

RIVER RAPIDS



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.

July 28th, 5:00 pm - 9:00 pm

Peace A Pizza Fundraiser

Various locations in PA, NJ, and DE
laurie@delawariverkeeper.org

Mid July (Date & Location TBD)

Invasive Plant Control Days

faith@delawariverkeeper.org

August 6th, 9:30 am - 1:30 pm

Shale Watch Stream Monitor Training

Hancock, NY

faith@delawariverkeeper.org

August 1st - September 10th

Sierra Nevada Brewing company's

Save Wild Rivers campaign

Across the Delaware River Watershed

laurie@delawariverkeeper.org

November 19th & 20th

Run for the River in the Philadelphia

Marathon, Half Marathon, or Rothman

Institute 8K

Philadelphia, PA

laurie@delawariverkeeper.org

Eroding the Clean Water Act

A letter from the Delaware Riverkeeper

Next year, 2012, will mark the 40th anniversary of the Clean Water Act. It should be cause for celebration. Protection of drinking water (as well as protection of the rivers and lakes from which so many of us get our drinking water) regularly tops the list of environmental concerns for Americans. The anniversary of the legislation intended to restore and maintain our waters and ensure that they are safe for fishing and swimming should be an occasion marked by all of us. If only the legislation had been allowed to achieve its goals.

The Clean Water Act, which was intended to eliminate industrial discharges to our waters by 1985, has become the system by which discharges are permitted. In *Identifying and Protecting Healthy Watersheds*, a draft publication by the U.S. Environmental Protection Agency, the agency recognizes that declining aquatic ecosystems are being documented nationwide. The EPA also acknowledges that “the rate at which new waters are being listed for water quality impairments exceeds the pace at which restored waters are removed from the list [of impaired streams].”

From its passage in 1972, efforts have been underway to turn back the clock on the Clean Water Act. Over time, the protections it was intended to provide have been weakened by policies, agency guidance, executive orders and court decisions. As the Act became weaker, efforts to amend or even repeal it have become bolder. Today, in states across the country and right here in the Delaware River watershed (see *Waiver Proposal* on page 3 of this newsletter), regulations are being proposed that would bypass Clean Water Act protections. In Washington, D.C., legislation has recently been introduced that would limit the power of the EPA and allow states to weaken the standards that determine what can be discharged to our waters.

What do we do when we are faced with such assault on environmental regulations? We must continue to work together for strong regulations. Together, our advocacy helped established the Special Protection Waters program at the Delaware River Basin Commission and, together, we used this program to secure the longest stretch of anti-degradation policy on any river in the nation (which has made possible one of the only moratoriums on gas drilling in the country). Together, we can make a difference.

So continue checking in with us on our website, on Facebook and through e-activist to learn how you can help to ensure strong regulations are put in place and enforced for the benefit of our common waters.

Maya K. van Rossum
 the Delaware Riverkeeper

Continuing red knot decline confirmed

For eons, the red knot's spring migration has taken it from the southernmost tip of Argentina to the Canadian Arctic with a major stop along the shores of the Delaware Bay. There, the knots refuel on horseshoe crab eggs before the last leg of their journey northward, but the number of red knots visiting the bay's shores has been declining. Once, as many as 120,000 red knots would stop to feed along the Delaware Bay shores. Now, a study undertaken for a population status update reveals that current estimates for the total population are unlikely to be more than 25,000 with the wintering population declining by more than 5,000 from the previous year. Only 14,475 were observed on the Delaware Bay shore in 2010.

This latest scientific study, *Update to the Status of the Red Knot Calidris Canutus in the Western Hemisphere, April 2011*, documents a continuing decline in the population of the red knot *rufa*. Scientists reported declines in the population of knots wintering in Tierra del Fuego, Chile, as well as in other locations. The report concludes that despite horseshoe crab harvest restrictions put in place by the Atlantic States Marine Fisheries Commission over the past decade "there is still no evidence of recovery of the horseshoe crab population, either in numbers of spawning females or in all sub-adult age groups including juveniles." In their discussion of

Delaware Bay feeding conditions for the knots, the researchers state that harvest restrictions on horseshoe crabs have only stopped that species population from declining further; they conclude that the restrictions are insufficient for population recovery and will continue to be insufficient to sustain the migratory shorebirds unless the bait harvest is greatly reduced. And new science is showing a greater mortality rate inflicted by the biomedical industry than originally thought.

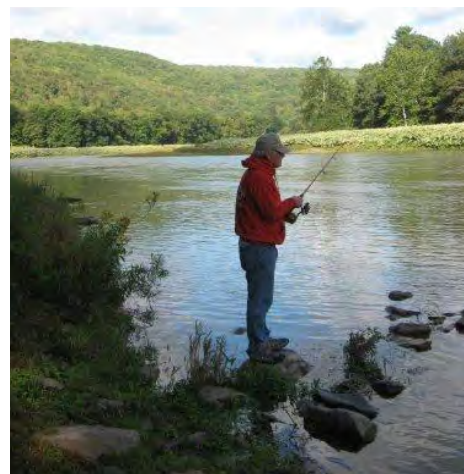
DRN has been waging a battle to keep the red knot from disappearing from our skies forever. News of the continuing population decline elevates the importance of implementing stronger protections for which we have advocated along the Delaware Bay. DRN petitioned to have this shorebird listed as endangered in 2005. Although the red knot was accepted as a candidate species in 2006, listing the bird as endangered was not proposed at that time. Now, at the eleventh hour, an endangered listing is under serious consideration by federal agencies. New Jersey is considering state listing as well.

To read the complete population status update, *Update to the Status of the Red Knot Calidris Canutus in the Western Hemisphere, April 2011*, go to: http://www.manomet.org/sites/manomet.org/files/imagefield_thumbs/images/Red%20Knot%20status%20update%202011%20Dey%20et%20al%20%2011%2005-22.pdf

Save Wild Rivers campaign to benefit DRN

Sierra Nevada Brewing Company believes that great water is essential to making great beer. Therefore, they will once again be sponsoring the Save Wild Rivers Campaign to help non-profit watershed organizations protect our nation's waters. **For every 12-pack of Sierra Nevada Beer purchased between August 1st and September 12th, Sierra Nevada Beer will donate a portion of the proceeds to the Delaware Riverkeeper Network.** For more information, go to <http://www.savewildrivers.com>.

Sierra Nevada Brewing Company and founder Ken Grossman are committed to the preservation of healthy waterways both in their own backyard and across the nation. Examples of Sierra Nevada's stewardship include installing a series of rooftop solar collectors, on-site water treatment that not only cleans the water but generates methane gas to power boilers at the plant, and processing waste oil from their Taproom restaurant into biodiesel. Find out more about their environmental record at <http://www.sierranevada.com/environment.html>.



The Equinunk. Photo: W. Selepouchin.

Waiver proposal would weaken NJ environmental protections

Recently, the New Jersey Department of Environmental Protection proposed a rule that would allow the agency to waive critical environmental and community protection regulations for those applicants that request exemptions. The proposed “Waiver Rule” would allow DEP to waive any of ninety-eight New Jersey regulations put in place to protect communities from pesticides, radiation, air pollution, water pollution, stormwater runoff, flooding, abandoned wells, underground storage tanks for hazardous substances, hazardous waste sites, the pollution emanating from brownfields and more. The Waiver Rule would also apply to regulations intended to protect the health and safety of New Jersey communities by protecting wetlands, forests, floodplains, Green Acre lands and the Highlands.

Of particular note – while the Waiver Rule allows the DEP to exempt applicants requesting waivers from regulations, it does not allow for a stricter or stronger application of the rule of law when there is a community demonstration of need. The one-sided nature of the Waiver Rule demonstrates that the intent of the proposal is not to “streamline regulations” or provide flexibility for decision-making; the intent is to weaken the regulations that protect our communities and protect our environment for the benefit of those being regulated.

DRN submitted comprehensive comment as did over 100 of you responding to our urgent action alert on this important issue. The final outcome of what the DEP will decide is still awaited.

In response to a June 6th call for public comment on the proposed Delaware Deepening, DRN submitted a substantial comment totaling 7,543 pages, weighing 72 pounds and addressing species at risk, the project's economic failings and detrimental affect on jobs dependent upon oysters, horseshoe crabs and other species, and the Army Corps' own admission regarding undervaluing damages caused by the project. See DRNs comment on our website.

Make July 28th Pizza Night for the River

Peace A Pizza, a regional pizza chain, is once again donating a portion of the proceeds from their pizza sales to benefit DRN. On Thursday, July 28th, download a special coupon, then go to your local Peace A Pizza location between 5:00 pm and 9:00 pm, and order your favorite pizza. Show your coupon when you go to pay, and they will donate 20% of the proceeds to DRN. You must have the coupon with you in order for them to credit us with a donation. Download the coupon here, <http://www.delawariverkeeper.org/Pdf/PeacePizzaCoupon.pdf>.

Nine Peace A Pizza restaurants are participating in this fundraiser. Participating locations include Ardmore, Exton, King of Prussia, North Wales, Rosemont, Springfield, and Wayne in Pennsylvania as well as Stone Harbor, New Jersey, and Newark, Delaware.

Peace A Pizza requests that, if possible, you call us and let us know if you plan on getting their pizza that day. **Please RSVP to Laurie at 215-369-1188, ext. 114. If you forget to RSVP you can still go, but don't forget the coupon!**

For more information about Peace A Pizza restaurants, go to <http://www.peaceapizza.com>.

DRN at the Lawrenceville Farmers' Market in August

Enjoy the bounty of the Delaware River's local farms, and visit our table at the Farmer's Market in Lawrenceville, New Jersey, on August 6th and 13th. The Market runs from 10:00 am to 2:00 pm, and we'll be there educating folks about River issues and advocating for clean water. For more information on the Market, got to <http://lawrencevillefarmersmarketnj.com>.

The Delaware RIVERKEEPER Network

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Along the Upper Delaware River
Photo: F. Zerbe



DELAWARE RIVERKEEPER NETWORK
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Run for the River in the Philadelphia Marathon

The Delaware Riverkeeper Network has been designated as an official charity partner for the 2011 Philadelphia Marathon. With a route that includes wonderful views of both the Delaware and Schuylkill Rivers, we are thrilled to have this opportunity to publicize issues affecting the rivers that flow through the City of Philadelphia and provide drinking water to over 15 million people living in Pennsylvania, New Jersey, Delaware, and New York.

By creating a volunteer *Run for the River* team, DRN hopes to raise over \$5,000 to benefit the River and all the human and nonhuman communities that love, appreciate and depend upon it. The Philadelphia Marathon, Half Marathon and Rothman Institute 8K, all held during the weekend of November 19th and 20th, offer opportunities (26.2 miles, 13.1 miles and 8 K) for runners of all skill levels to be part of a great weekend of events.

DRN's *Run for the River* Team has a limited number of spots, so if you know of any runners, encourage them to join our team! If you are interested in running to benefit the River, don't procrastinate. The Philadelphia Marathon is a fast course and a qualifying race for the Boston Marathon which means registration can fill up quickly. For more about the Marathon, check out their website at <http://www.philadelphiamarathon.com/charity-partners>.

For more information or to apply to be a member of the Delaware Riverkeeper Network's *Run for the River* Team, please call Laurie at 215-369-1188, ext. 114 or email laurie@delawareriverkeeper.org.

Follow our *Run for the River* Team on Facebook at <http://www.facebook.com/Delaware.Riverkeeper.Network>.

RIVERRAPIDS is published for members of the Delaware Riverkeeper Network.

WE'VE MOVED!

We found new offices that better serve our current needs. Our new space offers more room for our law clinic, an adjacent meeting room for training sessions, and more space for our resources on the health of the River and its tributaries. It's a great space in a great location and we hope to see you there soon.

*Please note our new address:
925 Canal Street, Suite 3701
Bristol, PA 19007*

