

RIVER RAPIDS

Quarterly Newsletter of the Delaware Riverkeeper® Network

Upcoming Events . . . Upcoming Events . . . Upcoming Events . . .



July 17
DRN's Annual Members' Day
Cape Henlopen State Park
Lewes, DE

August 19-20
Delaware River Music Festival
Snipes Farm
Bucks County, PA

For more news about Delaware Riverkeeper Network events, call 215-369-1188 or click on Calendar at www.delawareriverkeeper.org

RIVER RAPIDS

is published for members of the Delaware Riverkeeper Network

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A special connection, a special obligation

A letter from the Delaware Riverkeeper

The Athos I oil spill, floods, and a wayward beluga whale have all thrust our Delaware River repeatedly into the national spotlight over the past year. This spring, as horseshoe crabs and migratory birds returned to the shores of the Bay, with international experts lamenting declines in both populations, the spotlight is on once again. Across the country, people have watched in awe as our River and its communities deal with each catastrophe and curiosity. They have come to know and appreciate our River, but they can never experience it in the same way we do.

We, who live, work, recreate, vacation, and relax in and along our Delaware River and Bay, share a special connection to it and to one another. This connection brings with it the responsibility of caring, protection and restoration. The River gives to us each and every day -- we are part of its watershed, of its ecosystem. It is incumbent on each and every one of us to spend part of each day giving back. When we give to the River, when we take action for the protection and restoration of our watershed in small or in large ways, we are also giving to ourselves.

- ✓ By helping to document the injury that the Athos I oil spill inflicted on the real world of our River, you can help to ensure that reparations are paid through the Natural Resources Damage Assessment process.
- ✓ By taking part in a stream restoration project, you can get outside, get exercise and help our streams and wetlands heal.
- ✓ By getting involved in issues, you not only help to protect our streams, you also make connections with others in our community.

There are many ways we can each enjoy our Delaware River and the streams, wetlands, woodlands and nature it sustains while at the same time working to protect it. Looking for ideas on how to get involved? Log on to www.delawareriverkeeper.org. Issues we're working on may inspire you to take action in your community. Perhaps you'll choose to volunteer with us or encourage a friend to join DRN. Whatever you choose to do, make the connection. Give back to the River; give back to yourself.

Maya K. van Rossum
The Delaware Riverkeeper

Endangered Species Act, activities & actions

Carole Hendrick, Senior Attorney

The Delaware Riverkeeper Network is working as part of a coalition to protect the red knot, a migratory shorebird. The red knot, *Calidris canutus*, undertakes one of the longest journeys of any migratory shorebird. Every spring, red knots fly from the southern most tip of South America at Terra del Fuego to their breeding grounds in the



Red knot. Source: NJ DEP, Division of Fish and Wildlife.

Canadian Arctic with only a few key stops along the way to refuel. After their 4,000 mile non-stop journey from Brazil to the Delaware Bay, the red knots' bodies are depleted of fat and muscle, yet they must fly additional 1,500 miles over the mountains of Canada to reach the arctic where they must roost and breed. Their Delaware Bay stay, although brief, is the most important refueling stop for this shorebird.

During their Delaware Bay stopover, red knots feed almost exclusively on

horseshoe crab eggs, a highly fatty food source that allows these birds to gain the weight necessary to complete their migration. The Delaware Bay has long been home to one of the largest concentrations of horseshoe crabs in the world. During May and June, horseshoe crabs make their annual trek to the shallow beaches of the bay to spawn (*See page 4 for a related story*). The red knots' migration is timed to coincide with this unusual event.

However, the number of red knots has been declining since the mid 1980's when the count was 150,000 birds. Today, their numbers have declined to a mere 13,315 birds. International experts estimate that if this decline is left unchecked, red knots will be extinct by the year 2010. According to experts, the cause of the decline is the reduction of horseshoe crab eggs. Since the 1990's, horseshoe crabs, and particularly egg-laden females, have been used as bait by the American eel and conch fishing industry. As a result the number of female horseshoe crabs laying eggs has declined significantly.

The plight of the red knot has shown avian experts that the Delaware Bay as a migratory bird stopover is collapsing. A management plan to protect the Delaware Bay as a critical habitat for the red knot is needed now. The management plan must include beach protection and a moratorium on the harvesting of horseshoe crabs until such time as the red knot is out of danger of extinction. Detailed information on the red knot can be found on our website or you can call 215-369-1188 to request copies of our fact sheets.

The River Resources Law Clinic (RRLC), established in partnership with support from the George & Miriam Martin Foundation, works with law students from Temple University's Beasley School of Law to protect water resources throughout the Delaware River watershed. The RRLC pursues violations of environmental protection laws when the State or Federal agencies responsible for environmental protection either cannot or will not enforce the law.

Overview of the Act

The purpose of the Endangered Species Act of 1973, as amended, (16 U.S.C. 1531-1544), was not only to conserve the ecosystems upon which endangered and threatened species depend, but also to provide for the conservation and restoration of these species. The Department of Interior, through the U.S. Fish and Wildlife Service (FWS), has responsibility to protect threatened and endangered species. The Department of Commerce, through the National Marine Fisheries Service, has responsibility for marine mammals and anadromous fish.

An endangered species is any species of animal or plant in danger of extinction throughout all or a significant portion of its natural habitat. A threatened species is one likely to become endangered within the foreseeable future. Species can be listed as endangered or threatened for any or all of the following five reasons:

1. Current or threatened habitat destruction;
2. Overuse for commercial, recreational, scientific or educational purposes;
3. Disease or predation;
4. Ineffective regulatory mechanism; and
5. Other natural or manmade factors affecting the species' chances of survival.

Any person has the right to submit a petition to list a species. The Secretary of the Interior makes a determination regarding a species listing based on the best scientific and commercial data available. The Secretary is required to conduct a review of the species' status and consider efforts being taken by states or foreign nations to protect the species before making a determination. The list of all species considered endangered or threatened shall be reviewed at least once every five years.

It is critical that all the scientific data available to support listing a plant or animal as an endangered species and the designation of its critical habitat be included in the petition. The FWS scrutinizes the five criteria listed above and may fail to protect a species worthy of protection if a petition does not include the requisite data.

The Delaware Riverkeeper Network And Railroad Earth Present:

THE DELAWARE RIVER MUSIC FESTIVAL

AT SNIPES FARM
MORRISVILLE, PA

FRIDAY AUGUST 19 AND
SATURDAY AUGUST 20, 2005

FEATURED ARTISTS

Railroad Earth - *PLAYING TWO DAYS*
The David Bromberg Quartet
The Radiators
Blue Method
Animus
Town Hall
Roamin' Gabriels
Philadelphia Bluegrass Band



David Bromberg

AND LOTS MORE TO COME!

Special Thank You to Brian Ross of Ross Artist Management, Inc. for all of his help in making this festival a reality.

Gate opens:

2:00 PM Friday, August 19th • 10:00 AM Saturday, August 20th

Ticket information

Advance ticket sales (May 1st through June 30th)

Friday, August 19th only,	\$25.00
Saturday August 20th only,	\$35.00
Two-day ticket, no camping,	\$55.00
Two-day ticket with camping,	\$75.00

Ticket sales after June 30th

Friday, August 19th only,	\$30.00
Saturday August 20th only,	\$40.00
Two-day ticket, no camping,	\$60.00
Two-day ticket with camping,	\$80.00

PLEASE NOTE:

- Children under 12 years old are admitted free. However, all children **MUST** be accompanied by an adult.
- To camp on the festival grounds, you **MUST** purchase a Two-Day ticket with camping. If you order a single day ticket, or Two-day ticket, no camping, you **CANNOT** camp on-site during the festival.

For more information or to purchase tickets, log on to www.delawarerivermusicfestival.com.

Volunteer information

Volunteers are needed to work during the Festival as well as in advance to help with Festival preparations and immediately afterwards to help restore the grounds to their pre-Festival appearance. In return for working the required number of hours, volunteers get vouchers for two meals per day and entrance to the concert.

Volunteer assignments include: selling tickets, running the crafts area, aiding in security, directing parking, patrolling the campgrounds, cleaning the grounds, recycling, and many other jobs at the Festival. Festival organizers are interested in any special skills you may bring, however the greatest needs will be in security, camping, and parking, where most volunteers will be placed.

Volunteers must be at least 18 years old, have their own transportation to the Festival site, and be available to work for a total of 6 hours each of the 2 days. Shifts will be determined by the Volunteer Coordinator. To volunteer, email festival@delawareriverkeeper.org or call 215-369-1188.

DRN volunteers monitor horseshoe crabs

Faith Zerbe, Monitoring Coordinator

As Delaware Riverkeeper Network staff and members monitored the shoreline of Sunset Beach for horseshoe crabs on a recent June weekend, the plight of the shorebirds and the horseshoe crabs on which they rely became poignantly clear. Volunteers participating in the annual horseshoe crab census counted one (1) lone male horseshoe crab along a 500-meter stretch of Sunset Beach, NJ, and only 55 horseshoe crabs at neighboring Higbees Beach.

Horseshoe crab numbers have steadily declined over the last 15 years due to over-harvesting by bait



Volunteers monitor horseshoe crabs.

fishermen who use the crabs to catch conch and eel. In addition, new scientific findings show that the 2005 horseshoe crab egg density count is the lowest ever recorded.

In light of this evidence, a consortium of conservation groups, including DRN, urged the Governors of New Jersey and Delaware to declare an emergency closure of the horseshoe crab fishery that had been scheduled to begin June 8th. This measure was recommended in order to protect the red knot, a shorebird that stops over to feed on the horseshoe crab eggs along the Delaware Bay as it makes its way from its wintering grounds at the tip of South America to its breeding grounds in the arctic. Recent studies indicate that over the past ten years, the red knot population has declined by a devastating 90% and, unless immediate actions are taken, the bird will likely face extinction by 2010.

New Jersey Acting Governor Codey issued an Emergency Rule, effective June 9th, suspending



Volunteers search NJ beaches.

horseshoe crab harvesting in the Bay for two weeks, in order to allow the state to consider the recently developed scientific information. However, a permanent moratorium is needed.

Contact Governor Codey, 856-614-3200, and Governor Minner of Delaware, 302-744-4101, to urge them to enact permanent moratoria on the harvesting of horseshoe crabs for bait. For more information and an update on what you can do to help, contact Maya van Rossum at keeper@delawareriverkeeper.org.

Photos: D. Salas

Tight budgets delay Schuylkill fish passage, dam removals

Chari Towne, Schuylkill Office Director

In 1999, the PA Fish & Boat Commission (PA FBC) began once again stocking shad fry in the Schuylkill, with an eye to the future when those fry would return from the ocean as adults seeking to spawn in the river. Back then, the idea of opening over 100 miles of the Schuylkill River to fish passage over the four to six years the fry would be at sea seemed finally within reach. Today, the 1999 fry are returning, but the river remains as restricted as it was in the year they were stocked.

Lack of funding is delaying efforts to move forward with the necessary fish passage construction and dam removals. Two important projects that currently lack funding include

planned, but unfunded, improvements to the 25-year old Fairmount fishway, the only existing fish passage in the Schuylkill River watershed, and the removal of the remains of the breached Felix Dam. The Fairmount fishway improvements await the release of federal dollars. The PA Department of Environmental Protection has a permit in hand for the removal of Felix Dam; funds have been requested in the agency's budget.

The delay in funding Schuylkill fish passage and dam removals is delaying the potential economic benefits of a restored shad fishery. The PA FBC has estimated that the return of American shad to the

Schuylkill River will generate significant revenue for the watershed's communities. As much as \$4 million annually may be generated from angler trips alone.

Contact your state and federal legislators to let them know you support the fish passage and dam removal efforts that will allow shad to return home to the Schuylkill River to spawn. To find your members of Congress, visit <http://www.visi.com/juan/congress/>. To find your members of the Pennsylvania General Assembly, log on to <http://www.legis.state.pa.us/cfdocs/legis/home/find.cfm>.

You call this farming? Not in our book

Tracy Carluccio, Special Projects Director

The Delaware Riverkeeper Network filed notice on May 12, 2005, to Garden State Growers (also known as Quaker Valley Farms) owned by David and Cindy den Hollander, of its intent to file a lawsuit for violations of the New Jersey Wetlands Act for numerous and ongoing violations of their permits at their horticultural operation in Hunterdon County, NJ. The Locketong Creek, a Category One stream, travels through the property.

Photographs taken by DRN show a permanent gravel road cut through wetlands and forested wetlands clear-cut and covered with plastic mulch and solid waste. The stream running through the property is soured with pollution.

The NJ Department of Environmental Protection noticed Mr. den Hollander of an Administrative Order and fine of \$180,000 for wetlands violations at the property within a week of DRN's filing. The owner may appeal the DEP action. These developments will impact whether DRN will be legally able to file its lawsuit.

DRN efforts to stop this destruction continues. Mr. den Hollander claims that he is protected by New Jersey's Right to Farm Act, but DRN contends that this operation, much of it located on preserved farmland, was not what taxpayers had in mind when they paid to support the Farmland Preservation Program. Further, the Act does not give the owner the right to pollute.

Watershed Focus: Darby Creek

Dan Salas, Restoration Program Manager

Last year, the Delaware Riverkeeper Network (DRN) completed one of its largest (and perhaps most complex) restoration projects to date. The John Bartram Memorial Park Restoration project located in Darby Borough, PA, restored 1.5 acres of riparian buffer, enhanced in-stream fish habitat, and corrected a major erosion problem threatening regional infrastructure. The result of this successful partnership with Delaware County Conservation District (DCCD) and Darby Creek Valley Association (DCVA) is now spreading into other parts of the Darby Creek watershed.

Another milestone for Darby Creek came in the form of the Darby Creek Watershed Conservation Plan, completed in November 2004 by the DCVA. The Watershed Conservation Plan, a detailed report on the current state of the Darby and its communities, provides a series of recommendations and possible projects that will guide future action within the watershed. The plan is available online at <http://www.dcva.org/wnew.html>.

Last fall, DRN developed a conceptual project plan for restoration of Darby Creek within Lansdowne's Hoffman Park. DCCD applied for funding that would allow DRN to collect necessary data and design

a final restoration project plan. In addition, DCCD has also discussed the possibility of removing a dam located just upstream of Hoffman Park. This dam, currently the lowest dam in the Darby Creek system, prevents the passage of fish from the Delaware River.

This spring, DRN partnered with Radnor Township to complete a bank stabilization project along Valley Run, a headwater tributary of Darby Creek. This project, located in Clem Macrone Park, stabilized 600 square feet of eroding bank by using tree revetments. Revetments are composed of recycled Christmas trees anchored against the streambank. Live cuttings were then installed behind the revetments to re-vegetate the eroded banks. To date, the revetments have successfully trapped sediment along the banks and the live stakes already have over 14" of growth! This project now provides an example of successful stabilization for other headwater streams in the Darby Creek watershed.

This summer, DRN is working with the Friends of the John Heinz National Wildlife Refuge and the



Darby Creek in Lansdowne, PA. Photo: D. Salas

U.S. Fish and Wildlife Service to begin developing a restoration plan for the Heinz Refuge and the Lower Darby Creek. The project, funded through the National Fish and Wildlife Foundation, will review the historic and existing conditions of the Lower Darby and develop recommendations for future restoration needs. The restoration plan will likely include recommendations related to invasive species control, stream stability, and freshwater tidal marsh restoration.

A lot is happening along the Darby and DRN is proud to be part of efforts to restore health to this important urban waterway. For more information on these or similar projects, email our Restoration Program, dan@delawariverkeeper.org

Certainly not “good bye”



Photo: Green treks

Tim White is a genuine treasure. When I first tried to talk him into coming to work for us as our Development Director, he had just sold his own business and was ready for a break. Being the kind soul he is, Tim took the job to help out a group of people he had come to know and an organization he had come to believe in. He agreed to work part time, just until we found a full time person.

As the summer wore on, Tim became more involved and more committed to the work we do, putting in well more than the 20 hours he was being paid for. And he shared in our frustration as we struggled to find a Development Director that was the right fit for the organization. Tim’s love for our mission grew. After about 6 months, he succumbed and came to work full time.

Even as Tim prepares to depart for Florida, we really aren’t losing him at all. His commitment and love for the River, for our organization, for his colleagues and all of our members has convinced him to continue working for us part-time, from a distance, organizing our major events: our annual dinner, Member’s Day, the music festival and craft show.

Over the years my respect and admiration for Tim, his talent, his dedication and his work ethic have grown. He has helped build our organization, enhanced our community outreach, helped spread our river protection message, brought us into the present day electronically, and brought joy and laughter to our office and our organization. We have been honored to work with him.

P.S. Anneke is sad that Uncle Tim is moving to Florida.

- Delaware Riverkeeper Maya van Rossum

Once in a very great while, you have the luck to work with a person whose company you enjoy who is also really good at his job. For me, Tim is that person. He is a cornerstone of this organization and I can't imagine it without him. And certainly it will not be as much fun -- for any of us.

Tracy Carluccio, Special Projects

Oh, how I will miss the ease with which Tim diagnoses my computer stupidities and even more his incredible drive that pulls us through so many events. I'll even miss being foxed by his plausible and scandalous tales. Tim, may you have much sunshine, and air-conditioning too!

Mary Ellen Noble, Associate Director

Tim, you are a true renaissance man: putting out virus fires and computer explosions, planning fabulous member events, and running the website. Your shoes will never be filled!

You are also a dear friend and I will miss your entertaining sense of humor! So sad to see you go, but hope Florida treats you well and keeps you healthy!

P.S. Find a high spot on the peninsula so you're safe from the rising waters of climate change. Call if you need us to bring the Riverkeeper boat south for your rescue!

Faith Zerbe, Monitoring Coordinator

When the New York Times runs a feature about burnout among non-profit development directors, you begin to appreciate Tim's perseverance. I will certainly miss his humor and unique perspective on the world. Best wishes, Tim.

Dick Albert, Scientist/Restoration Dir.

Tim has the most amazing skill and foresight that I have ever witnessed. He has the ability to see what needs to be done to turn a run-of-the mill event into a spectacular affair. Tim adds dignity and grace to our organization. He will be sorely missed.

Carole Hendrick, Senior Attorney

Even though Tim remains with our organization at a distance, his absence here will be felt deeply. At least we can be reassured that his sparkling wit and insightful conversation will only be a phone call away. Tim, you are leaving us with a phone number, right?

Chari Towne, Schuylkill Office Director

Tim is one of the best event organizers I have ever seen in action. His wry wit and observations have left me chuckling for days. He has done so much for DRN and I am sad to see him go.

Dave Williams,
Restoration Associate

Will Tim be available for phone consultations for computer problems? If not we are in serious trouble! We'll miss his calm manner (yeah, right!) when some one calls out, "Hey Tim, it froze up again." We won't hear that voice from the corner yell, "What the #&!@% did you do now?" On the other hand, we'll miss his ability to always fix the problem. Thanks, Tim. Good luck!*

Rich Meyers,
Citizen Action Coordinator

Tech support by day, Development Director by night . . . Tim's dual role here helped to make our work (and accomplishments) for the River possible. His energy and enthusiasm will be deeply missed by all of us . . . especially by Kaiser (our miniature Dachshund), which Tim bred and raised into a happy and rambunctious little dog. Best of everything in Florida! Let us know when we can visit!

Dan Salas, Restoration Manager

I have a unique relationship with Tim because he's not just my co-worker, he's my brother. Tim, I truly enjoyed working with you these past 2 years. I will miss you so much. I don't even like when you are away on vacations so this will be a big adjustment. Best wishes in your new home. I love you.

Claire Biehl, Office Manager and sister

If you would like to say a special farewell to Tim email it to tim@delawariverkeeper.org.

Thank You! Our Annual Dinner, held April 27th at The Hyatt Regency at Penn's Landing, was once again a great success. Our deepest thanks to all of the Dinner's sponsors, supporters and volunteers!

Cahill Assoc, Inc
Whole Foods Market
Van Cleef Engineering Associates

The Academy of Natural Sciences
Artiszen Arts in New Hope
Backwoods Angler
Buckingham Valley Vineyards
Bucks County River Country
Chaddsford Winery
Bob Meek & Kathleen Reidy
Cock n' Bull Restaurant
Commerce Bank
Diana Vincent Jewelers
Esca Italian Restaurant
EverMay on the Delaware
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Jim Thorpe River Adventures
Susan Jositas
Kittatinny Canoes
Marsha Brown Restaurant
Bob Meek & Kathleen Reidy
Mercer Museum
James A. Michener Art Museum
New Hope Natural Market
The Philadelphia Zoo
Rinascere Studios
Rotatori Jewelers
Edie Sharp
Spirit Cruises
Tesori
Van Sant Airport
Jeanne Walton
White Dog Café
Whitewater Rafting Adventures
Yardley Inn
Zanya Spa & Salon



Riverkeeper honored

Delaware Riverkeeper Maya van Rossum was one of five women honored recently by Department of Environmental Protection Commissioner Bradley Campbell with an Environmental Leadership Award. In celebration of Women's History Month, five women were recognized for their leadership roles in environmental protection and historic preservation in New Jersey. van Rossum was recognized in the category of Advocacy Leadership for her accomplishments as Delaware Riverkeeper.



Delaware Riverkeeper Maya van Rossum.
Photo: James Wasserman

The Delaware Riverkeeper® Network

on the web at www.delawariverkeeper.org

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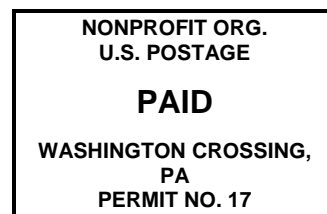
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Chari Towne, *Director, Schuylkill Office*
Tim White, *Development Director*
Dave Williams, *Restoration Specialist*
Faith Zerbe, *Monitoring Coordinator*

Delaware Riverkeeper Network
An American Littoral Society Affiliate
P.O. Box 326
Washington Crossing, PA 18977-0326



Don't miss . . .

Our Annual Members' Day!
Sunday, July 17
10:00 AM to 7:30 PM

*Spend a day where the Delaware
Bay meets the Atlantic Ocean.*



The dunes at Cape Henlopen, DE.

Staff, friends and members of the Delaware Riverkeeper Network will assemble at 10:00 AM at the ferry terminal in Cape May, NJ, for the 11:00 AM ferry departure. The trip across the bay is both a relaxing and scenic 70 minutes, after which we arrive in Lewes DE, perhaps one of the most picturesque spots in southern Delaware. In Lewes, we board buses for a short ride to Cape Henlopen State Park. Food and refreshments will be served in the Picnic Pavilion at the Park. At Cape Henlopen, you will find bird watching platforms, an observation tower and one of DE's most beautiful beaches. A modern bathhouse with showers is located near the Pavilion. Around 5:00 PM, we board buses for the ride back to the terminal and the ferry back to Cape May, where we are scheduled to return by 7:30 PM, just in time to appreciate sunset on the bay.

There is a charge of \$10.00 per person. Children 12 years old and younger attend FREE! *Note: Our round trip ferry tickets are for walk-on passage only.* All reservations must be made by July 12, 2005. For more information or to make a reservation, call us at 215-369-1188.