

## LESSONS FROM KATRINA

# UNDERSCORING THE CONNECTION BETWEEN HEALTH AND HYDROLOGY



Photo credit: Adrian Fusinaz

**O**n a massive and horrible scale, the tragedy of Hurricane Katrina has underscored the direct connection between public health and hydrology and the way that human activities affect the flow of water on our planet.

Whether a storm is catastrophic, such as the hurricane that hit the Gulf Coast in early September, or a summer thunder storm, the rain that falls on the land flows, and sometimes floods, over commercial and industrial sites, roads, parking lots, rooftops, farms, and other man-made surfaces. Moving downstream, seeking lower ground, this water picks up bacteria, dirt, pesticides, petroleum products and other toxic contaminants and carries them into waterways.

Clean drinking water supplies, recreational waters, and neighborhood streams are affected by this pollution, impacting the health of individuals, families and communities. It happened in a catastrophic way in New Orleans. Closer to home, the Chattahoochee is also degraded by polluted runoff when it rains and floods. Five years of data from the BacteriALERT Monitoring Program (<http://ga2.er.usgs.gov/bacteria/SummaryIntroduction.cfm>) has revealed that e.coli bacteria levels in the river are as much as 10-20 times higher than the safe level for human contact after a storm.

### **Not a New Problem**

Polluted stormwater is not a new problem; it presents the



Photo credit: John Spinks/Atlanta Journal-Constitution

Last July, employees of John Bleakley Ford in Lithia Springs worked to remove materials from the dealership whose three acres and a million plus dollars worth of automobile inventory were flooded with waist to shoulder height water.

greatest threat to water quality in Georgia. During the early 1970s, and again in the mid-1980s, Congress adopted protections to control stormwater pollution into the federal Clean Water Act. Still, more than two decades later, many of these provisions requiring government agencies to take responsibility for local implementation remain largely unenforced.

The agency charged with protecting our water quality and regulating stormwater pollution—the Georgia Environmental Protection Division (EPD)—is *critically* underfunded and lacks the personnel, and often the political will, needed to implement these programs.

See **Health**, page 7

## GOING ABOVE AND BEYOND TO CLEAN UP INDUSTRIAL SITES

Five local industries have gone above and beyond requirements to clean up their facilities to protect nearby streams and ultimately the Chattahoochee River.

After they were contacted by UCR staff, **C.W. Matthews Contracting Co., General Shale, Thomas Concrete, Allied Readymix, and Allied Waste Industries** (formerly BFI) all agreed to implement best practices to ensure that the rain that falls on their industrial sites does not become contaminated with pollutants before draining into local waters. A dozen more companies have taken a variety of actions to comply with the pollution prevention requirements of the federal Clean Water Act due to pressure from UCR.

### **Focus on Proctor and Woodall Creeks**

For the past several years, UCR has concentrated on the impacts of industrial stormwater runoff in two heavily impacted urban watersheds—Proctor and Woodall Creek—on the west side of Atlanta. According to the state, these creeks do not meet water quality standards because of nonpoint source (stormwater) pollution.



Allied Readymix stabilized its buffer along Woodall Creek in 2004.

Photo credit: Billy Smith/Atlanta Journal-Constitution

After we contacted General Shale, a brick manufacturing plant, the company significantly improved its site by covering or moving pollution sources on site to prevent the materials from entering nearby drainages. In response to our investigation, two concrete facilities (Thomas Concrete and Allied Readymix) hired environmental engineers and developed new and more complete stormwater management plans that channel stormwater to a drainage pond, thereby eliminating uncontrolled runoff.

One of the more rewarding successes has been a closed landfill site operated by Allied Waste Industries that had concerned UCR staff for years; the creek running adjacent to the landfill was bright orange, smelled like leachate, and

was filled with trash and other debris. Allied Waste responded immediately after they were contacted by the state EPD, at our request. In the past year, the company has spent a substantial sum of money to stabilize the landfill, capture residual leachate and send it to the sewer system, and work with the community to remove *three tons* of tires and other trash from an adjacent forest. In September, we honored Allied Waste at our 11th Annual Patron Dinner. (see page 2)

# REFLECTIONS

Every now and then, I dream about trading places with one of our south Georgia riverkeepers and becoming an advocate for a coastal, blackwater river like the Satilla which flows from Coffee County, through Ware, Brantley and Glynn Counties to the Atlantic Ocean. Last May, I paddled an 11-mile section with **Satilla Riverkeeper** Gordon Rogers and other keepers. The river was at flood stage and we saw swallowtail kites; it was simply beautiful, quiet, and the water was the color of tea.



Photo credit: Bita Honarvar/AJC

In September, I finally got a close look at the Ogeechee River in Jefferson County.

Chandra Brown, head of the newly-merged **Ogeechee-Canoochee Riverkeeper** organization, invited me to join a group that included several of her board members and other supporters. Floating on the Ogeechee, along the protected Old Town Plantation property, we saw huge cypress trees with their fresh green needles, a bright contrast against the blue, fall sky.

We also trekked through a bottomland hardwood swamp with crystal clear, spring-fed creeks, rushing to merge with the river. And, then we spotted a cypress that may be a state record with a 15-foot circumference and massive limbs at the top of the tree. Bright red cardinal flowers were growing among its knees.

## Contrasts Between Rural and Urban Rivers

These mostly rural rivers have some real advantages over their urban sisters, not the least of which is that they are not filled with as many discarded tires and trash, such as the ubiquitous balls (tennis, basket, beach and golf balls) that plague the Chattahoochee and other city streams. There are fewer highway bridges, no skyscrapers in the distance to remind paddlers of their proximity to civilization, and not as many sewage plants discharging large amounts of treated waste.

The potential threats to these rivers are different, but just as serious: agricultural operations, like chicken farms and processing plants; mining operations; problematic land application facilities; and predatory landfills, seeking the poor counties with limited political clout to oppose facilities that would take trash from outside Georgia.

Back home on the Chattahoochee, I realize that, as a city girl born and bred, I'm probably where I need to be—advocating for the health of an urban river. Still, every now and then, I need to paddle those peaceful rural rivers that are so important to the landscape and heritage of our state. And, I'm glad that an unexpected benefit of UCR's work has been to serve as a model for the keepers of these rural waterways.

*Sally Bethea*

## ANNUAL PATRON DINNER HONORS THOSE WHO MAKE A DIFFERENCE

More than 350 guests partied, dined, and celebrated the Chattahoochee River at The Foundry at Puritan Mill during UCR's Eleventh Patron Appreciation Dinner held on September 15. The annual event once again served as a special occasion for those involved with UCR to reflect on the past year's accomplishments and honor those who have helped safeguard north Georgia's most precious natural resource—the Chattahoochee.



Paul Barnett, Environmental Manager for Allied Waste Industries, poses with his wife, Nicole, and the River Corporate Citizen Award

This year, UCR honored **James C. Kennedy**, Chairman and CEO of Cox Enterprises, with our prestigious *River Guardian Award* for his leadership in advocating for clean water for people and wildlife. **Dr. Becky Champion** and **John Shepard** received UCR's *River Educator Award* for their role in the creation of our award-winning *Waters to the Sea* educational program.

**Allied Waste Industries, Inc.** received our *River Corporate Citizen Award* for its commitment to helping improve a blighted urban tributary in Atlanta, and **A.J. James** received our *River Neighbor Award* for taking action against an upstream developer who violated clean water laws and harmed her neighborhood. These award



UCR Chair Rutherford Seydel congratulates A.J. James for her River Neighbor Award presented by UCR staff, Alice Champagne and Betsy Nicholas.



Taylor and Shearon Glover, Laura and Rutherford Seydel, Sally Bethea and River Guardian Recipient Jim Kennedy with his wife, Sarah, pose for the camera.

winner and their good works as stewards of the environment serve as examples of how businesses, educators, and next-door neighbors can make a difference in keeping the Chattahoochee clean and healthy for generations to come.

In addition to delicious food donated by **Whole Foods Market** and masterfully prepared by **Chef William Neal Catering**, guests

enjoyed entertainment from flamenco guitarist **Rouzbeh**, a live auction featuring a Florida getaway and trout fishing, and an innovative 'MTV-style' video about river stewardship (complete with REM soundtrack), produced by **FIRM Communications**.

The evening event successfully raised more than \$200,000 in support of UCR's mission and programs.

All Patron Dinner photos taken by Kent Ruby—for more information about his services, contact [kent\\_ga@hotmail.com](mailto:kent_ga@hotmail.com)



John Shepard and Dr. Becky Champion accept their River Educator Award for creation of our award-winning *Waters to the Sea* CD-ROM.

## 11th PATRON DINNER

**PRESENTING SPONSOR**  
Cox Enterprises, Inc.

**RIVER BENEFACTORS**  
Honda Marine  
Mary Lou and Larry McDaniel  
The Coca-Cola Company  
Turner Foundation  
Whole Foods Market

**VIP RECEPTION SPONSOR**  
Colonial Pipeline

**RIVER DEFENDERS**  
Arthur Blank Foundation  
AutoTrader  
Butler, Wooten, Fryhofer,  
Daughtery and Crawford  
Colonial Pipeline  
Donahue Studios, Inc.  
Ellis-McQuary Associates  
Georgia Pacific  
GeoSyntec Consultants, Inc.  
Janis and Mike Eckert  
JST Foundation  
Marcus Foundation  
Paul, Hastings, Janofsky and  
Walker  
Smith, Gambrell and Russell  
TimeWarner  
Turner Broadcasting System

**RIVER ADVOCATES**  
Alston and Bird, LLP  
Andrew, Knowles and  
Princenthal  
Claxton Printing  
CW Matthews Contracting Co.  
Credit Suisse First Boston  
Dow, Lohnes and Albertson  
Epstein, Becker, and Green, PC  
Georgia Transmission  
Corporation  
IWS/Cauley Creek LLC  
Merrill Lynch  
Montgomery, Watson, Harza  
Newfields  
Plantation Pipeline  
Post Properties, Inc.  
Stacey and Reid Freeman  
Urban Realty Partners

## MASSIVE MARINA PROPOSED AT LANIER'S WAR HILL PARK

War Hill Park, a popular public recreational facility on Lake Lanier that is currently owned and operated by the Corps of Engineers is being eyed by developers as the site of a massive, new private marina. In a proposal to **Dawson County**, War Hill LLC offered a four phase plan that would eventually transform the 100-acre tract into a marina with 1,544 boat slips, a restaurant and a convention center. War Hill Park would cease to exist as a public use area and recreational facility. UCR is concerned about the environmental impact that the development would have on Lake Lanier. Construction of the marina and associated infrastructure, as proposed, would result in substantial disturbance of the lake's riparian buffer; stormwater runoff would increase dramatically from roads, parking lots and other hard surfaces. Sediment input from construction activity, possibly ongoing for 15-25 years, could also degrade Lake Lanier. UCR has provided detailed comments to the Dawson County Commission, emphasizing the need for additional information, review and alternatives that would continue to provide recreational opportunities that benefit the general public.

## HELEN NO LONGER AUTHORIZED TO ISSUE DEVELOPMENT PERMITS

Since 1996, when we opened our Gainesville office to focus on the Chattahoochee's headwaters region, UCR staff have investigated and documented dozens of complaints about stream buffer destruction and erosion control violations in the **city of Helen**. These violations include silt washing into waterways, lack of proper practices to control polluted runoff, failure to protect state-mandated buffers and incomplete permit documents. In spite of detailed reports from UCR and others regarding these violations, local representatives rarely take action to ensure that developers comply with the laws and/or face sanctions for violating them. As a certified local issuing authority, Helen is legally responsible for overseeing land disturbing activities and is obligated to enforce the provisions of the erosion and sedimentation laws in order to maintain this certification. UCR provided extensive documentation of these violations to the state Environmental Protection Division (EPD), in support of de-certifying Helen's authority. On September 23, 2005, EPD notified the city that it could no longer issue land disturbance permits. Developers now deal with EPD's Mountain District Office for compliance with erosion and sedimentation laws.



## ON PATROL WITH MAYOR FRANKLIN

On a warm, mid-August morning, UCR's patrol boat left the ramp at Atlanta's water intake on the Chattahoochee with **Shirley Franklin** on board. The city's self-described "sewer mayor" had asked us to take her on a trip to see at firsthand the river that supplies drinking water for people in her city and millions more.

With Captain Harlan Trammell at the helm and Riverkeeper Sally Bethea and Rob Hunter, the city's Commissioner of Watershed Management, joining the Mayor, the boat headed downstream through muddy, high waters filled with debris from a recent storm.

About a mile below the water intake, the Mayor and her companions were startled to see heavy equipment within 50' of the river, and a 100' section of riverbank completely denuded of vegetation. Several, inadequately placed, silt fences had been installed within the buffer along the river.

UCR monitors all stream buffer variance requests made to the state EPD in the upper Chattahoochee watershed from Helen to West Point; we had not seen any request for this river section, so we were fairly sure that the land disturbance with illegal. We also believed, at the time, that the damage was the result of an overzealous developer.

### A Published Photographer

Mayor Franklin photographed the site with her waterproof camera and spoke about the damage that she observed at

## WATER WAR CONTINUES IN THE COURTS

The battle between **Florida, Alabama and Georgia** over water in the Chattahoochee River basin continues to play out in the courts. Three separate cases have been progressing, leaving many to wonder about the outcome for water use in Georgia. Recently, the 11th Circuit ruled that Judge Bowdre, Northern District in Alabama, should not have granted an injunction prohibiting Georgia and the Corps of Engineers from executing a settlement agreement reached in 2004. This agreement could have authorized Georgia to draw an *additional* 210 million gallons of water per day from Lake Lanier to supply metro Atlanta. The D.C. case had been stayed pending the decision of the 11th Circuit. Now that the court has lifted the injunction, proceedings in this case will begin again, likely focusing more attention on the D.C. litigation. While a flurry of legal activity has occurred in the past few months, we do not expect any resolution to this issue in the near future. In the meantime, upstream and downstream communities are struggling with how to accommodate increased water demand, while protecting a strained resource.

## GETTING THE GREASE OUT!

**Atlanta's Operation Clean Sewer** is making great strides to unclog the city's greasy sewer lines through a management, operation and maintenance (MOM) program required as part of the settlement of UCR's 1995 lawsuit against the city. Prior to 2001, Atlanta had *no annual maintenance program* to keep grease out of the lines that collect and carry untreated sewage from homes and businesses to treatment plants. Breaks would occur in the clogged lines, allowing raw sewage to flow directly into neighborhood streams and ultimately the Chattahoochee River. The permitting, inspection and enforcement associated with the city's grease ordinance is now handled entirely by city personnel and is cost-neutral; during the first six months of 2005, 3,757 traps were inspected and 1,983 permits issued. In this same time period, the city prevented *2.45 million gallons of grease* from traps at food establishments—about half the amount of the water in the new Georgia Aquarium—from getting into our waterways! The MOM program is clearly beginning to work.



Mayor Franklin patrols the River with UCR.

Photo credit: Susan J. Ross

# PADDLE GEORGIA: "THE TRIP OF A LIFETIME!"

What happens when you put 300 people in canoes and kayaks and set them loose on the Chattahoochee River for a week?

From June 25 to July 1, Georgia River Network (GRN) and Upper Chattahoochee Riverkeeper (UCR) got the answer: They have one great time.



Parrie Pinyan of Canton launches her kayak from McIntosh Reserve on day seven of the week long Paddle Georgia journey.

Paddle Georgia 2005, a week-long, 110-mile paddling adventure from Buford Dam to Franklin, was a tremendous success. Some 150 individuals, ranging in age from 4 to 70, paddled the entire length of the trip. Another 150 joined the group on various days.

A project of **Georgia River Network**, the trip was designed to be an educational adventure and to reconnect Georgia's citizens with our state's waterways. Each day, participants paddled 15 to 20 miles. Along the way, they had the opportunity to tour various facilities such as Atlanta's R.M. Clayton Water Reclamation Plant, Georgia Power's Plant Yates and the Chattahoochee Nature Center. By night, they camped and enjoyed entertainment and educational programs.

## Canoe-a-thon Helps Raise Funds

In addition to introducing participants to the Chattahoochee, the event also served as a fundraiser for GRN and UCR. Participants raised more than \$10,000 for river protection through registration fees and a "Canoe-a-thon" in which paddlers solicited donations from friends, family, co-workers and neighbors prior to setting out on the adventure.

By the trip's end, most paddlers had learned something about the Chattahoochee and something about themselves. There was many a tear shed as the boats reached the final destination in Franklin. Said one participant: "Thank you for the trip of a lifetime! I feel rejuvenated!"



## 17TH ANNUAL SHORE SWEEP

The 17th Annual **Lake Lanier Association** Shore Sweep took place on Saturday, September 24th with 400 volunteers picking up 45 tons of trash from the shorelines, boat landings, recreational areas and marinas around Lake Lanier. For the third year in a row, UCR staff and volunteers from Gainesville College spent the morning amassing trash and a large pile of Styrofoam which was then hauled to shore aboard our pontoon boat, the *Chota Princess*. Normally used for educational programs, the large 44-foot pontoon boat provides ample space for gathering those drifting chunks of Styrofoam that have broken loose from boat docks during the summer recreational season. All the volunteers received Shore Sweep T-shirts for their efforts and a souvenir patch was provided as a special reward for Boy Scouts and Girl Scouts. Following

Others made comments like: "Because of our week on the 'Hooch' both of us now have a new outlook on the river and its condition."

"This trip exceeded all our expectations," said Joe Cook who coordinated the event along with GRN staff April Ingle and Dana Skelton. "Everyone had a great time and learned a lot about the river. By week's end this group of people from widely divergent backgrounds had come together as a community. It was a very special week for all of us."



Paddlers prepare for launch in the early morning at McIntosh Reserve Park in Carroll County.

**Georgia Power** served as the lead sponsor of the event.



Melissa Hamilton cools off at Hilly Mill Falls in Heard County.

**High Country, REI, Patagonia, Earth Fare, Current Designs, Wenonah Canoe, Appalachian Outfitters, Wildwood Outfitters, Samson Trailways, Café Campesino and Russom Trucking** of Franklin also served as sponsors.

Paddle Georgia 2006 is scheduled for June 24-30 on the Etowah and Coosa Rivers. The trip will cover about 120 miles, beginning near

Dawsonville and ending near Rome. For more information, visit [www.garivers.org](http://www.garivers.org) and click on the Paddle Georgia link. Registration for next year's event will begin in January, 2006.

Joe Cook envisioned Paddle Georgia a decade ago and was instrumental to the success of this year's inaugural event. He is also the Executive Director and Riverkeeper for the Coosa River Basin Initiative based in Rome. All Paddle Georgia photos by Joe Cook – [joe@joecook.net](mailto:joe@joecook.net)

the cleanup, participants were also treated to an appreciation party at Lanier Park on Buford Dam Road.



Huge chunks of styrofoam are off-loaded from the Chota Princess.

## TEACHING THE URBAN WATERSHED IN ATLANTA WITH PROJECT WET

by Petey Giroux, Project WET Coordinator

In 2003, Atlanta's Department of Watershed Management decided to develop new curriculum for students to help them understand water and wastewater systems, as the city invests billions of dollars to upgrade these systems, and to know more about the source of their drinking water--the Chattahoochee River. At the same time, the staff of the Project WET Program at the state Environmental Protection Division (EPD) was looking for ways to develop an urban focus for teacher training on the unique issues that face urban watersheds.

The partnership that resulted has led to a new supplement to the existing International Project WET curriculum, which engages students in "real world" learning with twelve dynamic activities. Nearly 200 environmental educators and formal classroom teachers piloted the curriculum and another 250 Atlanta students piloted activities and provided feedback. Atlanta water and wastewater managers and professionals also provided valuable information and tours of facilities.

### Real World Activities

In the *River to River* activity, actual water and wastewater treatment processes were photographed for an 18 station hands-on laboratory activity. Chemists, biologists and plant managers at the city's treatment facilities were photographed for another activity, *WET Work Shuffle*, to help students learn about different careers in water engineering and management.

*Sewer System Soup* is a field activity where students "become" wastewater (untreated sewage from homes and businesses) and stormwater moving through the underground pipes and facilities. When it rains, students get "diverted" to a combined sewer overflow (CSO) facility, then an underground tunnel, and ultimately to the upgraded CSO treatment facility, which discharges into the Chattahoochee. In this activity, the students experience, *firsthand*, the journey that wastewater will take depending on the kind of pipe they are "traveling" in and the current



Teachers from A.D. Williams Elementary School participated in first Urban Watershed Workshop.

weather conditions. The final activity in the curriculum is called *Walk the Talk for Water*; students are provided with specific actions that they can take to protect their neighborhood streams, such as reading a water meter and a water bill, taking a home water audit, making a rain barrel, and doing storm drain stenciling.

### Proctor Creek School Hosts First Workshop

The first Project WET/Urban Watershed workshop was held in September at **A.D. Williams Elementary School** with 16 teachers, three consulting engineers, and representatives from UCR and the West Atlanta Watershed Alliance. The workshop was part of a larger project involving the school community and partners. UCR staff presented our interactive *Waters to the Sea* Program and National Wildlife Federation provided background on the local watershed. The teachers said that they thought there used to be a trail behind the school along a creek. Before the workshop ended, a member of WAWA was already talking about the possibility of restoring the trail as a *Rivers Alive* event!

For more information, contact Petey Giroux- 404-675-1638 or [Petey\\_Giroux@dnr.state.ga.us](mailto:Petey_Giroux@dnr.state.ga.us)



## GOOGLE EARTH NOW DISPLAYS VOLUNTEER MONITORING DATA

by Harold Harbert,  
Georgia Adopt-A-Stream

Thanks to new software from Google, the view from above has never looked so good. The software, called Google Earth, is a free download from [www.earth.google.com](http://www.earth.google.com). Once loaded on your computer, this software interacts with streaming layers of satellite imagery, each layer providing higher resolution as you zoom in for a closer view, of say... volunteer monitoring sites in Georgia.



Imagery from Google Earth software.

Google Earth has many intriguing functions. For Georgia Adopt-A-Stream, which includes school groups, Google Earth will serve as a platform for displaying volunteer monitoring data. It's taken some fancy programming to display the information on Google Earth, and this fancy programming has come from a dedicated volunteer. The Adopt-A-Stream volunteer, a self-proclaimed map geek, is one of the more talented programmers in what used to be the niche field of fly through satellite imagery. And, lucky for us, he's a longtime friend of clean water.

### Georgia Adopt-A-Stream Goes High Tech

With our volunteer's help, anyone in Georgia can down-

load an Adopt-A-Stream bookmark that can be viewed in Google Earth, after installing the program.

The Adopt-A-Stream bookmark allows the viewer to activate a layer that displays dots representing each monitoring site in Georgia. When you click a monitoring site, a window opens to display graphs of dissolved oxygen, temperature and pH. Future plans include a link to a website with all volunteer water quality data displayed in graphs and in a downloadable format. We also plan on providing layers with information on watersheds, streams and rivers.

Adopt-A-Stream's website at [www.riversalive.com/aas.htm](http://www.riversalive.com/aas.htm) will provide you with everything you need to know to download and view volunteer monitoring data. But, keep in mind that with every technological breakthrough there are certain caveats. In this case, you'll need an up-to-date fast computer and a fast Internet connection. Presently Google Earth does not work on Apple computers.

Enjoy the view!

For more information, contact Harold Harbert at 404-675-1639 or [Harold\\_Harbert@dnr.state.ga.us](mailto:Harold_Harbert@dnr.state.ga.us).

### Riverkeeper Staff

Alexandra Adams  
Policy Director

Sally Bethea  
Executive Director and Riverkeeper

Birgit Bolton  
Programs Coordinator

Alice Champagne  
Technical Programs Director

Bill Crawford  
Business Manager

Magnus Christon  
Special Events Director

Page Gleason  
Development Director

Darcie Holcomb  
Headwaters Conservation Director

Mary Manson  
Receptionist

Elizabeth Nicholas  
General Counsel

Harlan Trammell  
Boat Captain

### Board of Directors

Ray Anderson

Sonny Cohen

Denise Donahue

Bert Ellis

Gary Gaines

Billy Hall

Richard Jacobson

Ben Jordan

Kay Lee

Rubye Lucas

Dr. Judy Meyer

Elena Mola

Steve O'Day

J. Rutherford Seydel II, Chair

David Shaffer

Our mission is to advocate and secure the protection and stewardship of the Chattahoochee River, its tributaries and watershed.

# BANKRUPT PAPER MILL REKINDLES WATER CONCERNS

The battle over whether Georgia's water will be put up for sale was rekindled in May, when a federal bankruptcy court placed a water withdrawal permit on the auction block. The bankruptcy court's order came as a shock to Upper Chattahoochee Riverkeeper (UCR) and other members of the Georgia Water Coalition who had worked successfully to defeat efforts to allow the sale of water permits in the 2003 legislative session.

## **A Public Resource that Cannot be Bought and Sold**

Under Georgia law, water is considered a public resource which cannot be bought and sold. If a water permit is auctioned off to the highest bidder, it would set a dangerous precedent, and could lead to a fundamental change in water rights in Georgia. Under current law, each property owner in the state is entitled to use the water on, or under, that land as a property right. The sale of water withdrawal permits would effectively cancel this right, and could eventually force landowners to purchase the water associated with their property.

Located on the Georgia coast in the town of St. Marys, **Durango-Georgia Paper Co.** (Durango) went bankrupt in 2002. An auction of its assets will be held in December to pay back its creditors. Among the items offered for sale is the company's permit to withdraw up to 44 million gallons of Georgia's water a day. This permit was provided to Durango, free of charge, by the state Environmental Protection Division (EPD). Now, the lawyer for the bankruptcy trustees is seeking to sell off that permit to make money for the trustees, instead of allowing that water to be available for other members of the public.



*Durango Paper Co. in St. Marys, Georgia*

*Photo credit: Curtis Compton/Atlanta Journal Constitution*

## **Georgia EPD on Record in Opposition**

EPD Director Carol Couch has said that the agency will not honor the sale of the Durango water permit, if it is sold separately from the paper mill, and the state Attorney General's office filed a formal objection to the permit sale. **The Southern Environmental Law Center** (SELC) also filed an objection with the bankruptcy court on behalf of UCR, Georgia Conservancy, Georgia Wildlife Federation, Center for a Sustainable Coast, Altamaha Riverkeeper, and Satilla Riverkeeper. Despite these objections, the court decided on July 8 to allow the auction of the permit to go forward. The auction is scheduled for December 6th and will take place in Florida.

The decision regarding the future use of the water that Durango had used since the early 1940's is one that should rightfully be made by the state of Georgia—not by a small group of speculators and an activist trustee. Georgia's water belongs to Georgians. It should not be put up for sale to anyone at

any price. Allowing this auction to move forward is a threat to property rights in Georgia and will allow a federal court and an out-of-state trustee to override clear and recent decisions by Georgia lawmakers to keep water a public resource.

SELC will continue the legal battle on behalf of UCR and the other conservation organizations to seek to have the water permit dropped from the auction. UCR will also continue efforts through the Georgia Water Coalition to reach out to the media, citizens, the Governor and other public officials to stop the auctioning of water permits.



*UCR's Boat Captain Harlan Trammell.*

## **CAPTAIN'S CORNER**

### **ON RIVER SUPPORT FOR PADDLE GEORGIA 2005**

In June, I served as a support vessel operator for the first annual Paddle Georgia—a 7-day, 110-mile trip which started at Buford Dam and ended at the headwaters of West Point Lake in the town of Franklin. Behind the scenes of this successful event, there were many logistical plans.

First, we scouted the runs to be covered each day for access, obstacles, and rest areas; we ran trips by boat several weeks before the event, making detailed notes. Second, we had to determine deployment locations for on-water rescue and support. Third, we had to implement it all during the trip.

#### **Rides for Tired Paddlers and Equipment**

Vessel-to-vessel communications were a problem because of poor cell reception on the water. So, I placed myself in the middle of the paddlers every day and waited near hazards as the boats moved downstream. Typically, I would run up to the top end to see who was left and then move downstream with the majority of the group. Assists included weather updates, rides for tired paddlers, righting overturned vessels, and equipment transport. With high water

throughout the trip, most paddlers were done with the 10-20 mile daily legs by mid-afternoon. I was usually out of the water by 5 p.m. each day.

One day, I pulled a lady from Jacksonville out of the water who had been in for about 15 minutes. She informed me that she was cold and that her paddling buddy had left her. I loaded her up into the boat, along with her kayak, and we ran downstream to look for her friend. The lady enjoyed the ride on an upholstered seat and out of the wind, as she was quite cold and tired from attempting to get back into her kayak. We found her friend, almost at the end of the route, and pulled over to a beach and redeployed her with her friend, so that they could finish out the day together.

It was very important that our patrol boat was in excellent running order each day, since failure in such remote locations was not an option, in case of emergency/rescue situations. With power from a dependable, quiet Honda jet drive outboard that was tuned up to the max, a breakdown was not even a thought. UCR's boat went everywhere at a comfortable speed, never using more than 6 gallons running all day.

# HEALTH

Continued from page 1

## Tackling Industrial Stormwater Pollution

For the past decade, Upper Chattahoochee Riverkeeper (UCR) has devoted significant time, effort and resources to keep dirt (eroded soil) from construction sites out of the river and its tributaries. In recent years, we have added *industrial* stormwater issues to this campaign work.

The federal regulations providing the basis for Georgia's General Permit for Industrial Stormwater mandate technology requirements, rather than specific, numeric limits on pollutants. To be covered by this Permit, industrial facilities must first file documentation and then develop and implement a plan to use best management practices to limit the exposure of pollutants and/or capture any potentially polluted stormwater on-site and treat it. Otherwise, nearby waterways and public health will continue to be harmed.

EPD currently has about 3,700 facilities regulated under the Industrial Permit. It is estimated, however, that there are *thousands* of other facilities in the state that are required to comply with these stormwater regulations, but have not obtained coverage. These operations include metal manufacturing, textile mills, poultry processing, recycling facilities, cement manufacturing, paint manufacturing, landfills, hazardous waste treatment, storage and disposal facilities, meat-packing plants, junkyards, and waste treatment plants.

## Riverkeepers Appeal Industrial Permit

Georgia's Industrial Permit expired in May 2003. EPD then convened an informal stakeholder group representing organizations, such as UCR, and industries that commented on an early draft of a proposed Industrial Permit. This group spent more than a year working to reach consensus on disputed issues for the new Permit.

Prior to issuing the final Industrial Permit in March 2005, EPD changed key sections in favor of positions advocated by industry. Because it now fails to adequately protect human health, violates the Clean Water Act, and is largely unenforceable, UCR and two other riverkeeper groups appealed this Permit in April, represented by the **Southern Environmental Law**

**Center**. The **Georgia Industry Environmental Coalition** and the **Georgia Poultry Federation** intervened in the appeal, supporting EPD's new Permit.

Under the new Industrial Permit, industries are exempt from testing for fecal coliform, even if a nearby stream has been found to be polluted with this bacteria, which is associated with human and animal waste. The new Permit lacks strong enforcement mechanisms and provides inadequate public access to information about what is going into the state's waters. Finally, industries are not required to submit *any* monitoring data or even their pollution prevention plans to the state, making oversight by the state or the public virtually impossible.

As the Permit appeal winds its way through the court system, rain continues to fall on cities, forests, and farms—picking up contaminants where best management practices are not employed, carrying them into our rivers, streams and lakes. We know what needs to be done to prevent this pollution at its source, and many Georgia industries are willing to meet higher standards (*see page 1*). Now, we just need to make a real commitment to do something about it.

For more information, contact UCR's General Counsel Betsy Nicholas at [enicholas@ucriverkeeper.org](mailto:enicholas@ucriverkeeper.org).



Six Flags Over Georgia, located next to the Chattahoochee in Cobb County, flooded after heavy summer rains.

Photo credit: Curtis Compton/Atlanta Journal Constitution



## WHOLE FOODS MARKET SUPPORTS UCR IN A BIG WAY!

Whole Foods Market prides itself on being the world's largest retailer of natural and organic foods. Founded 25 years ago by three Texas businessmen who decided that the natural foods industry was ready for a supermarket format, the company now has stores throughout the nation and has recently expanded to Great Britain. Much of the growth has been accomplished through mergers, such as the acquisition of Harry's Farmers Market, which introduced Whole Foods Market to the Atlanta area.



UCR co-founder **Laura Turner Seydel** initiated our relationship with Whole Foods Market nearly two years ago, when she met **Russ Benblatt**, Whole Foods' South Region Marketing Manager; Russ has been an enthusiastic supporter of UCR ever since. Whole Foods and Harry's Farmers Market have supplied UCR with food and beverages

as in-kind donations for events. Their generosity and support helps us lower costs associated with fundraising dinners, river floats, and charity runs. It's a relationship that UCR truly values.



"Whole Foods Market has been such an awesome supporter for our events. Our budget is extremely tight, so this relationship means the world. They really help us in putting forth quality events," states Magnus Christon, UCR's special events director.

The newest Whole Foods Market is located at 77 West Paces Ferry Road in the Buckhead section of Atlanta. UCR was selected as the beneficiary organization for the new store's grand opening celebration in September, which raised \$11,600 for our programs. *Be sure to visit [www.wholefoodsmarket.com](http://www.wholefoodsmarket.com).*

## HOT FUN IN THE SUMMERTIME, NORTH GEORGIA STYLE

The temperatures were well into the 90s, but thankfully the river was running as cool as ever. It all added up to a great time on August 20 when UCR and the **Soque River Watershed Association** held an event for members and friends at **Buck Shoals in White County**. About eighty guests enjoyed barbecue, a bluegrass band, and environmental exhibits; many also enjoyed a 6-mile paddle prior to the barbecue. Buck Shoals, the beautiful property of longtime UCR members **Marie and Dennis Crean**, will eventually become a state park. Our event provided a sneak preview of the future public area and, coincidentally, we also observed the baptism of a dozen people on the Habersham side of the River.



Darcie Holcomb, UCR Headwaters Conservation Director, and Sally Bethea join BBQ Hosts Marie and Dennis Crean by the river.



Photo credit: Robert Fuller

# ACTION ALERT

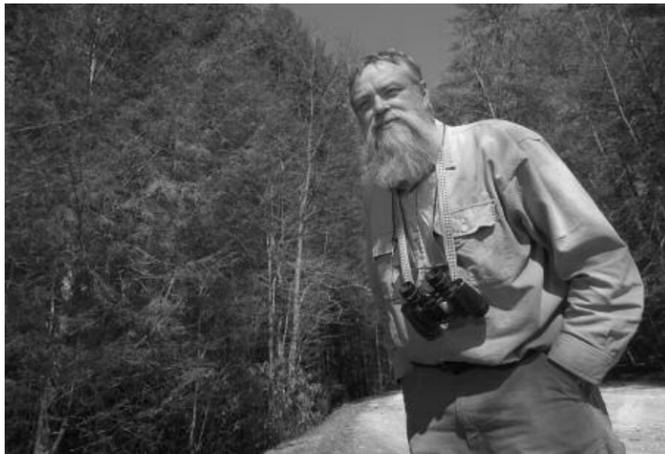
## CHATTAHOOCHEE HEADWATERS THREATENED BY INSECTS AND A PROPOSED HIGHWAY

### Native Hemlocks Threatened by Woolly Adelgid

Eastern and Carolina Hemlocks are dying due to a spreading infestation of the Hemlock Woolly Adelgid (HWA), an invasive aphid-like insect that was inadvertently introduced in this country from Japan in the early 1950's. Since its introduction, the HWA moved rapidly to New England and has now moved southward into north Georgia, where the majority of the state's hemlocks are found in the Chattahoochee-Oconee National Forests.

Hemlock stands are among the only *old growth* forests in the East and are of great importance to wildlife and water quality. These ever-green trees play an irreplaceable role in our mountain forests by providing a root system that stabilizes stream banks, sheltering bird and mammal species, and maintaining cool stream temperatures for trout and native fish species. Unfortunately, there are no known *native* predators for the HWA. Without biological controls, the Eastern Hemlock forests may perish within decades. Many of the hemlock stands north of Georgia have already experienced a mortality rate in excess of 80 percent.

The U.S. Forest Service (USFS) has a bold plan for managing HWAs on public forest lands, which includes raising and releasing a variety of beetles that feed specifically on the adelgids. UCR supports this approach, which is widely considered the best scientific method for saving the vast stands of hemlocks. Groups like **Georgia ForestWatch** and the **Lumpkin County Coalition** are leading efforts to educate the public and raise the significant funds needed to establish a predatory beetle-raising facility at the University of Georgia. The Lumpkin Coalition hosted a day-long "Hemlock Fest" in Dahlonega in early October and UCR served as a co-sponsor.



Forrester James Sullivan is helping lead the battle against the Hemlock Woolly Adelgid

Photo credit: Rita Honarvar / Atlanta Journal-Constitution

### Interstate to Cut across Water Supply Watersheds

Once again, the north Georgia Mountains are being targeted for the construction of a new interstate highway (I-3). The massive federal highway spending bill passed in August includes \$1.3 million to complete a *feasibility study*

for a new highway that could cut across the Chattahoochee's headwaters counties (White, Lumpkin, and Habersham) on the way from Knoxville to Savannah. Expected to take 12 to 24 months to complete, the study will investigate costs, benefits, routing, environmental, recreational and archaeological impacts, as well as the effect on economic development.

Concerned citizens in Georgia, Tennessee and North Carolina are worried that the study is just a formality. In response, a growing grass-roots network, the **Stop I-3**

**Coalition**, is hosting regional meetings. Elizabeth Wells, chair of the Georgia chapter of the anti-interstate group, is among many who feel the highway would adversely impact environmentally sensitive areas and the quality of life in the mountains with little or no benefit to the local communities.

UCR supports the Coalition's mission, since the proposed interstate and subsequent development around interchanges would subject the Chattahoochee watershed to significant impacts from deforestation, soil disturbance, increased impermeable surface and stream piping. Secondary impacts from the road construction would also result, since development and increased traffic flows are certain to follow. Visit [www.STOPI-3.org](http://www.STOPI-3.org)

For more information on Hemlocks and on the Highway and how you can help, visit [www.gafw.org](http://www.gafw.org) or [www.lumpkincoalition.org](http://www.lumpkincoalition.org).

## River Matters

### UCR Membership

**Meeting** November 3

Contact Page Gleason at 404-352-9828 ext. 19 or [pgleason@ucriverkeeper.org](mailto:pgleason@ucriverkeeper.org)

### X-Mas Party

December 9

The Tabernacle  
Contact Magnus Christon at 404-352-9828 ext. 12 or [mchriston@ucriverkeeper.org](mailto:mchriston@ucriverkeeper.org)

### 2006 Georgia General

**Assembly Begins** January 9

Visit [www.legis.state.ga.us](http://www.legis.state.ga.us) for more information.

### Georgia River

**Network**

**Conference** February 10-12

For more information, contact Dana Skelton at [dana@garivers.org](mailto:dana@garivers.org) or 706-549-4508

### Environmental

**Education Alliance**

**Conference** March 17-19

For more information or to sign up, visit [www.ealliance.org/conference.htm](http://www.ealliance.org/conference.htm).

### Back to the Chattahoochee River Race

**& Festival** June 10

Contact Birgit Bolton at 404-352-9828 ext. 24 or [bbolton@ucriverkeeper.org](mailto:bbolton@ucriverkeeper.org)

### Paddle Georgia

**Etowah River** June 24-30

For more information or to sign up, visit <http://www.garivers.org/paddlegeorgia/pghome.html>

**Give the perfect gift for the holidays!**

**Make someone a UCR member. Go to [www.chattahoochee.org](http://www.chattahoochee.org)**



Keeping Watch Over Our Waters

3 Puritan Mill

916 Joseph Lowery Blvd. Atlanta, Georgia 30318  
404 352-9828

Non-Profit  
Organization  
US Postage Paid  
Permit No. 3363  
Atlanta, Georgia

Address Service Requested



a member of EarthShare  
OF GEORGIA



30% post-consumer  
waste