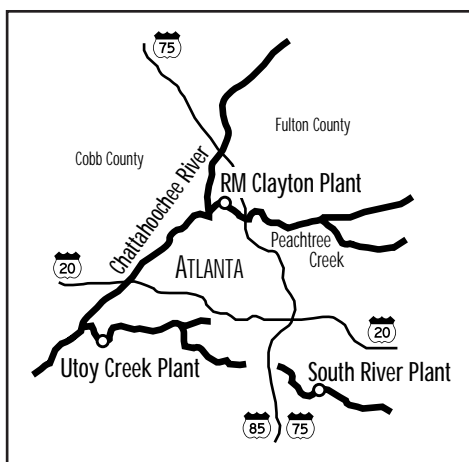


RIVER CHAT

ATLANTA FACES BAN On Sewer Hook-Ups For Failure To Reduce Phosphorus At Wastewater Treatment Plants

On March 27, 1995, the Director of the state Environmental Protection Division (EPD) notified Mayor Bill Campbell that Atlanta could face significant monetary penalties, as well as sewer moratoriums, due to the city's continued failure to reduce the amount of phosphorus being discharged to the Chattahoochee River from its treatment plants.



A 1991 consent order between EPD and the city set forth a timetable and phosphorus standards to be met by 1996 and 1997. The city has not taken interim measures to update the R.M. Clayton facility, as envisioned in the order, and it is unlikely that Atlanta's plants will be able to meet the phosphorus standards as mandated.

The city of Atlanta owns and operates three "water reclamation centers", or wastewater treatment plants, which discharge treated

wastewater to the Chattahoochee River between Buford Dam and West Point Reservoir. Together, these plants (R.M. Clayton, Utoy and South River-see map) are permitted to discharge more than 175 million gallons of treated wastewater per day to the river.

Data compiled by the U.S. Geological Survey indicates that restricted use of phosphate detergents and plant upgrades resulted in a 54% decrease in the phosphorus load in the river from 1988 to 1993, however, an additional 31% must be removed.

Excessive Phosphorus Could Damage West Point Lake

Phosphorus in the wastewater from human waste and industrial processes has been a serious problem for West Point Lake located seventy miles downstream from Atlanta. This recreation lake also serves as the water supply for the city of LaGrange. Excessive amount of phosphorus causes algal growth, or "blooms" -- a classic symptom of eutrophication (or lake aging). In advanced states, eutrophication can produce anaerobic conditions in which oxygen in the water is completely depleted and aquatic life is seriously diminished.

Neighborhood opposition to various alternatives to reduce phosphorus and expand treatment capacity have delayed decisions which must come from the Atlanta City Council and the Mayor's office.

The sewer moratorium could bring post-Olympic development in Atlanta and other metro areas to a halt, as well as force the city to pay a minimum of \$10,000 per day in fines -- on top of the \$9,000 per day already being paid for violations of consent orders on the city's combined sewer overflows.

Riverkeeper believes that it's time to stop playing neighborhood politics and take action to protect the Chattahoochee River and the rights of downstream property owners. We are evaluating several options to achieve solutions to the continued problem of pollution being dumped by the city of Atlanta on those downstream.

THE RIVER MATTERS

Tuesday Evening Canoe Floats on the River
Call Chattahoochee Nature Center at 992-2055

May-August

Annual 'Help the Hooch' Cleanup
Riverkeeper joins Generation Green to clean up Peachtree Creek. (See pg 6 for details.)

May 20

Learn How to Monitor your Neighborhood Creek.
Free water quality workshop offered by Riverkeeper and Alpharetta's "Project Ripple"
Call 442-9057 to register.

June 11

Full Moon Raft Trip-Powers Island to Paces Mill
Call The Georgia Conservancy at 876-2900 for details.

June 16

Riverkeeper Brown Bag Lunch
Topic: Sand Dredging Operations on the River.
How are they regulated/Are they damaging?

July 14



Lend A Hand

**We're only 100 members short
of reaching our goal of 1,000 members.
Become a Riverkeeper supporter.**

Membership Registration Form on page 7.

ALL IS BORN OF WATER;
ALL IS SUSTAINED BY WATER.
Goethe

INDUSTRIAL DISCHARGES INTO CITY SEWERS FIND THEIR WAY TO THE RIVER

The Clean Water Act's (CWA) pretreatment program is one of the least well known parts of this federal legislation. The pretreatment program requires that industries who discharge wastewater into municipal sewage systems "pretreat" their waste to protect the publicly owned treatment works (POTW) which receive the waste stream.

POTWs are only equipped to treat "conventional" wastes present in the waste stream and cannot treat many of the chemicals present in industrial discharges. These chemicals could possibly damage the receiving POTW and its waste treatment processes.

The Environmental Protection Agency (EPA) has promulgated two types of pretreatment standards: general pretreatment program standards and categorical standards for types of industrial activities. The regulations are nationally uniform which makes the program easier to administer.

There are approximately 41 pretreatment programs in Georgia. Many of the smaller pretreatment programs are administered by the Georgia Environmental Protection Division (EPD), such as the city of Cornelia in Habersham County which receives more than two-thirds of its waste stream

from one industrial discharger - Fieldale Poultry Farms. The CWA requires that cities with a system flow greater than five million gallons per day to administer the pretreatment program.



Atlanta's Pretreatment Program

Not surprisingly, the city of Atlanta has the largest pretreatment program in the upper Chattahoochee basin with a total of 170 industrial dischargers, 44 of which are considered to be "significant industrial users" due to the quantity or nature of their discharge. Although there are a few industries in noncompliance, most companies appear to adhere to their permit standards and the city does an excellent job of administering the program. Examples of industries which discharge into Atlanta's sewers include Delta Airlines, Atlantic Steel, National Dust Control Services and Estes-Simmons Silverplating.

Pretreatment programs are attractive to some industrial dischargers because they can

dispose of their toxics and hazardous waste without having to deal with the federal NPDES discharge permit program and the onerous RCRA ("Resource Conservation and Recovery Act") regulations. Observers of pretreatment programs question the effectiveness of having municipalities regulate many of their largest taxpayers. (Cont. pg. 6, see DISCHARGES)

HOW THE NEW TROUT STREAM BUFFERS AFFECT THE CHATTAHOOCHEE WATERSHED

Highway 255 Upstream to the River's Headwaters

--- Designated Primary Trout Waters

Buffer: Fifty (50) feet with NO variance for single family residences not part of a platted subdivision, a planned community or an association of more than two residential lots; 100 foot buffer for all other land uses.

Highway 255 Downstream to 115 and Buford Dam to I-285 south of Atlanta --- Designated Secondary Trout Waters

Buffer: Fifty (50) feet with variance opportunity to twenty-five (25) feet for single family residences not part of a platted subdivision, a planned community or an association of more than two residential lots; 100 foot buffer for all other land uses.

All "First Order" Streams (Headwater streams with NO tributaries)

Buffer: Twenty-five (25) feet with NO variance for single family residences not part of a platted subdivision, a planned community or an association of more than two residential lots; 100 foot buffer for all other land uses. **To report potential violations of the state buffer requirements, call the Riverkeeper office (404-816-9888) or the state soil erosion control program (404-656-4708).**



In March, **Riverkeeper's Upper Hooch Patrol** paddled the thirty miles of river between Helen and Lake Lanier looking for problems and potential violations, such as the above development. The Patrol, led by **Carol Mercer** and organized in conjunction with **Ga. Canoeing Association, Atlanta Whitewater Club, and Lanier Canoe & Kayak Club**, continues to be a fun and effective way to keep an "eye" on the upper portion of the Chattahoochee. Patrol trips are scheduled for June and September, 1995. Call the Riverkeeper office for additional information.

GEORGIA'S TWENTY YEAR OLD RIVER PROTECTION LAW KEEPS ON TICKING . . .

On the heels of the first Earth Day in 1970, environmental activists in Atlanta moved to create state legislation to protect the Chattahoochee River corridor through land use controls. Known as the Metropolitan River Protection Act (MRPA), the legislation finally passed in 1973 after several years of active lobbying and was signed into law by Governor Jimmy Carter.

For more than twenty years, MRPA has quietly and, in many cases, effectively restricted development activities within a 2,000 foot corridor on each side of the river from Buford Dam to Peachtree Creek to protect Atlanta's drinking water supply. Additional public purposes to protect health, welfare and economic progress include flood prevention, erosion control, and comprehensive planning.

The Atlanta Regional Commission (ARC), a regional planning agency, was charged with the development of a plan to protect the land and water resources of the Chattahoochee River corridor, as well as procedures to implement the law and the plan. ARC jurisdictions affected by MRPA include the city of Atlanta, Cobb County, Fulton County, the city of Roswell, Gwinnett County and the city of Duluth. Forsyth County is also affected by MRPA, however, its program is administered by the Georgia Mountains Regional Development Center in Gainesville.

The River Corridor Protection Plan

The Chattahoochee River corridor plan which was developed by ARC includes the "how to's" for construction techniques and standards to minimize the negative effects of development on the river. There are three sets of specific standards: vulnerability, buffer zone and floodplain standards.

The *vulnerability standards* divide all land in the corridor into six categories based on natural characteristics. Maximum limits on the amount of land disturbance and impervious surfaces are set for each category. The *buffer zone standards* require that 50 feet of natural vegetation remain along the river and 35 feet along the banks of streams. The plan generally prohibits any structures within 150 feet of the river. The *floodplain standards* require that for any fill placed in the river's 100-year floodplain, an equal amount of soil must be removed. Also, within the floodplain, structures cannot be taller than 35 feet above existing grade.

Before any land disturbance is allowed, a development proposal must be approved and certified under the terms of MRPA and the Chattahoochee Corridor Plan. An application is submitted to the local government and then forwarded to ARC for review. Interested citizens and other agencies may comment on the proposal during the review period. If ARC finds the proposal "consistent" with the plan, the local government then issues a certificate authorizing the activity.

Who Enforces the Metro River Protection Law?

Local governments have the responsibility of monitoring land disturbing activities and making certain that the development conforms to the terms of the MRPA certificate. They are also responsible for ensuring

that no development occurs without review and authorization. Violations of the law can be penalized with fines and/or requirements to restore the property. If the local government fails to enforce the law, the state Environmental Protection Division is authorized to step in and take action.

Every few years, ARC performs a survey of the 48-mile river corridor to summarize conformity to the law. In 1988, the corridor riverfront survey found 80 clear violations and more than 100 potential violations in Cobb, Fulton and Gwinnett Counties and the cities of Roswell and Duluth. All of the jurisdictions say that they have been working on the reconciliation of these violations. Fulton County, with more than 42 miles of river corridor, would be expected to have the most violations, and they do. The county is working on over 100 violations with a goal of removing structures illegally constructed within the 150' buffer protection zone and revegetating areas which were illegally cleared.

Citizen Involvement

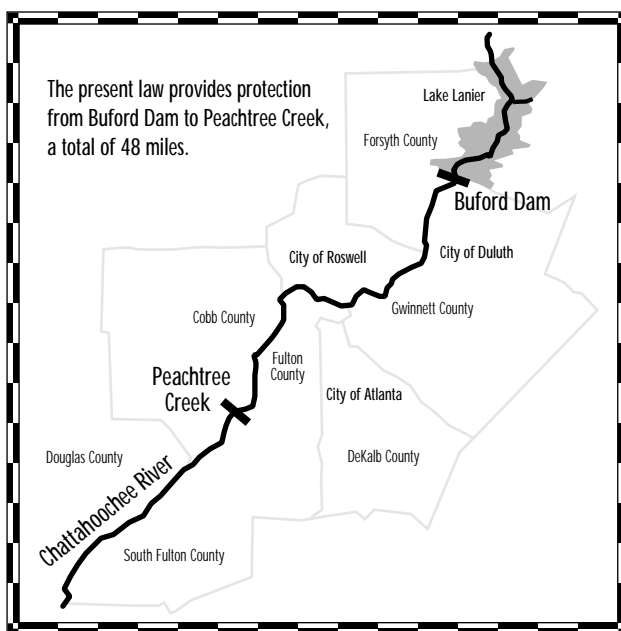
From a raft floating down the river, one can easily see numerous MRPA violations. Why isn't anyone doing anything about these violations? Apathy. Politics. And, local officials are simply not hearing enough from their constituents who want to see the law enforced. Until county commissioners and city council members hear repeatedly that protection of the Chattahoochee and its tributaries is important, we are not likely to see much improvement. Even then, we will probably have to use other tools to ensure that the law is enforced. MRPA is one of the very few state laws which includes a "citizen suit" provision, meaning that citizens may file suit to enforce the law.

The metro river corridor south of Peachtree Creek through Cobb, Fulton and Douglas Counties has long been ignored and the land use scars are deep. A new initiative arising from ARC's Environment and Land Use Committee may ultimately result in MRPA-like restrictions for this long-abused section of the river. Riverkeeper is actively supporting this effort.

Ensuring compliance with the state Metro River Protection Act is a Riverkeeper priority. We review all proposals submitted to ARC and the Ga. Mountains RDC and provide comments when necessary. We are striving to involve citizens in each of the affected counties and municipalities.

WHO TO CALL:

City of Atlanta:	John Bell	(330-6145)
Cobb County:	Ed Thomas	(528-2022)
Fulton County:	Donna Black	(730-7545)
City of Roswell:	Susan Canon	(641-3780)
Gwinnett County:	Mike Williams	(822-7600)
City of Duluth:	Steve Lykins	(476-1790)
Forsyth County:	Jeff Watkins	(524-7322)



STREAM LINES

UPDATE ON CLEANUP OF GASOLINE LEAK IN ROBERTSTOWN

Considerable progress has been made to clean up a riverbank area upstream from Helen where gasoline leaking from a gas station has been seeping into the Chattahoochee. (See *River Chat*, Winter 1995)

The contractor authorized by the state Environmental Protection Division (EPD) to investigate and remediate this Georgia Underground Storage Tank Trust Fund site conducted system tightness tests last December and discovered a product line leak. This portion of the system was immediately taken out of service. Visual observations indicate that the riverbank seepage has abated to some extent since then.

At the present time, five monitoring wells have been developed into recovery wells and equipped with submerged pneumatic pumps set to skim and recover as much free product as possible, together with a significant amount of contaminated groundwater, by pumping the mixture to the equipment compound where it will be treated prior to disposal. The equipment includes a free product-water separator, holding tanks for free product and for water, an air stripper, an activated carbon polishing unit, a vacuum blower, air compressor, pumps, controls, and related items. Recovered product is retained in the holding tank pending proper disposal.

On April 4, 1995, the interim free product recovery system became operational. It appears to be performing well. The remediation system is equipped with "failsafe" measures which will shut the entire system down in the event of the failure or shutdown of any critical component. Frequent inspections and monitoring and testing of the system and the treated effluent are a requirement of the Consent Order between EPD and Jerry C. Carter, Inc.

Riverkeeper will continue to monitor the work of EPD's contractor to remove this contamination source over the remainder of the cleanup period which may extend to several years.

How To Save A River: A Handbook For Citizen Action

An excellent new publication from *River Network* at \$12.00 (plus shipping)
Call 1-800-423-6747

OUTSTANDING RESOURCE WATERS STUDY CLOSE TO COMPLETION

West Georgia biology student Mike Diller will soon complete a report on the Chattahoochee River watershed upstream of the confluence of Duke's Creek which includes all the headwater springs and small tributaries that form the river. Data collected will be displayed in narrative and computerized GIS format. It will form the basis of Riverkeeper's nomination of this watershed for Outstanding National Resource Water (ONRW) status, expected to be submitted to the state this summer. The ONRW classification, a tool offered by the federal Clean Water Act for helping "keep clean waters clean", has never been used in Georgia.

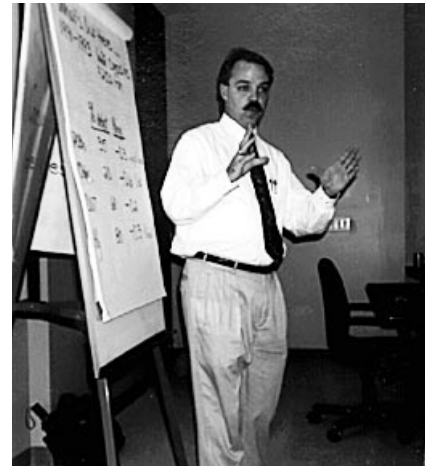
With assistance from the Southern Environmental Law Center, Riverkeeper is urging the state Environmental Protection Division to move forward to finalize the nomination process for ONRWs and to evaluate the upper-upper Chattahoochee watershed as a prime candidate for this protective status. Additionally, we are working with the U.S. Forest Service and interested parties in the town of Helen to achieve this goal.

A BAKERS DOZEN OF KEEPERS

There are now thirteen river, bay and sound keepers across the country from Georgia to New York, to San Francisco to Casco Bay, Maine. Together they make up the **National Alliance of River, Sound and Bay Keepers**, an umbrella group created to oversee the formation of other Keeper programs and to work on national issues that individual Keeper programs hold in common.

What is a Keeper? A full-time, privately-funded, non-governmental ombudsperson whose special responsibility is to be the full time public advocate for a water body. Each Keeper program reflects the needs of the waterbody and community it represents. At a minimum, it is the Keeper's job to advocate compliance with environmental laws, respond to citizens' complaints, identify problems which affect his or her body of water and devise remedies, and be a living witness to the condition of the ecosystem. Keepers are part investigator, scientist, lawyer, lobbyist and PR agent.

New Keeper programs are approved by the National Alliance which holds the right to issue a license to use the trademarked "Keeper" name. The Alliance meets several times a year, alternating between the home waters of individual members, and is planning to meet in Atlanta this fall.



BROWN BAG LUNCHEONS

State Toxicologist **Dr. Randall Manning** offered an excellent presentation on Georgia's new Fish Consumption Guidelines at Riverkeeper's first quarterly Brown Bag Lunch last March. More than two dozen individuals attended the session, including representatives of several state and federal environmental agencies and local fishermen. On July 14, Riverkeeper will host a second Brown Bag Lunch on "Sand Dredging Operations in the Chattahoochee". National Park Service and Corps of Engineers personnel will discuss regulatory constraints on dredging operations and wildlife biologists will explore impacts on aquatic species.

RIVERKEEPER PARTICIPATES IN NATIONAL URBAN RIVERS SYMPOSIUM

Riverkeeper Sally Bethea spoke at the first annual Urban Rivers Symposium sponsored by **American Rivers** last March in Washington, D.C.. The event honored eight outstanding river restoration projects from around the country which have achieved measurable results in protecting their waterways. Additionally, it brought together urban river service providers with community groups and individuals to share information and build working relationships.

The work of American Rivers continues to impact the Chattahoochee River basin. On April 18, American Rivers named the Chattahoochee as one of the country's twenty most threatened rivers. In May, Victor McMahon of American Rivers will be in Atlanta to participate in the Help the Hooch cleanup event on Peachtree Creek and to present Riverkeeper with a check to help fund the river cleanup and other monitoring projects (see page 6).

POPULATION ISSUES

IN GEORGIA AND THE CHATTAHOOCHEE WATERSHED

An Interview with Turner Foundation Director Peter Bahouth

In January, 1995, the Turner Foundation kicked off its "Georgia Initiative for the Family" to mobilize statewide resources to reduce teenage pregnancy rates. This new program holds great promise for the future of Georgia's youth, as well as for the state's natural resources which are already stressed and degraded due to population surges in the last decade. In the upper Chattahoochee River watershed alone, there are more than 3 million people today and a population of more than 4.5 million is anticipated by 2020.

Riverkeeper spoke with Turner Foundation Director Peter Bahouth, who with Jane Fonda, has served as an architect of this effort to curb the state's population growth.

Riverkeeper: How do Georgia and the United States rate in terms of teenage pregnancies?

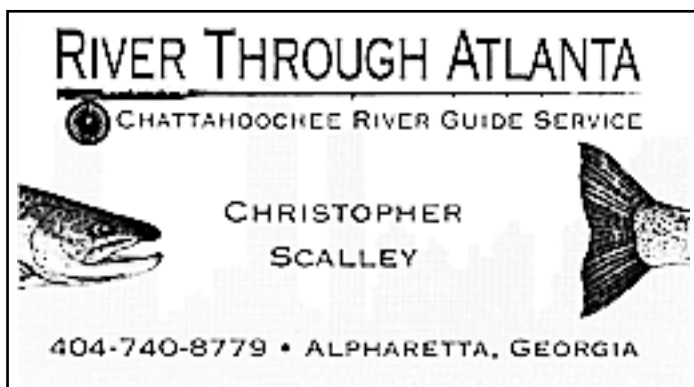
Bahouth: Georgia has the highest teenage pregnancy rate in the country. As a foundation concerned about global population issues, Turner decided to focus its work here in Georgia where we find the same family planning reproductive health issues as exist in undeveloped countries on the other side of the world. These issues do not exist solely "somewhere else".

The U.S. is the only developed country without an official population policy. There are no national or statewide standards on how to approach issues ranging from unintended pregnancy to child care. In fact, teenage pregnancy rates in the U.S. are nearly double that of most other industrialized countries.

Riverkeeper: What are the goals of your Georgia Initiative?

Bahouth: First, to promote total community involvement in the problem of unplanned and teenage pregnancy. Second, to reduce the incidence of unplanned and teenage pregnancy on a statewide level. And, third, to improve and coordinate the services available to address unplanned and teenage pregnancy.

Riverkeeper thanks Plan It Green, Inc. and The Common Pond for Earth Jam '95!



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When government isn't doing the job that needs to be done, we must do it ourselves. People naturally rise up. There are hundreds of small agencies and nonprofit groups throughout Georgia working on population issues. The Turner Foundation hopes to create a replicable model for state and national action by mobilizing and expanding these existing resources.

Riverkeeper: Are you targeting specific communities in the state to begin your program?

Bahouth: Yes, we are focusing initially on three communities which each represent an urban, rural and metropolitan setting. They are Atlanta, Tifton and Albany. Our work in the Atlanta area should positively impact the Chattahoochee River watershed. In each of these pilot communities, we will have four main "pillars" of action: education; self-sufficiency programs; child care; and family planning and reproductive health services.

Riverkeeper: How can an individual become involved in your project?

Bahouth: By joining one of our many committees which are developing strategies around the issues of legislative and political action, community organizing and outreach, media, evaluation and pilot programs. Also by attending the Georgia Initiative's statewide conference in December 1995 which is designed to forge consensus on a formal plan of action to reduce unplanned pregnancies.

*We are like yeasts in a wine vat--
mindlessly multiplying as we greedily
devour a finite world. If we do not
change our ways we will perish as the
yeasts perish--having exhausted our
sustenance while poisoning ourselves in
the lethal brew of our own wastes.*

(Farley Mowat, Buzzworm)

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WHERE IN THE WATERSHED ARE JOE AND MONICA?



On April Fool's Day, Joe and Monica Cook began a four month adventure that few have attempted -- a canoe trip the entire length of the Chattahoochee River from a spring at Chattahoochee Gap north of Helen to Florida's Apalachicola Bay.

By the last week in April, the Cooks had made it to Atlanta where they celebrated the completion of the first quarter of their trip at a picnic at the Chattahoochee Nature Center. Supporters gathered to listen to tales of the trek and learn more about the activities of the Nature Center and Riverkeeper, both beneficiaries of the Cook's penny-a-mile campaign.

As they travel downstream, Joe and Monica will meet with various community groups. They will photograph and write about the river's diversity, becoming very special river advocates. Call the Riverkeeper office for information on the Cook's whereabouts and/or to become involved in their penny-a-mile campaign (404-816-9888).

H₂O + U = THE FORMULA FOR CLEANER AND SAFER WATER

That's the theme for the third annual **Help the Hooch River Awareness Day** sponsored by the Metro Atlanta Clean and Beautiful Commissions and others.

Riverkeeper and **Generation Green**, a subset of the Georgia Conservancy, are organizing a river cleanup for a section of Peachtree Creek on **Saturday, May 20 from 9 AM to 2 PM** at Atlanta Memorial Park. Volunteers are needed for the litter pick up. Wear old clothes, shoes/boots and bring gloves (preferably rubber). Prepare to get dirty!

Other events and activities during the day include: a special visit from Victor McMahon with **American Rivers**, a national river conservation organization; an introduction to Peachtree Creek by aquatic biologist **Carol Couch** with the US Geological Survey; and a nature walk and talk by ecologist **John Vermont** of Law Environmental.

Complimentary beverages, T-shirts, and *new* Riverkeeper water bottles will be provided to each volunteer. Please join us to protect the Chattahoochee River on May 20 and show your support for the Hooch. Thanks to volunteer **Gretchen Coffman** for helping Riverkeeper organize this event! For more information, call the Riverkeeper office at 816-9888.

DISCHARGES

(Cont. from pg. 2)

National Statistics

Nationally, 160,000 industrial facilities discharge more than one trillion gallons of wastewater into municipal sewer systems - wastewater containing RCRA hazardous wastes. An Office of Technology Assessment report (OTA, "Wastes in Marine Environments", 1987) found that this indirect discharge, if regulated under RCRA, would contain 160,000 metric tons of hazardous components, including 62,000 tons of metals, 40,000 tons of organic chemical and 62,000 tons of other hazardous organic chemicals.

Riverkeeper is investigating all pretreatment programs in the upper Chattahoochee basin with the assistance of several legal interns, in particular Joel Silverman, a second-year law student at the UGA Law School. Joel's research confirmed that an organization such as Riverkeeper may bring a legal action, or "citizen suit", against companies who discharge indirectly into a sewage system and are in violation of their permits.

THE RIVERKEEPER STAFF

Sally Bethea - Executive Director and Riverkeeper

Alice Champagne - Assistant To The Riverkeeper

Chris Thompson - Project Manager,
Permit Monitoring Project

Glynn Groszmann - Project Manager, Big Creek
Volunteer Monitoring Project

Susan Smith - Bookkeeper / Office Assistant

RIVERKEEPER WISH LIST

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ZONING AWAY COMMON BENEFITS IN FORSYTH

For the past five months, Riverkeeper has spoken out in opposition to a huge development proposal on the Chattahoochee in Forsyth County. Our concerns center on the project's density and its reliance on septic systems, the loss of prime recreational land along a 4,000 foot length of the river corridor, and the serious threat posed to the state's Buford trout hatchery.

On April 10, the project was approved by the Forsyth County Commission after a "development of regional impact" review by the Ga. Mountains Regional Development Commission (RDC) in which the staff recommended that the project was "not in the best interest of the state" due to significant opposition expressed by more than a dozen state and federal agencies and individuals. The RDC Board failed to support the staff, however, and voted in favor of the project after strong endorsement comments from Forsyth Commissioner Ron Seder.

The efforts of Riverkeeper and others resulted in several mitigation measures being included in the county's re-zoning, such as wider buffers and larger lots along the river and tributaries. We remain deeply concerned, however, about the threat which this development poses to the river, the hatchery and the Chattahoochee River National Recreation Area and will continue to work to minimize the impacts.

This Forsyth scenario is being re-enacted up and down the river corridor north of Atlanta and throughout the Chattahoochee watershed. The Board of the *Atlanta Journal* published an excellent editorial on April 7, focusing on the issue of private property rights and river protection.

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PRIVATE-PUBLIC CONFLICT MUDDIES CHATTAHOOCHEE

(Editorial from The Atlanta Journal 4/7/95)

Disregarding staff findings, the Georgia Mountains Regional Development Center board approved plans for a 600-plus house subdivision bordering the Chattahoochee River in Forsyth County. It's no surprise. The board consists mostly of local public officials, who, as a group, tend to accommodate developers. Still, we disagree with their decision. The stormwater runoff from roads and rooftops in the subdivision poses a threat to the river's water quality and to a state trout hatchery downstream.

Forsyth County officials acknowledge the concerns, but insist the hazards will be minimized. County commissioners say they've worked with the developer to address public interests while preserving private property rights. Environmentalists disagree, saying, more must be done to beef up protections. The response is that tougher stormwater requirements would increase subdivision home prices too much.

Commissioners claim one more development, with the minimum safeguards they've imposed, won't destroy the river. But as each local government along the river allows development with that attitude, the fractional harms add up until the Chattahoochee's capacity to absorb silt and pollutants is overwhelmed. Then the worth of everybody's private riverside property will be diminished.

That government cannot run roughshod over landowners makes sense when property is needed for a new road or airport. We're stout defenders of private property rights as guaranteed by the Fifth Amendment. But it's a distortion of that principle to claim, as some landowners do, that it requires taxpayers to subsidize property owners to keep a river clean. Landowners receive common benefits that enhance their property values when government acts to prevent river pollution. If owners are to be compensated for a "taking" for abiding by environmental regulations, then the government's "adding" of property value by keeping that river healthy for all landowners should be accounted for, too.

Public officials who intone the sanctity of private property rights certainly will win the support of developers, but their policies are driven more often by economics than by constitutional principles that require a balancing of public and private rights. And so the Forsyth County Commission will give its approval for one more subdivision along the river. The commissioners are content they have acted in good faith. The question is, in good faith to whom?

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- \$30 Family
- \$100 Contributor
- Other \$ _____

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Address _____

Phone _____ (H) _____ (W) _____ (Fax)

I would like to volunteer my time to help the Riverkeeper. Please get in touch with me.

Please make checks payable to: Upper Chattahoochee Riverkeeper Fund

Contributions to the Upper Chattahoochee Riverkeeper Fund are tax-deductible.

Riverkeeper is a 501(c)(3) organization. Quarterly newsletters are provided to members and other subscribers.



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ALL IS SUSTAINED BY WATER.

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ACTION ALERT

Your Help Is Needed TODAY To Fight The "Dirty Water Bill" Moving Through The U.S. House Of Representatives

The Clean Water Act Reauthorization (H.R. 961), better known as the "Dirty Water Bill," is headed for a vote on the House floor in May. The bill, sponsored by Committee Chairman Representative "Bud" Shuster (R-PA), was passed by the House Committee on Transportation and Infrastructure by a 42-16 vote on April 6. The reauthorization would roll back 23 years of progress towards the original legislative goal of "swimmable/fishable" waters. The Clean Water Act, first passed in 1972, is the cornerstone of efforts to control water pollution and protect endangered wetlands.

The "Dirty Water Bill" would weaken efforts to control polluted stormwater runoff by making the program voluntary and eliminating the permit requirements on dischargers of stormwater that are in the current act. The legislation places greater emphasis on cost-benefit analysis for all regulations issued under the act, including the regulation of toxics -- regulations that are currently based on science, such as health criteria and the toxicity of the discharge to marine organisms. The inevitable outcome would be an increase in the amount of these toxic discharges into our nation's waters. The bill would impose the narrowest wetlands definition ever used which could half the 105 million acres of wetlands now protected by the act. (Greenwire, 4/95)

Perhaps the most unsettling fact about the bill is that it was crafted behind closed doors by the bill's sponsors and a team of special interest lobbyists, who, according to the *New York Times*, "inserted one provision after another to satisfy industry groups like the Chemical Manufacturers Association, companies like International Paper, and organizations of the cities and states covered by the law (3/22/95)." Environmentalists and EPA officials had no input in the process. EPA Administrator Carol Browner, commenting on the bill, said "it is absolutely outrageous that these kinds of bills are being produced with no input from the agency that will ultimately implement them. This is not a clean water bill that will allow us to do the job of protecting rivers, lakes and the people that live around them (NY Times, 3/22/95)."

Call or write your representative. Tell him/her that you support a stronger, not weaker, Clean Water Act. Tell him/her that you want to control polluted stormwater runoff, eliminate the discharge of all toxics in raw sewage and protect wetlands. Call your county Voter Registration office to identify your representative. Where to Write: Rep. _____, U.S. House of Representatives, Washington, DC 20515



Your River Your Future

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