



The Delaware RIVERKEEPER® Network's Quarterly Newsletter

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Upcoming Events

March 3

Schuylkill Watershed Congress
Montgomery County
Community College
Pottstown, PA

May 5

DRN's Annual Native Plant Sale
Prallsville Mill
Stockton, NJ

July 28

Members' Day on the Bay
Cape Henlopen State Park
Lewes, DE

Have you signed up yet? Stay informed, get involved with E-Activist

... Be the first to get breaking news about the River through E-Activist, a free service available through our website. To sign up, go to www.delawariverkeeper.org, click on Take Action and then on E-Activist Sign-up to register

For more news about Delaware Riverkeeper Network activities, go to www.delawariverkeeper.org and look for the latest information under News/Calendar on our homepage.

Let's make a deal?!?

A note from the Delaware Riverkeeper

On the 1960's game show "Let's Make a Deal", the harmless fun consisted of trading the unknown in the box for the unknown behind the curtain. Whether you were playing the game or watching it at home, you had a good time.

"Let's Make a Deal" is being played in the watershed today, but the dealmakers are behind closed doors and they may be trading away something that belongs to us and to future generations, a healthy Delaware River. As I write, New Jersey's Governor Jon Corzine is deciding whether to make a deal with Pennsylvania's Governor Rendell to allow deepening of the Delaware's shipping channel.

In addition to the environmental harms, studies have repeatedly shown that this project will waste taxpayer dollars and result in lost jobs. What is behind Door #1 that could possibly be worth trading away the health of the Delaware River?

Our mission is to give the River a voice – to make sure that its needs are heard and honored by all. In defense of that mission, we set the bar high. We don't make deals in our advocacy for the River.

A public trust, a healthy Delaware River, is at stake. Don't let it be traded away. The stakes are too high and we've read the reports. We already know that what is behind Door #1 is harmful; there is nothing that is worth trading away our River or our future.

Maya K. van Rossum
the Delaware Riverkeeper

Inside this issue:

Pennsauken developer's actions prevent much needed environmental study

Sign on to DRN petition to protect the Upper Perkiomen Creek

BIG NEWS: Plan to dump VX waste is dead



Take our membership survey online

We invite you to help us improve the member services we provide by completing an online survey about our membership programs. Just a few minutes online to answer a few questions can make a big difference.

Simply go to <http://www.delawariverkeeper.org/aboutus/events.asp> to complete our survey. We appreciate your input.

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Pennsauken developer's actions prevent much needed environmental study

The battle to protect the 400-acre Petty's Island from development escalated recently when the developer, Cherokee Redevelopment Partners, divided up their project into discrete sub-projects for the purposes of public review and agency permitting. The Cherokee proposal involves the construction of a new city along 11 1/2 miles of waterfront: 13,000 new homes, over 1 million square feet of commercial space, and miles of new roads including a new bridge. By "segmenting" the project, Cherokee is trying to avoid a required environmental impact study. The Delaware Riverkeeper Network and other environmental organizations know that such a study would conclusively show that the total and cumulative negative impacts of the Cherokee proposal on the Delaware River and nesting bald eagles in the area make it unpermissible.

Fisherman's Point, the first segmented project for which Cherokee is seeking state and federal permits, contains bald eagle foraging habitat, wetlands and is located directly adjacent to habitat for other threatened and endangered species in Fish House Cove. The permit application Cherokee has submitted to the New Jersey Department of Environmental Protection is filled with untrue claims that the construction of 1,500 new residences, 350,000 square feet of commercial space, and hundreds of acres of impervious surfaces will actually *improve* habitat and water quality in the Cove and River. These claims are disturbingly repeated in the Staff Analysis prepared by NJ DEP. The Delaware Riverkeeper Network and every major New Jersey environmental organization attended NJ DEP's public hearing to oppose Cherokee's claims and segmentation.

To stay on top of this issue, check out Ongoing Issues on the Take Action page of our website, <http://delawareriverkeeper.org/takeaction/urgent.asp>.

Sign on to DRN petition to protect the Upper Perkiomen Creek



Photo: Upper Perkiomen Watershed Coalition

The Delaware Riverkeeper Network, along with over 80 co-petitioners consisting of landowners, businesses, conservation districts, elected officials, and local watershed groups, has submitted a stream upgrade petition for the Upper Perkiomen Creek watershed to the Pennsylvania Department of Environmental Protection. The upgrade petition applies to all tributaries and streams in the Upper Perkiomen Creek watershed north of Green Lane Reservoir and includes parts of Berks, Montgomery, Lehigh, and Bucks Counties.

The petition, submitted in December, summarizes the many reasons why this watershed is deserving of an upgrade to Exceptional Value. The creek has exceptional water quality, as indicated by data collected by the Stroud Water Research Center and Delaware Riverkeeper Network. The Upper Perkiomen Creek is used as a drinking water source. The watershed has natural, historic, and recreational importance and it has been the focus of land preservation and stream restoration efforts with a grassroots and governmental commitment to planning and stronger protections.

An upgrade to Exceptional Value status for the Upper Perkiomen Creek watershed and High Quality status for the Macoby Creek would offer greater protection from any future discharges that would harm the creek's health and it will help to ensure the watershed's exceptional water quality is maintained and protected.

Public comment and support of the petition will be important as this regulatory process progresses. We urge our members to write letters of support for the upgrade petition. Visit www.delawareriverkeeper.org for more information and a sample letter. Send letters directly to: The Honorable Kathleen McGinty, Chairperson, Environmental Quality Board, PO Box 2063, Harrisburg, PA 17105-2063. Be sure to send a copy of your letter to us. If you have questions or want to get more involved with the upgrade campaign, please contact Faith Zerbe at 215-369-1188, ext 110.

BIG NEWS: Plan to dump VX waste is dead

Less than one month after the Delaware Riverkeeper announced its lawsuit to prevent the discharge of VX nerve agent waste into the Delaware River, DuPont made a surprise announcement ending the three-year battle over the proposed dumping. DuPont's withdrawal from the proposal to use its facility to treat and dump VX nerve agent waste into the Delaware River has removed this threat to the River, at least for today.

After a Centers for Disease Control and Prevention, or CDC, report green-lighted the proposal even as it raised questions about it, the Delaware Riverkeeper Network's River Resources Law Clinic and co-plaintiffs filed a Complaint in federal District Court against the Army on December 21st, 2006. Our co-plaintiffs included the American Littoral Society, Clean Water Action Pennsylvania, New Jersey

Environmental Federation, New Jersey Audubon Society, Delaware Audubon Society, and the Chemical Weapons Working Group. Our suit challenged the transport of VX hydrolysate, or nerve agent waste, from Indiana to New Jersey based on a federal statute that bans the transportation of chemical weapons across state lines and complained that federal environmental regulations were not being followed by the Army. The Delaware Riverkeeper Network's lawsuit exposed the fatal flaws of the plan and dealt a clear blow to its viability. A soon to be released General Accounting Office report was expected to criticize the plan's economic aspects, further weakening the proposal.

DuPont acknowledged the tremendous opposition of DRN and others when it cited a drawn out and contentious permitting process as one

of the major reasons for withdrawing from the plan. Steadfast opponents included New Jersey Congressman Andrews, along with Congressmen LoBiondo and Saxton and Pennsylvania Congresswoman Schwartz, New Jersey Senators Lautenberg and Menendez, New Jersey Governor Corzine and Delaware Governor Minner. Fifteen municipal and county governments passed resolutions against the project.

The Delaware Riverkeeper Network thanks the thousands of activists who responded to our call for sending letters. Your letters were key in killing the very bad idea of dumping VX nerve agent waste into the Delaware River. The Delaware Riverkeeper Network now calls upon the Army to destroy the VX on site where it is now stored in Indiana using the most environmentally safe method possible.

DRN boat stolen and destroyed

On a Monday morning late last October, boaters from the Pennsylvania Yacht Club in Bensalem were notified of a boat abandoned in the Delaware River. Upon inspection, officials determined the boat was the Delaware Riverkeeper Network's *Riverkeeper*. The 18-foot fiberglass boat had been stripped of its electronics, gear shaft and motor. Large gashes, likely made with a circular saw, were cut into the vessel's hull.

The *Riverkeeper*, which was found over 20 miles north of its home dock at Penn's Landing, was the only boat taken from the marina. The question that remains unanswered is whether this vandalism was retaliation for DRN's positions on issues, such as our opposition to the Delaware deepening or to the development of Petty's Island.



The vandalized "Riverkeeper."

Photo: M. van Rossum

Delaware Riverkeeper Maya van Rossum used the boat to patrol the River, monitor water quality, identify pollution threats, and follow up on calls to our pollution hotline. The extensive damage done to the *Riverkeeper* requires that the boat be replaced.

Donations to help replace the boat are needed now and will be much appreciated. Or if you have

a contact with a boat dealer who might want to give us a good deal on a new boat, please call our office at 215-369-1188.

Free technical assistance for PA watershed groups

Does your watershed group need help developing a volunteer monitoring program? Do you need help analyzing or presenting monitoring data that you have collected? Could your group benefit from a presentation about a specific watershed topic? If so, the **Consortium for Scientific Assistance to Watersheds, or C-SAW**, can help.

C-SAW consists of a team of specialists who provide eligible watershed groups with technical assistance, **free of charge**. The Delaware Riverkeeper Network is one of nine C-SAW partners. Over the past few years, DRN has assisted more than 20 watershed groups in the Delaware River watershed through the CSAW program.

The C-SAW program is made possible through a grant from the Pennsylvania Department of Environmental Protection's Growing Greener Program. For more information about C-SAW, visit <http://pa.water.usgs.gov/csaw/>.

Delaware RIVERKEEPER® Network

The Voice of the River and its Tributary Streams

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Mark your calendars for . . .

The Schuylkill Watershed Congress

Saturday, March 3rd, 2007

Montgomery County Community College

Pottstown, Pennsylvania

with Watershed Tours on Sunday, March 4th, 2007

The annual Schuylkill Watershed Congress, with a focus on networking across disciplines and a goal of presenting new information about watershed restoration, has become a highly anticipated event for watershed citizens interested in understanding, protecting and restoring their local streams. Although focused on the Schuylkill River watershed, the Congress draws participants and presenters from throughout Pennsylvania as well as from Delaware, Maryland, and New Jersey. Join us as a representative of your local stream.

This year's program features a keynote address by Michael DiBerardinis, Secretary for the Pennsylvania Department of Conservation and Natural Resources, as well as concurrent sessions covering a broad range of topics, displays, door prizes, and a networking reception. On Sunday, March 4th, Watershed Tours are being offered near Reading and Pottstown.

Register by Friday, February 16th, 2007, to qualify for the \$40 Early Registration Fee. After February 16th, the Registration Fee increases to \$50 per person.

Registration materials can be downloaded from our website, www.delawariverkeeper.org.
Please note: We are unable to accept online registrations. For more information, call 215-369-1188, ext. 109 or 610-469-6005 or email chari@delawariverkeeper.org.

What are people saying about the Schuylkill Watershed Congress?

The Congress was very informative and I am looking forward to attending next year . . . Thanks again for an interesting and informative day . . . Got a lot out of the experience . . . It's a unique thing to see so much communication and mutual concern about a watershed and its issues . . . Enjoyed the great discussions . . . When I compare the number of sessions and content with other conferences I have attended, I think the Congress provides the best content and supplies greater opportunities for participants, particularly with the low cost for registration---absolutely no contest . . . Great conference, as always . . . Congratulations to you and all the other organizers for making it all possible.