

# RIVER RAPIDS

Winter 2011

The newsletter of the DELAWARE RIVERKEEPER NETWORK

Printed on 100% recycled paper



## Upcoming Events

For more details on these events and activities, see the calendar on our website or contact the staff person indicated.

**March 12th, 8:00 am - 4:00 pm**  
**Schuylkill Watershed Congress**  
Pottstown, PA  
[chari@delawareriverkeeper.org](mailto:chari@delawareriverkeeper.org)

**March, April & May**  
**Bug Madness**  
Upper Delaware  
[faith@delawareriverkeeper.org](mailto:faith@delawareriverkeeper.org)

**March 26th, Honesdale, PA**  
**April 23rd, (location TBD)**  
**Shale Watch Stream Monitor Training**  
[faith@delawareriverkeeper.org](mailto:faith@delawareriverkeeper.org)

**April 16th, 9:00 am - 1:00 pm**  
**Cooper River Canoe Tour**  
(fee charged)  
Cherry Hill, NJ  
[Fred@delawareriverkeeper.org](mailto:Fred@delawareriverkeeper.org)

**May & June (dates & location, TBD)**  
**Horseshoe Crab Census**  
[faith@delawareriverkeeper.org](mailto:faith@delawareriverkeeper.org)

## Our Atlantic sturgeon . . . Will they finally get the protection they deserve?

*A letter from the Delaware Riverkeeper*

Atlantic sturgeon, an ancient fish species, have been swimming in the waters of the Delaware for over 70 million years, but their continued presence in our local waters may depend on the outcome of a recent action by the National Marine Fisheries Service (NMFS). In October 2010, NMFS recommended including the Delaware River's Atlantic sturgeon among populations proposed for under the federal Endangered Species Act.

NMFS estimates that fewer than 300 spawning adults from the Delaware's Atlantic sturgeon population remain in the River; other experts put that number at less than 100. Atlantic sturgeon are threatened throughout their range. They used to spawn and thrive in 35 river and estuarine systems; today they spawn in only 20 (two of which are in Canada).

Atlantic sturgeon are large, slow-growing, late-maturing, long-lived, and estuary-dependent fish. They are born in fresh water and spend the majority of their lives in salt water, but return to fresh water to spawn.

Scientific study has shown that the Delaware River has a genetically unique population of Atlantic sturgeon. Our population is found nowhere else on Earth. The Delaware also hosts migrant Atlantic sturgeon from other rivers. For management purposes, the Delaware's Atlantic sturgeon have been grouped with Hudson River Atlantic sturgeon in what is called the New York Bight Distinct Population Segment, which has been proposed for Endangered Species Act protection.

The Delaware River once supported the largest population of Atlantic sturgeon in North America. Habitat loss (primarily due to dredging), water pollution, sedimentation, boat and propeller strikes, and bycatch mortality all contributed to the species' decline and have prevented its ability to recover.

Endangered species protection is vital if our genetically unique Delaware River population, as well as other populations on the Atlantic coast, are to survive. You responded to our action alerts and supported the sturgeon's protection. On our YouTube channel, <http://www.youtube.com/user/DelawareRiverkeeper>, you can see DRN's testimony on this issue. Together, we have given NMFS support for listing our sturgeon as endangered. Stay tuned and we'll let you know what else you can do to protect our unique sturgeon population.

*Maya K. van Rossum*  
the Delaware Riverkeeper

*From the Highlands to the Bay, we give voice to the Delaware River and all the communities that depend upon its watershed.*

## DRBC jumps the gun on gas rules

Despite protests from the Delaware Riverkeeper Network (DRN), agencies, elected officials, and thousands of individuals, the Delaware River Basin Commission (DRBC) issued draft natural gas development regulations in December 2010. This action by DRBC is premature and comes before scientific studies have been completed to inform the rules.

What's worse, DRBC has proposed holding only three hearings to take testimony on the draft regulations and is only taking public comment for 90 days. The hearings have been set for February 22nd in both Honesdale, Pennsylvania, and Liberty, New York, and February 24th in Trenton, New Jersey. The comment period on the proposed regulations extends only through March 16th.

DRN, working with Natural Resources Defense Council and others, has engaged experts to review and report on the draft regulations. In addition, we will hold a workshop in February for the general public on the draft rules and offer sample comments through our website.

Stay up-to-date on DRBC's public comment process: [http://www.state.nj.us/drbc/notice\\_naturalgas-draftregs.htm](http://www.state.nj.us/drbc/notice_naturalgas-draftregs.htm).

## DRN appeals Stone Energy permit

In November 2010, DRN filed in U.S. District Court an appeal of the Delaware River Basin Commission's (DRBC's) approval of a water withdrawal application by Stone Energy. DRBC's approval permits Stone Energy to withdraw 700,000 gallons per day from the West Branch Lackawaxen, a Class A trout stream that flows to the Upper Delaware. The DRBC was served with the Complaint in January 2011.

Read more about our appeal and see the complaint here: [http://www.delawariverkeeper.org/resources/PressReleases/press\\_advisory\\_Stone\\_complaint\\_11.10.pdf](http://www.delawariverkeeper.org/resources/PressReleases/press_advisory_Stone_complaint_11.10.pdf)

## Citizen watchdogs monitor over 40 stream stations in the Shale region

Last year, the Delaware Riverkeeper Network (DRN) launched a citizen watchdog initiative focused on monitoring gas drilling impacts in the Upper Delaware tributary streams that are underlain by Marcellus Shale. Our volunteers began gathering pre-drilling baseline data in 2010. Monitors collected data on total dissolved solids (TDS), chloride, barium, and strontium. Monitoring is ongoing and we are working with the Alliance for Aquatic Resource Monitoring and Trout Unlimited groups to ensure our data are consistent and so most usable.

What our monitors helped establish is that the headwater streams that flow through the Upper Delaware's Special Protection Waters area have amazing water quality and a diversity of aquatic life. But many streams are not yet covered by our monitoring, so if you live in the Upper Delaware's Marcellus Shale region and are able to monitor, consider joining our monitoring team. If you are interested, email [faith@delawariverkeeper.org](mailto:faith@delawariverkeeper.org). More details about this effort are online at <http://www.delawariverkeeper.org/river-action/water-watch.aspx>.

Go to our website to read DRN's protest against DRBC's anemic public input process OR to send DRBC a letter demanding a longer comment period and effective public input process: <http://www.delawariverkeeper.org/act-now/urgent-details.aspx?Id=66>.

### **BREAKING NEWS.....**

**DRN and Damascus Citizens for Sustainability to appeal DRBC's cancellation of an Administrative Hearing challenge over grandfathered exploratory gas wells.**



*The moon over the Upper Delaware.*

*Photo: F. Stine*

### **Don't wait for Spring . . . Plan your rain garden now**

Rain gardens, which are shallowly depressed areas that intercept and infiltrate water from your roof, driveway, yard, or road, can minimize runoff and filter out pollutants. And planted with native plants such as cardinal flower, turtlehead, blueflag iris, milkweed, columbine, soft rush, and wool grass, they provide nectar and food sources for bees, butterflies, and birds.

Learn more about how to install your very own rain garden (see the *Plant a Rain Garden!* factsheet on our website). Your rain garden will be an asset to your landscape and help protect your local streams.

## The Deepening: Earmarks at their worst

Deepening the Delaware River is a bad idea that has been around too long. Despite environmental concerns, permit denials, and legal challenges, the project marches on. Why? Because Pennsylvania politicians have demanded it, the Army Corps has finagled it, and no administration in Washington has had the courage to just say “no.”

As our national conversation turns to budgets and cost-cutting, it is important to stress that the Government Accountability Office (GAO) has weighed in on this project three times. Each time, the GAO has confirmed our position that claims of economic benefits by the project’s supporters don’t hold water. So why was earmark funding for the Deepening included in the FY 2011 Omnibus Appropriations bill? That bill failed to gain Senate approval in December, but an omnibus bill will again be considered in March. Will that bill contain an earmark for the Deepening?

Our increasingly stretched tax dollars should not fund projects that will hurt our communities. It is time that **We the People** remind our elected officials that they represent us, not special interest pork. Check our website often to learn how we can stand together against this bad project.

### Update: Deepening Litigation

“DRN and our partner environmental organizations have determined that we must appeal recent decisions by U.S. District Courts in Delaware and New Jersey, not only to protect our River from the deepening, but to ensure that the Army Corps is not given free rein to disregard its obligation to comply with environmental protection laws.”

– *Maya K. van Rossum, the Delaware Riverkeeper*

Find an overview of our litigation to stop the Deepening on our website at <http://www.delawareriverkeeper.org/river-action/litigation-item.aspx?id=7>

### Help DRN create a list of healthy, stable stream reaches in the watershed

Do you have a favorite stream-side spot? One with natural banks, a buffer of trees and shrubs? A spot removed from roads or dams? Your favorite spot could provide invaluable information for the restoration of our damaged streams.

To suggest a stream reach for us to consider for our reference list, please email DRN’s Restoration Manager at [emma@delawareriverkeeper.org](mailto:emma@delawareriverkeeper.org). Include the stream name, site location (either coordinates or address), property owner (if known), and a short description. And do tell us why this is one of your favorite spots. Site photos are welcome.

### Coming soon: DRN stream restoration webinars

In 2011, DRN will offer a webinar series on stream restoration and management for municipalities and local organizations in the Delaware Estuary. This webinar series will highlight the benefits of healthy streams, stream processes, common stream issues, project development, permitting, stream restoration and stormwater management techniques, lessons learned, and project monitoring.

Following completion of the series, participants will receive site-specific technical assistance from DRN to help apply webinar topics. To learn more about this program contact at [emma@delawareriverkeeper.org](mailto:emma@delawareriverkeeper.org).

## The Delaware RIVERKEEPER Network

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*The Schuylkill River, Photo. Alice Lang*



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## 2011 Schuylkill Watershed Congress

*Join us as a representative of your local stream!*

When: **Saturday, March 12th, 2011**

Where: **Montgomery County Community College  
West Campus  
101 College Drive  
Pottstown, Pennsylvania**

Registration Fee: \$40 (Early Registration rate)

Register by Friday, February 25th, 2011, to qualify for the **\$40 Early Registration fee**. After February 25th, the Registration fee increases to \$50 per person. Registration fees cover participation in Saturday's program, Saturday morning's hospitality and lunch."

Cancellation Policy: Cancellations received by March 4th, 2011, may be subject to a \$25 service charge. Registration fees are not refundable for cancellations received after March 4th.

### What are people saying about the Schuylkill Watershed Congress?

*An informative conference . . . Good speakers, great networking . . . Excellent variety of sessions . . . Informative for volunteers and professionals alike . . . Well organized . . . Interesting, resource-rich sessions . . . One of the most upbeat and positive meetings I attend . . . A valuable event.*

### Free Technical Assistance for PA Watershed Groups

Technical assistance is available at no cost from the Consortium for Scientific Assistance to Watersheds (C-SAW) for eligible citizen groups in Pennsylvania. C-SAW specialists can help organizations and individuals acquire the skills and tools necessary to evaluate, protect, monitor, and restore their watersheds. The Delaware Riverkeeper Network is one of only nine C-SAW service providers across Pennsylvania.

Need help developing a monitoring program? Organizing a QA/QC refresher to enhance your data collection? Looking for guidance on how to best restore a stream? C-SAW can help. For information, see <http://pa.water.usgs.gov/csaw>. C-SAW is made possible through a grant from the Pennsylvania Department of Environmental Protection's Growing Greener Program.