our waters.”

“The promise of the Waterkeeper movement inspires me every day, because I know that our growing global network of Waterkeepers is playing an increasingly critical role in saving the world’s waters and, ultimately, the planet itself. We have made great strides in the past 15 years and look forward to a very bright future.”
Hertz Water Saving Car Washes

At Hertz, we have high expectations for both clean and green. To conserve water & keep our cars shiny, Hertz’ neighborhood rental locations use a non-toxic, biodegradable car wash solution that requires less than a cup of water to clean a car. This type of car wash will not only save millions of gallons of water annually, but it also kinda smells like apples.

To learn more about Hertz’s sustainability efforts, please visit HertzLivingJourney.com.

Hertz Water Saving Car Washes

Hertz is proud to partner with Waterkeeper Alliance to help travelers find clean, swimmable beaches via Waterkeeper Swim Guide.

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Milwaukee Riverkeeper Cheryl Nenn grew up along the Great Lakes and has always had an affinity for the water. She’s been able to transfer this lifelong passion into a career as the voice and guardian of the Milwaukee river basin, which encompasses the Milwaukee, Menomonee and Kinnickinnic Rivers. The basin drains to Lake Michigan, which provides drinking water to over one million residents in southeast Wisconsin.

After college, Cheryl joined the Peace Corps and served as a forestry-extension volunteer in Ecuador. Other jobs included consulting on environmental projects for the U.S. Forest Service and managing natural areas for the City of New York’s Natural Resources Group.

Since becoming the second Milwaukee Riverkeeper in January 2003, Cheryl has made great strides in restoring a 900-square-mile watershed that had been ravaged by industrial pollution, stormwater runoff, sewage contamination, concrete channelization and the devastating impacts of dams on fish habitats. “It always amazes me” says Cheryl, “how quickly a river responds when good things are done to set it right again.”

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.

Visit Waterkeeper.org/donate to join Waterkeeper Alliance as a supporting member and make a difference in the fight for clean water.

You can make a difference in the fight for clean water by joining Waterkeeper Alliance as a supporting member – online, at Waterkeeper.org/donate, or by sending a check payable to Waterkeeper Alliance to: Waterkeeper Membership, 17 Battery Place, Suite 1329, New York, NY 10004. You can also contact us at info@waterkeeper.org

WHO WE ARE

At AbTech Industries, our commitment to the environment goes well beyond the surface. Our products and services not only provide customers with effective clean water solutions, they enable the reuse and recycling of water. Our innovative Smart Sponge® technologies greatly reduce the amount of hydrocarbons, contaminants, heavy metals and debris that are commonly found in stormwater. AbTech Industries Smart Sponge®, and Smart Sponge® Plus, which is registered with the EPA for the reduction of coliform bacteria, can be engineered for use in catch basins, drainage vaults and many existing applications to meet water quality needs.

AWARD WINNING DESIGNS

AbTech offers innovative solutions for stormwater management and industrial water treatment. AbTech integrates its own native advanced technologies along with third-party technologies and systems to provide its customers with the most effective and economical solutions. Our engineering firm, AEWS Engineering, is at the forefront of the industry, constantly identifying new and environmentally responsible solutions such as technologies for Low Impact Development practices.

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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.

Waterkeeper Alliance®
Endesa, a Spanish-based multinational energy company, has decided to cancel plans to build three large dams on the Futaleufú River in Chile. The news, reported in October in Chile’s Diario Financiero newspaper, followed acknowledgment by Endesa’s parent company, Enersis, of strong opposition to the project by Futaleufú Riverkeeper and a coalition of more than 70 local groups.

After comments in the Chilean press last June by Waterkeeper Alliance President Robert F. Kennedy, Jr., an Enersis director admitted that the proposed dams “have awakened the attention of environmental groups, and any proposed project there would encounter disapproval from members of the community.”

Kennedy has personally been involved for more than a decade in efforts to protect the river, which he called the “mecca for whitewater enthusiasts around the world.” He added that, “Endesa has tremendous political power and they are trying to drive energy policy in Chile, but the dams project makes no sense from a market point of view, and makes no sense in terms of protecting the patrimony of the country and the economy of Patagonia which is increasingly a tourist-based economy.”

A grassroots campaign, Patagonia Sin Represas (Patagonia Without Dams) also pressed Endesa to shelve the project.

But Futaleufú Riverkeeper’s executive director, Chilean environmental attorney Robert Currie, remains concerned about the company’s intentions, noting that it retains water rights to the Futaleufú and several other Chilean rivers. Mining claims have also been filed in the watershed by speculators, raising concerns that energy demands will continue to be an incentive for hydroelectric development on the river.

Chile’s water and energy sectors were privatized during the dictatorship of General Augusto Pinochet. A 1981 law made it possible for corporations to buy and sell water rights, paving the way for major hydroelectric projects. Just prior to Pinchot’s departure in 1990, Endesa was handed the exclusive right to develop the most powerful rivers in Patagonia.

While it’s good news to see Endesa backing down temporarily from their plans to destroy the Futaleufú,” said Currie, “nothing is stopping Endesa from reviving the project in the future or selling the water rights to another company interested in doing so. Until the water rights are out of the hands of private companies, both the watershed and the communities that depend on it will remain in danger.”

Describing the river as an “irreplaceable natural resource,” he called for advocates to “continue to be vigilant in calling upon the Chilean government, citizens, and the international community to permanently protect it.”

While a cause for celebration in the continuing fight to save Chile’s wild and scenic rivers, several partner organizations also expressed caution about the good news. Juan Pablo Orrego, president of Chilean non-governmental organization Ecosistemas and a board member of International Rivers, commented that “it would be horrible if [Endesa] were to sell the water rights to AES Genar or Colbun” (other Chilean power companies).

Mr. Orrego pointed out, however, “it does appear they view the Futaleufú as untouchable,” and conceded that Endesa’s decision “creates a space for discussion” about water rights in Chile.

Ecosistemas, working with a coalition of organizations known as the Patagonia Defense Council, played a significant role in stopping the HidroAysén project to build five hydroelectric plants on two rivers in the Aysén region in lower Chile.

Following the October announcement, Kennedy pointed to the international nature of the decision and what it means for environmental advocates around the world. “People have a fundamental right to protect their families and their livelihoods,” he said. “The struggle for Patagonia’s rivers is the same one everywhere: it’s about people fighting corporations that would destroy communities just to make a short-term profit.”
OIL-TRANSPORT PROPOSALS ARE OFF THE RAILS, HUDSON GROUPS PROTEST

Hudson Riverkeeper and Scenic Hudson jointly submitted comments in October detailing how and why safety upgrades for shipping explosive crude oil by rail proposed by the Pipeline and Materials Safety Administration (PHMSA) do not comply with federal law. Calling the spike in volume of crude oil being transported down the Hudson River, “the gravest threat to the Hudson in a generation,” Riverkeeper and Scenic Hudson should criticize PHMSA’s proposal as lacking strict safety upgrades, and urge the agency to use its emergency-order authority to immediately implement critical changes. The groups specified several loopholes and weak safety proposals, including:

- Despite acknowledging that DOT-111 railcars (the most common railcar used in crude-by-rail transport) “can almost always be expected to breach in the event of a train accident,” and that the cars provide “insufficient puncture resistance” and are “vulnerable to fire and rollover accidents,” the proposed regulations would very slowly phase out DOT-111s for carrying Bakken crude oil from the Midwestern U.S. and Canada and would allow tens of thousands of these outdated cars to continue shipping heavy Canadian tar-sands crude.

- Regulations fail to require full disclosure of rail traffic information to first responders to accidents, and would allow the industry to keep this information confidential.

- Regulations fail to require the most protective braking improvements and speed-restrictions, or to consider limits on the length of trains that could reduce derailments and other accident risks.

- Railroads could continue to operate 120-car trains of Bakken crude oil without the requirement of train specific spill-response plans, such as the Coast Guard requires for oil tankers and barges with equal capacity.

“Put simply, these rules won’t stop the next bomb-train disaster,” says Paul Galay, Hudson Riverkeeper. “We deserve real protection for communities and the environment—not a rule that defers to the rail and oil industries at every turn.”

Warning that “a crude oil spill into the Hudson River would be catastrophic to the public health and natural resources of our region,” Scenic Hudson President Ned Sullivan insisted “we need these changes immediately.”

The organizations are calling for the most stringent tank-car standards, speed-restrictions and use of electronically controlled pneumatic braking in all trains carrying crude oil, and for closing loopholes that leave transport of Bakken crude in trains carrying fewer than 20 cars and all transport of heavy tar-sands crude completely unaddressed.

Since late 2015, Waterkeepers across the United States and Canada have worked to stop the transport of up to 6.3 billion gallons of crude oil per year on an accident-prone “virtual pipeline” of trains, barges and ships. Alliance Executive Director Marc Yaggi, pointing to “leaks, spills and dozens of accidents just this year that put human health and the environment at unnecessary risk,” has called on PHMSA Administrator Cynthia Quarterman directly to “act immediately” to protect the public against “ever-expanding threats from oil trains barreling through their communities.”

Read more about the campaign to put an end to the “bomb trains”: www.riverkeeper.org/?p=4885.
KURDISTAN, APATHY MAY BE THE GREATEST THREAT TO WATER

Part of the brutal conflict going on in Iraq and Syria concerns water. The Islamic State, or ISIS, wants to control the Tigris and Euphrates Rivers by taking over dams and other major water infrastructure within these two river basins. When ISIS fighters seized the Fallujah Dam in April, they opened it, flooding land as far as 100 miles south. Not far from where these struggles are taking place, but a world away in terms of relative security, in Iraq’s Kurdish territory, is a major tributary of the Tigris, the Greater Zab River.

Flowing southward out of Turkey into Iraq, it is joined by another important river, the Choman-Rawanduz, which flows from Iran, passing through deep, dramatic gorges until it joins the Greater Zab just 30 miles north of Erbil, the Kurdish capital. Unlike the deep, dramatic gorges until it joins the Greater Zab just 30 miles north of Erbil, the Kurdish capital. Unlike the deep, dramatic gorges until it joins the Greater Zab just 30 miles north of Erbil, the Kurdish capital.

But these rivers, so vital to so many of these folks, coming and talking to us on the river’s edge while we sat in our kayaks … it made them look at this river in a new way. It’s like meeting an old friend as if for the first time. They’ve known it’s there. They’ve counted on it. But they didn’t really understand what was going on with it. And I hope that this changes the way that people engage with the river and helps them develop a newfound respect for the treasure that they really have.

One short film, “Iraq’s Last Wild Rivers,” includes discussion of the threats to the river and interviews with local residents and the international kayakers who participated in the expedition. Many of the expedition members are eager to get back on the river again, as much more remains to be discovered and boasted for the first time.

At the edges of this vast, mountainous region virtually unknown to outsiders, the Islamic State may be a looming threat, but for these rivers bigger threats by far come from within. The new Kurdish minister of water infrastructure is proceeding without much thought as to its achievement, made more successful by raising the awareness of the local Kurdish people about the value and vulnerability of their river.

Dave Burden, a former Waterkeeper, now representing the American Canoe Association, was the team leader for the expedition and described this development very clearly:

“Their water is their life,” he told the Kurdish participants during the expedition. “We have to protect it.”

Our Commitment

Instilling a culture of environmental sustainability to help ensure Deer Valley Resort stays green for future generations while maintaining its commitment to guest service.

“All ski resorts, whether on public or private property, are charged with being stewards of the land. It’s a responsibility that should not be taken lightly and we at Deer Valley certainly do not,” says Bob Whiston, resort president and general manager. “The truth is, we’ve kept sustainability in mind since the resort’s inception. Deer Valley is committed to the environmentally friendly practices we have in place and we will continue to focus on adopting new, innovative programs.”

NSAA 2015 Sustainable Slopes

Deer Valley Resort signed on 14 years ago as a member of the Sustainable Slopes Environment Charter. As a ski resort whose existence depends on a pristine mountain environment, we take our responsibility as stewards of the land very seriously. Deer Valley’s ongoing environmental efforts include supporting a detailed, resort-wide recycling program; implementing a comprehensive forest management plan; monitoring and testing downstream water discharge; re-wet areas and re-vegetate; and sound practices that reduce energy consumption.

Deer Valley’s ongoing environmental efforts include supporting a detailed, resort-wide recycling program; implementing a comprehensive forest management plan; monitoring and testing downstream water discharge; re-wet areas and re-vegetate; and sound practices that reduce energy consumption. The resort’s snowmaking reservoirs drastically reduce dependence on our precious water resources and create a wetland habitat for fish and other wildlife.

Other environmental efforts include participating in Rocky Mountain Power’s Blue Sky™ renewal energy program, using Nest® Learning Thermostats in lodging properties to reduce energy consumption and adding a mountain clean-up day, collecting trash and removing invasive weeds.

“Sustainable Slopes” recognizes the unique role of ski resorts in adopting environmentally friendly practices. Deer Valley Resort, an industry leader, has received the NSAA Sustainable Slopes Gold award for its ongoing environmental efforts.

Deer Valley Resort’s operations incorporate practices to reduce and recycle, conserve food waste, rethink consumption and use local, sustainable food items.

Deer Valley Resort

deeervalley.com

In Kurdistan, apathy may be the greatest threat to water. Yet they remain some of the most pristine waters in the country.
North Carolina has more than 2,200 factory hog operations housing more than 10 million hogs, the second most of any state in the country. Located disproportionately in the eastern part of the state, and in close proximity to communities with populations that are predominately African American, Latino, and Native American, these facilities produce 40 million gallons of untreated manure and other waste each day, creating serious public health and environmental consequences.

The tons of liquid and solid waste generated by the hogs can contain toxins such as ammonia, hydrogen sulfide, nitrates and pathogens. The confinement facilities store untreated animal excrement in open-air pits (called lagoons) that can overflow into local waterways or leach into the shallow groundwater of North Carolina’s coastal plain. The liquefied hog waste is then sprayed onto nearby fields close to homes, schools and parks. The sprayfields are typically riddled with ditches that move the waste directly into streams and rivers. Not only are local residents faced with the constant stench and pollution from these facilities, but studies have shown that those who live near these facilities may also suffer from higher rates of respiratory problems, anxiety, depression, and sleep disturbances.

“You can’t imagine what it’s like to live next to one of these hog operations,” says Devon Hall project manager at Rural Empowerment Association for Community Help (REACH). “The flies and the smells make life miserable.”

In the first legal action of its kind, the North Carolina Environmental Justice Network, REACH and Waterkeeper Alliance, supported by Earthjustice, have filed a complaint with the Environmental Protection Agency (EPA) Office of Civil Rights, under Title VI of the Civil Rights Act of 1964, alleging that North Carolina’s lax regulation of hog waste disposal discriminates against communities of color in eastern North Carolina. The complaint is the latest action in a long struggle to address the community-health effects of the disposal of massive amounts of untreated hog waste. Residents have repeatedly asked the North Carolina Department of Environment and Natural Resources (DENR) for stronger protections, and now, in reaction to its recent renewal of the state’s General Permit allowing thousands of hog facilities to operate without adequate waste-disposal controls, they are turning to the federal government for help.

“People who live near these facilities have asked for help for over two decades, but nothing has changed,” says Larry Baldwin, Waterkeeper Alliance’s North Carolina CAFO Coordinator. “We continually get heartbreaking reports from people whose quality of life has been destroyed by air and water pollution from these facilities. People report animal manure being sprayed on them or their property, seeing raw animal waste flowing in streams next to their homes, and even not being able to go to church because their clothing is permeated by the foul stench of hog manure before they can get from their houses to their cars. Backyard barbecues and outdoor family gatherings are out of the question when the smells and fly swarms are present.”

“It’s the state’s job to regulate these operations and make sure that the people and the environment are protected,” adds Naema Muhammad, Director of North Carolina Environmental Justice Network. “This complaint is about making sure they do that.”
A main purpose of the October international conference “Coal Mining in Colombia: Challenges and Environmental Threats,” hosted by Bocas de Ceniza Waterkeeper Liliana Guerrero Ramirez and Waterkeeper Alliance staff, was to spur citizen participation and action. It was a guiding principle of the event that residents deserve to know the truth about the coal industry in their country, and how it wreaks desolation and destruction to benefit a powerful few. This objective was met and exceeded. The hearts and consciences of those present were touched by the power and mystique of the Waterkeeper movement and they became more aware that only a union of citizens can stop the irresponsible operations of greedy multinational coal companies and change the policies of a government that surrenders the country to their interests.

Presentations at the conference clearly established that the extraction and export of coal is a global problem whose effects are felt from South to North America to Europe and Asia. Guest experts from the United States – Donna Lisenby, Waterkeeper Alliance’s Clean and Safe Energy Campaign Manager, Staff Attorney Pete Harrison, and Puget Soundkeeper Chris Wilke – and Puget Soundkeeper Rodrigo De La O Guerrero from Chile, who have worked diligently in the international campaign for clean and safe energy, cited scientific studies and anecdotal experiences to demonstrate the cradle-to-grave impacts of coal extraction, regional transportation, export and combustion at power-plants around the world.

“We Waterkeepers are not radicals or extremists,” said Liliana Guerrero Ramirez, “but serious, committed activists who believe in the principles of science and law, and strive to ensure that these are conscientiously and effectively applied, as they should be in democratic states.” The conference closed with renewed resolve to strengthen the Waterkeeper model in Colombia, through joint legal action by Bocas de Ceniza Waterkeeper and Waterkeeper Alliance, supported by sound scientific evidence and the growth of a national citizen movement.

From a bluff high above the mighty Mississippi River in Winona, Minnesota comes the purity of J.R. Watkins. Our hand soaps are made with mild plant-based cleansers for a non-toxic, gentle formula. They are wholesome, not “doctored up” like some big city factory soaps.

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DON’T WASH THAT CAR!

ANGELINOS “GO DIRTY FOR THE DROUGHT”

Thousands of Los Angeles residents are pledging to not wash their cars for 60 days in response to Los Angeles Waterkeeper’s campaign “Go Dirty for the Drought,” an effort to raise awareness about the worst drought in California’s recorded history.

Almost a year after Governor Jerry Brown announced a state of emergency, Angelinos are still using an average of 122-to-129 gallons of water a day—a total that compares to an average of 122-to-129 gallons per day.

“If you wash your car,” said L.A. Waterkeeper’s executive director Lisa Crosson, “you’ll use more than the amount of water it takes to fill a bathtub.”

“Over 2,000 people took the “Dirty Car Pledge” during the first week of the campaign,” Stich reported. “And the pledges keep pouring in from cities throughout California.”

She pointed out that, “While saving a few million gallons of water is no small feat, the bigger impact is getting people to think about the drought and do their part to conserve water in their daily lives.”

“I fight zombies for a living. The zombies I fight are the dam industry and the fossil-fuel industry. These zombies are well over a hundred years old, and they are waking up out among us. You think you’ve finished them off and they pop right back up and into the public-policy sphere. They’re walking around the halls of government with wads of money in their hands, and I literally fight zombies for a living.”

That’s how I started my talk in September at the People’s Climate March teach-in, which was held the day before the march in New York City. I was joined on a panel entitled “The Climate Crisis is a Water Crisis” by Waterkeepers from all over the United States and beyond, including Waterkeeper Alliance’s International Director Sharon Khan, National Director Pete Nichols, Hudson Riverkeeper Paul Gallay, New York/New Jersey Baykeeper Debbie Marrs, and Joseph Darville of Waterkeeper Bahamas. We all had plenty of examples of the climate/water crisis in our watersheds to share with the standing-room-only audience. Pete Nichols discussed the Alliance’s new climate initiative, and the rest of us offered observations and recommendations on the next steps forward.

Climate change is real, is happening now, and the climate crisis is a water crisis. In my own watershed, of the Cache la Poudre river in northern Colorado, we’ve seen in the last five years near-record wildfires, rain, drought, flooding and snowpack. In the same 12 months that record rain has occurred in one part of the Colorado River basin, record heat and drought has occurred in another. Tragically, in Colorado and across the region, our public policies are moving in the wrong direction—with the result that drilling, fracking and mining for fossil fuels is happening faster than ever, and they are being burned at record rates. Colorado’s frac-happy policies seem to be rivaled only by Utah’s deep dive into oil shale and tar-sands mining (fossil fuels so dirty and dangerous that they’re referred to as the “carbon bomb”).

Our region must stop and head in the opposite direction.

“The City of Los Angeles should be at the forefront of making more water-conscious decisions,” said Lisa Crosson, executive director of Los Angeles Waterkeeper. “Over 80 percent of the city’s water is imported from distant ecosystems like the Bay-Delta and the endangered Colorado River. We can no longer rely on our past efforts, and each of us must take individual actions like replacing lawns with drought-tolerant plants, using water-efficient appliances, installing grey-water systems to recycle household wastewater, and not wasting water in daily activities.”

REPORT FROM THE PEOPLE’S CLIMATE MARCH: FIGHTING THE FOSSIL-FUEL “ZOMBIES”
A GIANT WIN FOR SAN FRANCISCO BAY

In the latest of a series of wins in the struggle against pollution in San Francisco Bay, Baykeeper has secured an agreement with the Levin-Richmond Terminal Corporation to install a strong set of controls to prevent toxic industrial runoff into the bay. Levin-Richmond is a major shipping terminal on the Richmond Channel that handles vast volumes of toxic materials, often stored in large exposed piles along the shoreline. The company has already begun to act on the agreement.

“Levin-Richmond Terminal has committed significant resources to immediately make extensive improvements to keep toxic substances out of San Francisco Bay,” said Sejal Choksi-Chugh, Baykeeper program director. Baykeeper first became concerned about the Levin-Richmond terminal during routine patrols on the Baykeeper boat. “We discovered that the company was stockpiling uncovered cargo materials along the shoreline of Richmond Channel, an inlet of San Francisco Bay,” said Choksi-Chugh. The materials, about a million tons of which are transferred between cargo ships, rail cars and trucks each year, included metallurgical coke, petroleum coke and coal. Levin-Richmond’s methods of storing and loading them onto ships were exposing the materials to wind and rain that were washing and blowing them into the bay.

Under the terms of the agreement, Levin-Richmond will invest approximately $1.4 million in a broad set of pollution controls. It will install systems to filter pollutants out of rainy-weather runoff leaving the site, seal wooden portions of the site’s loading dock to prevent toxic materials and contaminated water from directly entering the bay, upgrade conveyor systems to shield toxic materials from wind and rain, and improve its loaders and its loading-and-unloading practices to prevent spills as materials are loaded onto ships. Polluting debris that is tracked offline will be cleaned up more frequently and measures will be implemented to prevent the movement of toxic materials outside the facility and around rail lines. Levin-Richmond will also install a wind-monitor and controls to keep toxic dust from blowing into the adjacent Larktown Canal. The company has already begun to act on the agreement.

In future rainy seasons, Levin-Richmond will monitor the site’s rainy-weather runoff to ensure that controls are effectively reducing pollution, and it will be required to install more advanced controls if the facility’s runoff remains toxic. Furthermore, to help compensate for past environmental harm, Levin will contribute $90,000 to the Rose Foundation for Communities and the Environment, a non-profit organization that distributes funding to environmental-restoration projects in the Bay Area.

The settlement is the most recent achievement of Baykeeper’s Bay-Safe Industry Campaign, which targets the widespread problem of illegal rainy-season runoff from industrial facilities into the bay. “We have now secured two legally binding cleanup agreements with polluting companies,” said Choksi-Chugh. In addition to legal action against these facilities, the campaign educates facility employees about pollution prevention and advocates for tighter regulations of industrial stormwater.

Pennsylvania: Coal Mine, Feds Come to Rescue After State Fails

A SETTLEMENT FREES BLACK WARRIOR RIVER FROM PRISON POLLUTION

Black Warrior Riverkeeper, in Birmingham, Alabama, has reached a successful settlement in its water-pollution case against Alabama Utility Services (AUS), the operator of Donaldson Correctional Facility’s sewage-treatment plant. The settlement includes injunctive relief (a court order requiring steps to curtail pollution) and a $300,000 Supplemental Environmental Project (SEP) to benefit Jefferson County’s Valley Creek watershed. The parties have filed a proposed settlement decree with the court and are awaiting approval by the U.S. Department of Justice.

The prison’s sewage-treatment plant has a state permit to discharge treated wastewater into Big Branch, a tributary of Valley Creek that is upstream of Bankhead Lake on the Black Warrior River in west Jefferson County. But the facility has a long history of discharging improperly treated sewage and polluting Bankhead Lake, which is among the most popular sections of the river for fishing, boating and swimming.

In 2004, the Riverkeeper sent the Department of Corrections a notice of its intent to sue for improper sewage treatment at Donaldson, which forced the Alabama Department of Environmental Management (ADEM) to initiate enforcement at the prison after more than a decade of pollution.

Unfortunately,” said Black Warrior Riverkeeper Nelson Brooke, “ADEM did not pursue a lasting fix, and by 2005, the plant again began discharging improperly treated sewage to Big Branch. We took legal action to halt water pollution upstream of where countless people live, swim and boat.

The Riverkeeper filed a citizen suit under the Clean Water Act (CWA) in U.S. District Court in February 2012, charging the plant with violations of its CWA permit. The Riverkeeper’s enforcement investigation confirmed that the plant had been discharging treated wastewater to Big Branch for at least 10 years. Meanwhile, the AUS had already been cited twice for the same problem, first in 2008 and again in 2011. The state failed to correct the problem.

In addition, AUS’s $100,000 payment ever ten years will fund conservation work in the Valley Creek watershed. As in other instances in which it has pursued litigation and reached settlement, Black Warrior Riverkeeper chose the Freshwater Land Trust, a widely respected Alabama nonprofit land-conservation organization, to receive the settlement funds.

“Our top priority in all litigation is to fix pollution problems,” explained Charles Scribner, executive director of Black Warrior Riverkeeper. “It is a significant bonus that many of our successful settlements, including this one, generate funds that help the Freshwater Land Trust do great conservation work.”

“We DISCOVERED THAT THE COMPANY WAS STOCKPILING UNCOVERED CARGO MATERIALS ALONG THE SHORELINE OF RICHMOND CHANNEL.”
A NEW IDEA WITH BELIEF, NEARLY ALL WITH BELIEF, NEARLY ALL

FACING OVERWHELMING CONDITIONS, AFRICA’S FIRST WATERKEEPER SUCCEEDS IN SENEGAL.

BY MARC YAGGI, EXECUTIVE DIRECTOR, WATERKEEPER ALLIANCE

As I stood on the beach looking out at the water, the smell of raw sewage filling the air, I was completely overwhelmed. This was the most polluted waterway I had ever seen, and it was a hard sight to take in. Hann Bay, which lies along the Atlantic coast of Africa in Senegal south of Dakar, was, not that long ago, a small fishing village, renowned for its beautiful white sand beach and blue sea full of fish. By the beginning of the 21st century, however, there were more than 70 factories discharging industrial waste along its shore. That, along with untreated sewage and agricultural runoff, had given it the nickname “Trash Bay.”

I thought in that moment in early 2006 that it was a waterway in great need of someone to save it, someone with an indomitable sense of optimism and a vision of what might be, someone who believed in and embraced the power of possibility.

I have always been fascinated by how advocacy movements work and, especially, how they can grow from a small spark of an idea into an all-consuming fire. And I have witnessed this process firsthand over the last 15 years as a member of the Waterkeeper movement, which has grown from one organization into a powerful global network of more than 240 groups that support one another and inspire others to join their cause. Perhaps no story better exemplifies the transformative power of this movement than the story of Hann Bay.

When I first visited the bay, I had just left Hudson Riverkeeper to work for the Alliance. I was accompanied by our then-field coordinator, Thom Byrne. When we arrived in Dakar, Malick Sene, a native of the Hann Bay community, met us. He had become aware of the Waterkeeper movement while living in Canada, where he heard about the work of Petitcodiac Riverkeeper in New Brunswick. He reached out to the Alliance, realizing that it might offer a means to fulfill his dream of restoring Hann Bay to its former glory. The result was this visit to Senegal to meet Malick and see the bay he loved.

Just a few decades ago, Hann Bay was one of the most productive bays in the world. But in the 1980s local residents noticed that it was becoming increasingly polluted from untreated sewage flowing from Dakar and from untreated wastewater generated by nearby industries. Because of the pollution, local fishermen were being forced to travel farther and farther out into the bay to find their catch, causing them to expend valuable resources and take more time away from their families. The community began to lose its connection to the bay, and it seemed no one, including members of the local government, was prepared to do anything to stop its destruction. By 2006, Hann Village was home to 40,000 people with no sanitation service. Many of them were suffering from illnesses related to the toxicity of the water – skin and respiratory diseases and diarrhea.

At one end of the bay, rather than going to a municipal treatment-plant that was operating under capacity, raw sewage from Dakar wound slowly down an open canal, Canal 6, which passed by villagers’ homes and the local fish market, then dumped straight into Hann Bay. When it rained, Canal 6, which we had come to call “the plague of Hann Bay,” would discharge thousands of tons of garbage, plastics and oily sludge onto the beach and into the bay. At several other locations, industrial waste emptied additional poisons into the waters. A Libyan oil refinery one kilometer away regularly discharged toxic chemicals into the water from a pipe that ran directly under the village chief’s home. A fat-rendering plant and a food-dyeing facility contributed their own filthy liquids, and villagers themselves often dumped buckets of cooking- and cleaning-waste onto the beach.

Our tour of the beach that day was heartbreaking, but as we spent more time in Hann Village, we were constantly surprised by expressions of commitment and enthusiasm. The people’s optimism was contagious. We learned from Malick that Hann Village had always had an active, engaged community, and one of its many “futbol” clubs, ASC Yarakh, would soon become Hann Baykeeper’s founding organization. Known for offering health-and-hygiene education and other services for villagers, the club was a trusted institution. It had already been advocating for the restoration of Hann Bay, but before Waterkeeper appeared, it had felt that its voice wasn’t being heard.

We talked with Malick for hours about the steps necessary to form Hann Baykeeper, and, while his enthusiasm was inspiring, we were unsure of how effectively we could support such an undertaking. No one at Waterkeeper Alliance spoke the local languages, Wolof and French, and there were no other Waterkeepers in Africa. But I will never forget the surprised look on the faces of Malick and Mbacke Seck, ASC Yarakh’s charismatic leader, when we expressed our concern. Smiles bloomed, as they told us that just our presence in Dakar had strengthened their cause. The mayor had requested to meet with us, along with Sene’s minister of the environment and other officials and dignitaries. They explained that the Waterkeeper name was internationally known and respected, and that just their association with it brought them greater credibility.

“Waterkeepers” exclaimed the visibly excited Mbacke, “have had success across the globe. We will come to your annual conferences, we will learn from them, and we will bring their tools back to our bay.” From that point on, we had no doubt that Hann Baykeeper would be created, and that it would never stop fighting for the bay that had always been the source of this community’s livelihood. These men and the people they spoke for believed in the power of the Waterkeeper model, and we believed in them. Later that year, Hann Baykeeper was born.

Over the years since then I have seen Malick and Mbacke at our conferences, absorbing all the information they could about...
cleanup projects, educational programs and new ways to advocate for enforcement of environmental laws. Now and then I would see photos of the bay looking more and more as I imagined it once did, though still a long way from full recovery. And I always had faith that our hardworking friends would continue fighting for greater improvements.

After the 2010 Waterkeeper Alliance Annual Conference in Baja, Mexico, where Mbacke walked along the beautiful beaches of La Paz, Hann Baykeeper resolved to finally force action by the government; at last, to clean Canal 6. Senegal’s National Office of Sanitation did so for the first time ever, spending more than $250,000 and collecting 2,700 tons of garbage. In late 2013, after a lengthy battle, Baykeeper’s advocacy convinced the State of Senegal, the French Development Agency and the European Investment Bank to commit $68 million to fund a cleanup of Hann Bay. I could not wait to see the transformation of the bay, and give our friends at Hann Baykeeper a big congratulatory hug.

On an evening in March 2014, I arrived at a hotel in Kathmandu, Nepal, after a rewarding day visiting new partners in the region. As I settled in for the night, I logged into my e-mail and was astonished by a story that brought tears to my eyes: there was Mbacke on BBC, describing the fight for a clean Hann Bay. Accompanying images illustrated the dramatic improvements that had occurred in those waters over less than eight years, as Mbacke excitedly discussed the Baykeeper’s five-year plan to further reduce pollution sufficiently so that the people of Hann Village could once again swim and fish in the bay. Here was a community that stood up for its right to clean water, believing that their waterway could be restored, and never backed down.

As I took it all in, and reflected on the journey this group had begun on that hopeful day in Dakar in 2006, I couldn’t help but believe, just as Mbacke and Malick always had, in the immense power of possibility.
March to a Different Drummer

He U.S. Army Corps of Engineers had never done this before. For the first time since it was established during the Civil War, it will disclose and reduce the amount of pollutants its dams flush into a river. It will have to because of a groundbreaking legal settlement that could affect hundreds of dams nationwide.

On July 31, 2013, Columbia Riverkeeper, based in Hood River, Oregon, filed a lawsuit under the Clean Water Act to hold the Army Corps accountable for its unchecked oil pollution at eight of the largest hydroelectric dams in the nation. Just one year and four days later, the Army Corps, the country’s largest owner-operator of dams, agreed to comply with the law.

“For years, the Army Corps allowed harmful oil pollution to flow into the Columbia and Snake Rivers, and now that will stop,” said Brett VandenHeuvel, Columbia Riverkeeper’s executive director. “We will finally see an end to unchecked toxic discharges that harm our communities.”


The story of how Columbia Riverkeeper forced the operators of some of the nation’s biggest dams to obey the Clean Water Act starts with a spate of phone calls, some of them delivered very early in the morning.

“Because Riverkeeper is on the spill-response notification list, I’d get a phone call every time the dams spilled oil,” said VandenHeuvel. “And I was shocked by how often my phone rang reporting spills after spill.” Yet, he adds, “We never saw the U.S. Environmental Protection Agency or a state agency issue a single penalty or hold the Army Corps accountable for releasing toxic oil-pollution into the rivers. So we started digging. And then we took action.”

The Columbia River Basin, which includes the Snake River, is one of the world’s largest hydropower systems, with 40 dams, 14 of them on the main stem of the Columbia. These dams significantly alter the river’s flow, water-quality, and salmon runs.

“Each dam is essentially a factory sunk into the river with dozens of pipes discharging oil, hot water, and other pollutants,” explained Brian Knutsen, attorney for Smith & Lowney, PLLC, which represented Columbia Riverkeeper. “And the Army Corps was not monitoring—let alone reducing—any of this pollution, as the Clean Water Act requires.”

The Columbia and Snake River dams are decades old, and, in some cases, even more than a century old. They use massive quantities of oil to keep their turbines churning out energy for the power grid. Many of the turbines are hampered by chronic leaks and prone to large failures that release thousands of gallons of oil. In 2012, the Army Corps reported discharging over 1,500 gallons of polychlorinated biphenyl (PCB)-laden transformer-oil at the Ice Harbor Dam on the Snake River. PCBs cause cancer in humans, along with

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Through public-record requests, Columbia Riverkeeper obtained documents detailing dozens of oil releases from hydroelectric dams on the Columbia and Snake Rivers. One record revealed that, in 1998, the EPA directed the Army Corps to apply for a pollution-discharge permit for the Dalles Dam, which straddles the Oregon-Washington border. But the Corps did not file an application until 2004, and the EPA has never issued a permit. So the Corps continued to discharge oil from the dam unchecked.

“Until we sued, the Army Corps took the extreme position that if a dam was not constantly discharging pollution into the river, it did not have to comply with the Clean Water Act,” said Reed Super, legal director for Waterkeeper Alliance.

Holding the Army Corps accountable for violating the law is part of Columbia Riverkeeper’s core purpose ensuring that people can eat locally caught fish without fear of contamination. The Columbia River Basin once supported the greatest salmon runs and steelhead runs on earth, but today thirteen stocks of these fish are listed as endangered or threatened under the federal Endangered Species Act. The Columbia’s fish and wildlife have historically sustained rich Native American cultures across the basin, and are still vital to these communities.

Fishermen are exposed to even more toxic pollution when they eat resident fish, such as sturgeon, walleye, and bass, which spend their whole lives near dams and other pollution sources.

Bob Rees, Columbia River fishing guide and executive director of the Association of Northwest Steelheaders, points out that communities along the river “rely on toxic-free fish to fuel business.” And, he adds, Columbia Riverkeeper’s success in “forcing the Army Corps to fess up to oil pollution from the dams and do something about it is critical to keeping Northwest rivers clean.”

Columbia Riverkeeper’s lawsuit demonstrates the effectiveness of the Waterkeeper model. “We learned about the problem as the local river watchdog group,” said VandenHeuvel. “Then we used the Freedom of Information Act to chronicle oil pollution from the dams and held a powerful government agency accountable using the Clean Water Act.”

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VandenHeuvel is confident that in ten years, “we’ll look back on this moment as a turning point for dam pollution, when dams can no longer contaminate our fish without anyone watching.”

Permits for eight of the largest dams on the Columbia and Snake Rivers. Once issued, the permits will limit the amount of oil and other toxic pollution discharged by the dams. The Corps must also switch from using toxic petroleum oil as lubricants to environmentally-friendly biodegradable oils, if feasible. And, for the first time, the Corps must disclose to the public how much oil is discharged by preparing a detailed mass balance report on how much oil is used in each dam and how much oil is removed for recycling.

“The settlement demonstrates the power of citizen groups to hold government agencies accountable when other government regulators—here the U.S. Environmental Protection Agency—sit on their hands,” said Reed Super, legal director for Waterkeeper Alliance.

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Under Columbia Riverkeeper’s settlement, the Army Corps must apply to the EPA within one year for Clean Water Act permits for eight of the largest dams on the Columbia and Snake Rivers. Once issued, the permits will limit the amount of oil and other toxic pollution discharged by the dams. The Corps must also switch from using toxic petroleum oil as lubricants to environmentally-friendly biodegradable oils, if feasible. And, for the first time, the Corps must disclose to the public how much oil is discharged by preparing a detailed mass balance report on how much oil is used in each dam and how much oil is removed for recycling.

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The Danielses are also building a boat-storage facility and are planning to lay out campsites and wetland walkways. They want to expand public access to the creek they love and that provides their livelihood, their business and their way of life, they worry, could disappear with the proposed mine's wastewater discharge.

In December 2011 the Army Corps of Engineers issued a public notice about impacts to the wetlands and waters of Blounts Creek. Technical memos submitted by the company demonstrated that the proposed wastewater-discharge would disrupt the aquatic environment and the species inhabiting it, especially in upper Blounts Creek. The surge of water would transform the swampy headwater habitat into a fast-flowing stream consisting primarily of mine wastewater, permanently altering the creek’s diversity of life and abundant fish habitat. This forecast caught the attention of the state’s two fisheries-management agencies, the Division of Marine Fisheries and the Wildlife Resource Commission. Both agencies wrote letters to the company voicing their opposition to the plan. They argue that the impacts to the area’s fisheries and nursery habitat would include an expected dramatic rise in pH levels, higher creek-flows, sedimentation and lowering of salinity. Furthermore, they pointed out that the influx of high-iron groundwater into the creek could disrupt anadromous fish-migration cues, possibly eliminating its population of river herring and other species. The agencies requested that Martin Marietta find other methods to dispose of the wastewater.

BoB BoulDen, Captain of the Miss Bea Charters, a Sightseeing Venture, will End his Trips on Blounts Creek if the Mine Comes. Higher Salinity Would Chase Away the Dolphins His Customers Look For, and With the Anticipated Decline in the Fishery, There Would Be Fewer Birds of Prey to View.

Another local resident, Bob Boulden, who calls the shores of Blounts Creek in Beaufort County, North Carolina, their home boast of breathtaking sunsets, tranquil evenings, extraordinary wildlife and salt- and fresh-water fishing. Each day residents report seeing bobcats on their docks, eagles, great blue herons and ospreys on the hunt, dolphins swimming near their boats, common rays gliding under their kayaks, flounder and striped bass on the ends of their rods.

The Blounts Creek community is a close-knit mix of young families, retirees, natives and “northerners” who care about one another and welcome visitors to their special waterway. Their occupations, education and political affiliations are widely various, but they are tied together by a common thread: their love for this now threatened creek.

For over a century, fishing for river herring was a major export in colonial times, and once-abundant stocks remained relatively stable until the 1970s. But their populations have since declined to less than one percent of their once-abundant stocks. Anadromous – they spend their adult lives in the ocean but return to the waters of their birth to spawn. Along this journey they use migration cues of sight, sound, smell and chemical signals. Along this journey they use migration cues of sight, sound, smell and chemical signals.

Jimmy and Pam Daniels have followed developments regarding the proposed mine closely. They own Cotton Patch Landing, an old-time country store much like those depicted in Hollywood films. Hardly an afternoon passes without neighbors arriving to fish stories in all seasons. A healthy Blounts Creek is vital to the store and adjoining developments regarding the proposed mine.

But there is also a serious cause for worry. The Martin Marietta Company, an international supplier of building materials based in Raleigh, North Carolina, has proposed to develop a 50-year 1,664-acre limestone mine in southern Beaufort County, within the Blounts Creek watershed. In order to extract the limestone to the intended depth of 100 feet, groundwater will have to be pumped from the mine-pit and about 12 million gallons per day of this water, mingled with stormwater, would be discharged into the headwaters of the creek.

To put this number into perspective, one of the largest Eastern North Carolina utility companies, Greenville Utilities Commission, supplies the same amount of water to an average of 134,000 customers each day. In December 2011 the Army Corps of Engineers issued a public notice about impacts to the wetlands and waters of Blounts Creek. Technical memos submitted by the company demonstrated that the proposed wastewater-discharge would disrupt the aquatic environment and the species inhabiting it, especially in upper Blounts Creek. The surge of water would transform the swampy headwater habitat into a fast-flowing stream consisting primarily of mine wastewater, permanently altering the creek’s diversity of life and abundant fish habitat. This forecast caught the attention of the state’s two fisheries-management agencies, the Division of Marine Fisheries and the Wildlife Resource Commission. Both agencies wrote letters to
Captain of the Miss Bea Charters, a sightseeing venture, will end his trips on Blounts Creek if the mine comes. Higher salinity would chase away the dolphins his customers look for, and with the anticipated decline in the fishery, there would be fewer birds of prey to view.

He Pamlico-Tar Riverkeeper first learned of the proposed mine in early December 2011. The 30-day public-comment period announced by the Corps of Engineers extended through the 2011 Christmas season and ended on New Year’s Eve—needless to say, less than prime time to rally public involvement. The Pamlico-Tar Riverkeeper Foundation’s first step was to ask for an extension into January. The request was granted, and so began our involvement in the now three-year battle for Blounts Creek. During that time we have written public comments, spoken at public hearings, educated the community via informational meetings and mailings, and made our case to the media. We also began a long-term collection of data on the creek system—a process that the company’s consultants never completed.

In response to the threat to the creek that is the heart of the place they call home, the Blounts Creek community organized and rallied. Over the past three years, they raised more than $10,000 to fund our collective fight to save the creek through events such as races, barbecues and boat rallies. They packed all of the public hearings and meetings, submitted hundreds of written comments, gathered more than 1,000 signatures on a petition, collected water-quality data, wrote letters to newspapers, and engaged their local politicians. After 269 letters were hand-delivered to North Carolina Governor McCrory in September 2013, the secretary of the Department of Environment and Natural Resources and the director of the Division of Marine Fisheries made a visit to Blounts Creek that was widely reported in the media.

Our stance on this issue is simple: the state cannot issue a permit to allow a discharge that is in direct violation of North Carolina’s water-quality standards and the Clean Water Act. Yet, despite overwhelming public and official opposition to the wastewater-discharge, in 2013 the North Carolina Division of Water Resources issued a permit for extraction of the area’s groundwater and daily discharge of 12 million gallons of water. It was clear that the new administration of Governor Pat McCrory placed a priority on promoting industry ahead of protecting our natural resources.

The Riverkeeper and the community had no choice but to fight the issuance of the permit in court. In September 2013, staff and members of the Pamlico-Tar River Foundation gathered at Cotton Patch Landing to announce that they had challenged the legality of the wastewater-discharge permit with the help of attorneys from the Southern Environmental Law Center. We now look to the legal system to uphold the Clean Water Act and avoid the pending destruction of our beloved creek. A local musician and Blounts Creek activist, Bob Daw, wrote a song that evokes memories of what this area was like in the late 1940s and early 1950s, when a series of simple fishing cabins were constructed along the lower creek. The fishing camp, he crooned, was “no country club,” and no membership was required. It was a place where family and friends gathered to enjoy each other’s company and the beauty and bounty of the creek. Those cabins are gone, but the land on which they stood still belongs to the public and is still a portal to a natural treasure called Blounts Creek. A creek worth fighting for.

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SALMON

Standing on the matted grass of brown-bear beds on the shore of Alaska’s Chuitna River, it was clear that nature was in control. After more than 12 hours of fishing upriver, we turned back to find that the 30-foot tides of Cook Inlet had flooded the path we had taken under 10 feet of water. With the comforts of our base camp in sight, we had no choice but to wait for the tide to fall, as we watched the setting midnight sun light up Mount Spurr volcano and the Tordrillo Mountains along the west side of the inlet.

Our hungry seven-person team was two days into a ten-day trip last summer, called the “Chuitna Media Expedition,” with the purpose of capturing stories, photographs and videos of the endangered Chuitna River, so that people across the United States could gain an appreciation of the irreplaceable beauty of this wild and remote place.

OR

THE FIGHT TO SAVE ALASKA’S CHUITNA RIVER

ONE OF ALASKA’S GREAT WILD SALMON STREAMS IS IN BIG COAL’S CROSSHAIRS.

BY SAM WEIS

Standing on the matted grass of brown-bear beds on the shore of Alaska’s Chuitna River, it was clear that nature was in control. After more than 12 hours of fishing upriver, we turned back to find that the 30-foot tides of Cook Inlet had flooded the path we had taken under 10 feet of water. With the comforts of our base camp in sight, we had no choice but to wait for the tide to fall, as we watched the setting midnight sun light up Mount Spurr volcano and the Tordrillo Mountains along the west side of the inlet.

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Just 40 miles across Cook Inlet from Anchorage, the Chuitna (pronounced "Chew-it-na") is exactly the sort of image that comes to mind when one conjures up the Alaskan wilderness. The region lies completely off the road system, and can be reached only by small bush plane or a long boat ride across the dangerous waters of Cook Inlet. Home to all five species of wild Pacific salmon, its shores are more commonly marked by bear tracks than human ones. But this idyllic Arctic river is in peril.

At the headwaters of this wild river, a couple of Texas billionaires – operating as PacRim Coal LLC – propose to dig a strip-mine through 25 miles of salmon streams that will yield low-grade coal to be shipped to Asia. The company’s plans call for digging through the gravel where salmon lay their eggs, to a depth of 300 feet, building an eight-mile-long conveyor-belt stream that will yield low-grade coal to be shipped to Asia. The company’s plan calls for digging through the gravel where salmon lay their eggs, to a depth of 300 feet, building an eight-mile-long conveyor-belt stream that will yield low-grade coal to be shipped to Asia. The company’s plan calls for digging through the gravel where salmon lay their eggs, to a depth of 300 feet, building an eight-mile-long conveyor-belt stream that will yield low-grade coal to be shipped to Asia.

Since 2006, Cook Inletkeeper has led the effort to protect the Chuitna River from coal strip mining, working alongside local residents, businesses, commercial fishermen and Alaskan native communities to mobilize opposition. Now, as important decision-points draw near, Inletkeeper is working with its partners to build national recognition of this endangered river.

**The Biggest Climate Fight You Never Heard Of**

The state of Alaska – “The Last Frontier” – holds a little-known secret: as much as one-eighth of all of the coal on earth, an estimated 5.5 trillion tons, lies under its surface. That is about 40 percent more coal than is contained in the rest of the United States. Yet only one small-scale coal mine is operating in the state. It is hardly surprising, then, that demand from foreign markets is driving a wave of mining-and-crude-oil traffic across the dangerous waters of Cook Inlet. Home to all five species of wild Pacific salmon, its shores are more commonly marked by bear tracks than human ones. But this idyllic Arctic river is in peril.

In 2013, the Alaska Department of Natural Resources (ADNR) held a public hearing on PacRim’s application to strip mine first. The bill sought to eliminate important public-notice requirements, allowing the coal industry to bypass the public’s right to apply for “instream flow reservations,” a protection that ensures enough water remains in streams to support fish. In 2010, Inletkeeper and the Chuitna Citizens Coalition applied for an instream flow reservation on Middle Cook, the tributary of the Chuitna River where PacRim Coal proposed to strip mine first. For four years, this application sat unprocessed at the Alaska Department of Natural Resources. Then, in November 2013 the companies that own the Chuitna River won a significant victory when the Alaska Superior Court ruled that ADNR had violated citizens’ due-process rights for its failure to process the application. The ruling compelled ADNR to begin adjudicating the application.

But the celebration over this victory was short lived. In January 2014, legislators introduced House Bill 77, a bill that aimed to strip away the rights of citizens, non-profits and Alaskan native tribes to apply for or hold instream flow reservations. Additionally, the bill sought to eliminate important public-notice and comment periods that provide Alaskans with a voice in the permitting process.

The introduction of House Bill 77 made it clearer than ever that extreme measures were being taken to deny protections for the Chuitna River. Unfortunately, despite Governor Sean Parnell’s promise to “never trade one resource for another,” the State has continually denied these protections.

In 2013, the Alaska Department of Natural Resources (ADNR) denied a petition that would have declared salmon streams in the Chuitna watershed as “unsuitable” for coal mining, and the Alaska Department of Fish and Game also rejected two “Title 16” petitions to protect fish habitat, which advocates filed to ban the removal of salmon streams in the Chuitna watershed.

Undeterred by Alaska’s development-at-all-costs political mentality, Inletkeeper and its partners sought other novel avenues to protect the Chuitna’s wild salmon runs. In Alaska, citizens, native tribes, non-profit groups and corporations are all eligible to apply for “instream flow reservations,” a protection that ensures enough water remains in streams to support fish.

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Over 1200 other Alaskans contacted their senators to oppose its passage. House Bill 77 died in the closing weeks of the session. “HB77, declared Senator Peter Micciche, the opposition’s lead negotiator on the bill, “is the 13th floor of legislation. I mean the number is damned. And people will remember HB77 for a long time.”

The defeat of House Bill 77 sent a strong message that Alaskans would not be excluded from decisions about their natural resources. The Alaska Department of Natural Resources must now seriously and honestly consider approving an instream flow reservation for Middle Creek. But, not surprisingly, PacRim Coal has applied for a competing water right there, filing requests to remove the entire stream. This conflict presents regulators, legislators and indeed all Alaskans with a stark and important choice: Do we support healthy wild salmon or coal exports to China?

In the coming months ADNR is expected to issue a public notice on the instream flow reservation, which will give Alaskans the opportunity to stand up and say no to mining through salmon streams. Cook Inletkeeper and its partners will use this as an opportunity to raise awareness of the Chuitna campaign and to mobilize participants to comment in favor of protections for the Chuitna River.

Meanwhile, the Army Corps of Engineers is at work on a Draft Environmental Impact Statement (DEIS) on the Chuitna mine, which it plans to release in 2015. This document will kick off a national public-comment period, which will present the best opportunity yet to focus attention on the urgency of protecting Alaska’s climate and wild salmon by defeating this terrible proposal. Our expedition team last summer finally made it to camp on that second night of the expedition, but only after trudging upriver to find a safe crossing followed by a hair-raising bushwhack through bear country in the waning light. The next eight days were graced by big fish and the heart-warming stories of Alaskans who rely on the river and are fighting with all their strength and resolve to protect it.

As it awaits the release of the DEIS, Cook Inletkeeper will work to build national awareness of the Chuitna mine by showing across the country the film and photos produced during that trip. It will be exciting, as we present these images, to feel that we are transporting thousands of Americans to the remote and cherished Chuitna River.

There’s no need to wait to see the film to help protect the Chuitna River, however. You can help protect this one-of-a-kind place by taking action today at www.chuitna.org and www.inletkeeper.org.

Sam Weis is the associate director of the Alaskans First Campaign and works alongside Cook Inletkeeper to protect the Chuitna River.
September 21, 2014

One Billion Footsteps For Mother Earth

Photo Essay
Dr. Joe MacInnis

They came from Asia, Australia, Europe, the Pacific Islands, the Middle East, and North America. They represented health workers, students, indigenous people, elders, and social justice groups.

They are passionate voices speaking out for the natural world and the human family.

It was New York’s first Climate Awareness Day. Four hundred thousand people marched two-and-a-half miles through Manhattan. They marched because they love the earth, the ocean, the sky—and their children.
They marched to share their concerns about climate change. They believe that climate change is the defining issue of our time. They’ve been fighting this battle for many years. They know it’s a long, hard struggle. Their mantra is: we will find a way.

Dr. Joe MacInnis, physician-scientist, explorer, author, is the first person to explore the ocean beneath the North Pole. Among the first to dive to the Titanic, he was the journalist-physician on the recent James Cameron-National Geographic seven-mile dive into the Marianna Trench. “I study leadership in life-threatening environments,” he says. “I do this by working on science and engineering projects where there is the risk of injury and death. My work has taken me from the Arctic Ocean to the Western Pacific to Antarctica. I’ve spent time with Russian scientists on the rusting decks of the Titanic and with army officers in the combat zones of Afghanistan.”

Dr. MacInnis has written ten books. His numerous awards include the Order of Canada.
Coalition launched to protect Colorado River headwaters

The Colorado River originates in Utah, Colorado and Wyoming, and provides drinking water for such major cities as Las Vegas, Tucson, Phoenix, Los Angeles and San Diego. Today, it is severely threatened by unprecedented dirty-energy development, voracious water-diversions and climate change.

For decades climate scientists have warned that the Southwest will suffer more than many areas of the U.S. as temperatures increase and snowpack decreases. In recent years, moreover, the region has been gripped by a significant drought. Yet most residents of California, Nevada, Arizona and New Mexico are not aware of proposed water-diversions upstream and an increase in pollution-generating energy development from tar-sands and oil and gas derived from hydraulic fracturing, or “fracking.”

In October, Colorado River Connected, a coalition of groups in the Southwest and West, was organized to engage communities about threats confronting the Colorado River and their water supply. The coalition, which includes Colorado Riverkeeper, Waterkeeper Alliance, Sierra Club, Los Angeles Waterkeeper, San Diego Coastkeeper, Utah Physicians for a Healthy Environment and Save the Colorado, has united to protect the headwaters of the Colorado River system for the benefit of the 35 million people and thousands of natural species that rely upon it.

Colorado River Connected aims to bring the citizens of the basin together to speak with a unified voice for communities who depend on Colorado River water, and to push back against states like Utah and Colorado that continue to exploit the great river for pollution-generating development.

“Since the dedication of Hoover Dam in 1935, the Colorado River has been the leading model for water governance worldwide,” said Colorado Riverkeeper John Weisheit. “This 80-year experiment is about to fail and shortages are imminent because developers continue to plan for water intensive projects without any regard for the watershed’s natural heritage, or for the public trust. If concerned citizens don’t unite and turn this pattern of unbridled consumption around, a watershed train wreck will indeed occur.”

www.coloradoriverconnected.org
“Working in the Great Bear Rainforest feels like stepping back in time: so few roads, so many salmon and a vibrant and visible indigenous culture. It’s a place where 10,000 years of human history can be read in the soils beneath 1,500-year-old cedar trees. A place where black bears can be white, waves break on unspoiled beaches and wolves take to the sea.

As a scientist, I know more than I need to know about how oil spills unravel the food webs that support all coastal life, including our own. That alone motivates my intervention into the foolishness that is the Northern Gateway pipeline project. But it’s being a father and a surfer that gives me strength and courage to face the battle.”

Chris Darimont, Dan Malloy and Captain Brian Falconer explore the open coast of the Great Bear Rainforest on Achiever, Raincoast’s 70-foot research sloop.

raincoast.org/groundswell