

# RIVER WATCH

The Official Newsletter of POTOMAC RIVERKEEPER® NETWORK

**SPRING/SUMMER 2024**  
**VOLUME 21, ISSUE 1**

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PROTECT YOUR RIGHT TO  
CLEAN WATER –  
RENEW MEMBERSHIP



## RIVERPALOOZA IS BACK!

Summer is upon us and that means RiverPalooza is too! We have paddles to suit everyone – some gentle, and some challenging – but all fun.

We start out with Shenandoah Riverkeeper Mark Frondorf's always popular, and always sold out, **Shenandoah Bird Watching** – an intimate float with expert birders to see the incredible variety of avian life in the Valley.

In June, we feature the **DC Pride Paddle** to show our solidarity with our LBGTQ+ community. Brent Walls, Upper Potomac Riverkeeper, follows up with his **Full Moon Paddle** – a kayaking tour on the Potomac River near historic Harpers Ferry, WV. Mark offers a new way to enjoy the Shenandoah with his **Shenandoah Birdwatching Hike** in June. Join him for our first ever land-based Riverpalooza Trip!

Brent is offering a new experience in July – his **C&O Pedal & Paddle**. Instead of vanning to or from the launch and take-out, you will hop on your bike. Get or stay fit for this one! Also in July, we also host our very popular **Women for Clean Water Paddle** in DC.

Dean Naujoks, Potomac Riverkeeper, will guide participants to the **Mallows Bay** ship graveyard at the National Marine Sanctuary in August. An eerie but incredibly rewarding trip where you paddle right up to sunken ships; there is truly nothing like it anywhere.

All three Riverkeepers and lots of PRKN staff will close out the RiverPalooza season in late August with two days at Harpers Ferry for tubing and a **Goodbye Summer Blowout**. Whether you're a seasoned adrenaline junkie or a whitewater novice, this trip is perfect for you!

Learn about these and other floats available during the 2024 RiverPalooza season at [potomacriverkeepernetwork.org/riverpalooza-2024](http://potomacriverkeepernetwork.org/riverpalooza-2024).

Our RiverPalooza adventures are a great example of PRKN's sharing with others the beauty of the river and the importance of stewardship.



SCAN ME

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Nancy enjoys our rivers – in all weather!

### PRKN – Off To A Fabulous Start In 2024!

When you read these pages, you will be – as I am – reminded of how Potomac Riverkeeper Network distinguishes itself from other like-minded groups: assessment, advocacy, and enforcement all lead to cleaner water for all of us to enjoy.

In advocacy, I could not be more proud of the legislative successes we achieved during this year's legislative sessions in Annapolis and Richmond. When, last year, the US Supreme Court issued its disastrous *Sackett v. EPA* decision, removing federal Clean Water Act protection from vast reaches of waterways and wetlands, our heads and our hearts were low. But, after months of significant effort by PRKN and our legislative champions, communities in Maryland, especially those most immediately devastated by pollution, now have the right to sue under the state's robust clean water laws. Working closely with key legislators, we helped to draft the Clean Water Justice Act; then, we, and other conservation and environmental justice allies, lobbied other, sometimes recalcitrant lawmakers, worked to obtain grassroots support, and encouraged participation in a petition drive and letter writing campaign by Marylanders. We never rested till the bill became law.

In Virginia, our recognition of the dangers of PFAS toxic “forever” chemicals motivated our leadership in supporting a bill to require investigation through meaningful monitoring and reporting of PFAS levels in the Commonwealth's drinking water. Gov. Youngkin may have been grudging in his support, but at least he supported it with his signature! Virginians can now look forward to the first steps in solving this serious health problem which

faces literally every person across the nation.

Earlier this year, PRKN took well-deserved pride in two stunning enforcement wins: compelling the Navy to obtain a Clean Water Act permit to regulate its century-old ordnance testing in the Potomac and the City of Alexandria to clean up decades of coal tar pollution into the river. Neither the Navy nor the City came willingly to the table to account for their sins, but through great legal work from Natural Resource Defense Council and Sidley Austin, respectively, they did, and the river is better for it.



Sincerely,

Nancy Stoner, President

## RIVERPALOOZA 2024 SCHEDULE

MAY 31	SHENANDOAH BIRD WATCHING PADDLE
JUNE 8	POTOMAC PRIDE PADDLE
JUNE 22	FULL MOON PADDLE
JUNE 29	SHENANDOAH BIRDWATCHING HIKE NEW IN 2024
JULY 12	SHENANDOAH SNORKELING
JULY 21	WOMEN FOR CLEAN WATER PADDLE
JULY 26	C&O PEDAL & PADDLE - NEW IN 2024!
AUG 17	MALLOWS BAY PADDLE
AUG 24-25	HARPERS FERRY TUBING AND GOODBYE SUMMER BLOWOUT

## COAL ASH – DEAN NEVER QUILTS



PRKN staff sharing their knowledge and passion

Toxic coal ash, a legacy from generations of coal-fired power plants, contaminates drinking water and aquatic habitat across the nation. Potomac Riverkeeper Network has long been battling polluters – Dean Naukoks, Potomac Riverkeeper, has been the point of our spear.

In 2019, when Dean watched then-Gov. Ralph Northam sign historic legislation to require Dominion Energy to clean up 28 million tons of coal ash through removal and recycling, he thought he had achieved a milestone – he had. (Although he is still fighting the company, for it has yet to move a single pound of ash from Possum Point.)

Dean is a relentless clean water champion who knows that where there are coal-fired power plants, there is coal ash. So he looked across the Potomac to Maryland and began sleuthing. Dean discovered that Maryland has over 65 coal ash disposal sites; the Maryland Department of the Environment originally contended that there was no coal ash problem because all disposal sites are landfills. However, some investigation demonstrated that many were leaking into groundwater and drinking wells.

According to a coal ash report from our partners at Environmental Integrity Project, 96 percent of coal-fired power plants in the US had no cleanup procedures in place, and more than half asserted that groundwater contamination was not a problem.

We are pleased that, just before this issue of RiverWatch went to press, EPA released its new rule on coal ash. This new rule requires the closure and remediation of inactive “legacy” coal ash sites, and, together with EPA’s new effluent limitation guidelines

for wastewater discharges from coal-fired power plants, will significantly reduce the toxic legacy of pollution from such plants.

Unfortunately, there will still be a substantial number of coal ash landfill sites that are left uncovered by the new EPA rule, including coal ash landfills at some inactive sites. Nevertheless, it will help to protect our nation’s waters from the toxic legacy of coal combustion and will go far to ensure cleanup of coal ash sites contaminating our drinking water and surface waters.

When it comes to toxic coal ash, Potomac Riverkeeper Network continues to make a difference!



Coal ash before treatment – will dissolve and pollute



Coal ash encapsulated and safe

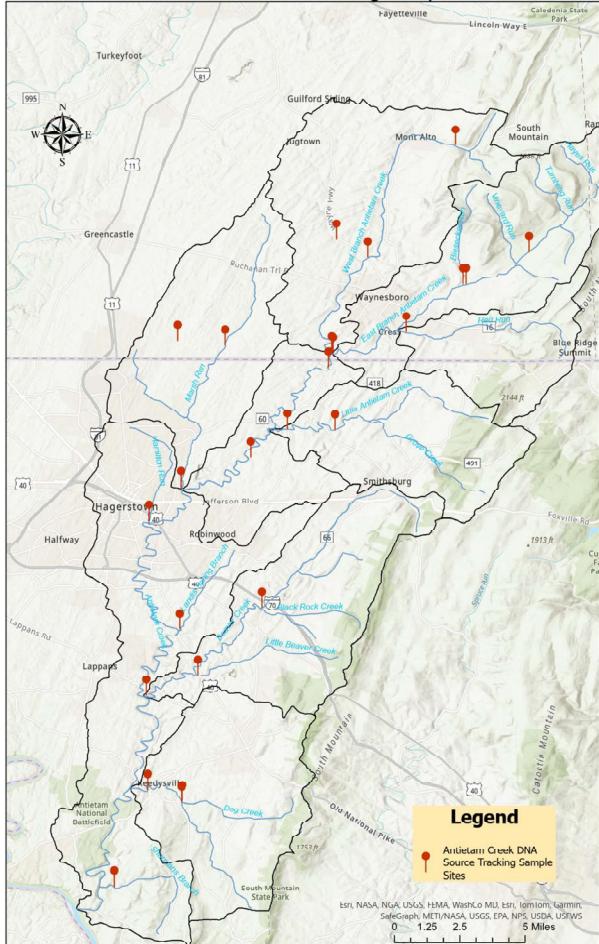
# UPPER POTOMAC RIVERKEEPER®

# UPPER POTOMAC RIVERKEEPER USES DNA TESTING TO IDENTIFY POLLUTION SOURCES



### *Gathering water samples for testing and getting them ready for the lab*

## Antietam DNA Source Tracking Sample Sites



Brent Walls, Upper Potomac Riverkeeper, continues his technology focus in investigation of sources of pollution in his watershed.

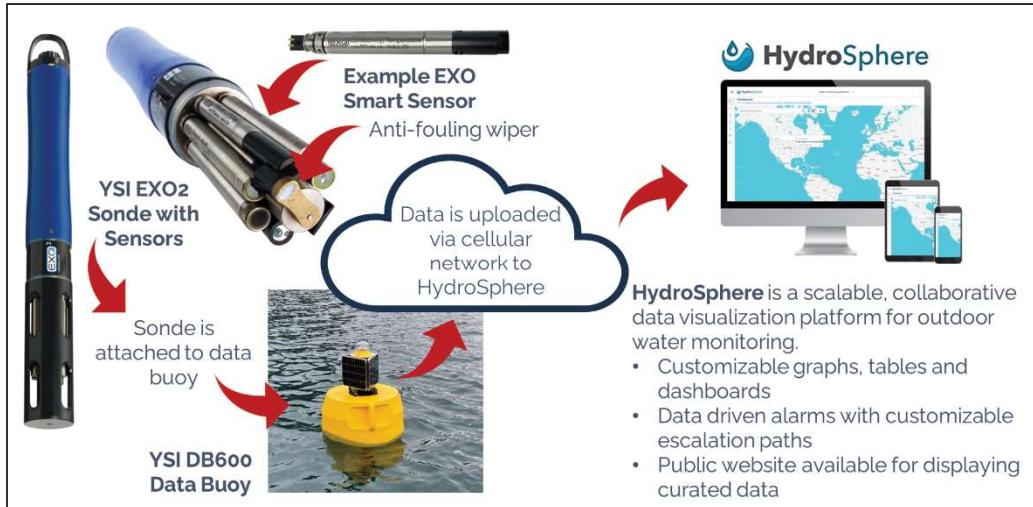
In 2024, he embarks on using DNA testing – a pilot project in the Antietam Creek – to pinpoint the extent to which both human and animal fecal waste creates high levels of E.coli bacteria. He seeks to highlight sections of the creek, in both Pennsylvania and Maryland, where he has already discovered preliminary DNA markers for human sources, but hopes to learn more specifics. Some original investigation he conducted in 2022 brought the E.coli contamination to his attention. In 2023, he investigated bacteria levels in Marsh Run, a tributary to the Antietam at one of the UPRK Bacteria Monitoring sites near Security Road, in Hagerstown.

He had sampled Marsh Run during two week-long dry weather periods and found significant levels of bacteria. These periods of dry weather indicate that the bacteria levels are not coming from stormwater runoff. And Marsh Run does not have a discharge from a wastewater treatment plant. In one stretch of Marsh Run, bacteria levels dramatically increased from one site to the next compared to other sections tested. An interesting feature of that section of Marsh Run is its agricultural crop fields on one side and dense residential septic systems on the other. Preliminary data suggested human sources, so determining whether human or animal contamination is the source will definitely help with targeting resources to mitigate the pollution.

For this project, Brent will be partnering with Johns Hopkins University lab specialists – well known for their data integrity in DNA analysis. The project will consist of sampling 25 locations for E.coli once a month from July to November and DNA during two dry weather events and one wet weather event. He also will work through an array of farming/homesteader connections to gather poultry and cattle fecal matter to help Johns Hopkins refine its bacteria database.

The end goal of this project is to highlight sections of Antietam Creek which have significant human sources. Brent plans to use the data collection to establish the Creek as a priority area for governmental funding to upgrade or replace failing septic systems.

## SHENANDOAH RIVERKEEPER USES GROUNDBREAKING TECHNOLOGY TO ASSESS RIVER HEALTH



*This is how the new sensors provided by Xylem Analytics work*



*Ugly underwater algae – the sensors will tell us more*

Our Riverkeepers use every tool available to protect and defend our right to clean water – Mark Frondorf, Shenandoah Riverkeeper, is leading the way for PRKN by installing two state-of-the-art floating sensors in the Shenandoah to assess a wide array of metrics about river health.

Thanks to the generosity of Xylem Analytics, a global company focused on solving the world's most challenging and fundamental water issues, Mark will be able to gather important data from the North and South Forks of the Shenandoah. Two floating and anchored sensor buoys, located at boat ramps for ease of access and visibility, will test round the clock for blue green algae, dissolved oxygen, chlorophyll A, temperature, pH, conductivity, biological oxygen demand, and fluorescent dissolved organic matter, all key indicators of water quality.

Brandon Friedland, Project Manager for Pure Technologies, the Xylem subsidiary providing the equipment, is the lead with Mark for this Water Quality Data Management Program. He will share his expertise with Mark and Alan Lehman, Shenandoah Program Manager, for installation, maintenance, connection of the sensors to satellite telemetry, and access to the data through "HydroSphere", Xylem's database accessible to Mark and ultimately to experts, students, and the public. An interactive exhibit will be installed at the Reservoir Center in Washington, DC, a consortium of water sector non-profits committed to collaborate to solve global water issues. Xylem and PRKN are partners of this "water think tank" and are pioneering an effort to make a difference in water.

The importance of this new technology cannot be overstated. Each buoy – equipment, installation, maintenance, and data collection – is valued at \$50,000 annually, so Xylem's contribution is indeed remarkable. For Mark's purposes, the round-the-clock data collection saves him, Alan, and volunteers an extraordinary amount of time – traveling to a collection site, collection of samples, which must be done rigorously and according to specific standards for accuracy, delivery of the samples for testing, where analysis must

similarly be rigorous – is measured in hours, not in the seconds the sensors need.

Randy Benn, our Board Chair and Chair of PRKN's Science & Technology Committee, said, "Strong science underpins everything we do at PRKN, and we could not be more grateful to Xylem for sharing their cutting-edge monitoring technology with us. It will make a crucial difference in our work to protect the Shenandoah."



*Sampling in one of Mark's favorite spots*

# POTOMAC RIVERKEEPER NETWORK LEGISLATIVE PRIORITIES AND RESULTS 2024

Potomac Riverkeeper Network staff, led by Betsy Nicholas, Vice President of Programs, was indefatigable in promoting our legislative efforts during 2024 sessions in Maryland and Virginia. Endless shuttling between Annapolis and Richmond was exhausting but really productive. We are pleased about the results, but there is still more work to do – as always.

## MARYLAND PRIORITIES

### **The Clean Water Justice Act SB653/HB1101 – PASSED!!!**

The Clean Water Justice Act helps to restore rights lost under the U.S Supreme Court's decision in Sackett v. EPA by giving Marylanders the right to enforce state clean water laws. Countless wetlands and streams lost federal protection; the only recourse is to enforce state clean water laws. While Maryland state law still protects those streams and wetlands, it did not provide for community members harmed by illegal pollution to enforce the law. Now it does!

### **Stopping PFAS at the Source SB 956/ HB 1153 – PASSED!**

This bill requires monitoring of a group of toxic “forever chemicals” known as PFAS by industries that discharge into sewage treatment plants and those that have significant levels of PFAS to develop a plan to eliminate PFAS. PRKN's policy is to stop pollution at the source and place the cost of remediation on polluters and not consumers. The industrial users who are polluting our waters with PFAS should be held responsible for eliminating this risk to public health and paying for the cost of that treatment.

### **Whole Watershed Act – PASSED!**

The bill focuses on reducing pollution in the shallow waters of the Bay and its tributaries rather than only the deep channel so that more Marylanders can enjoy the benefits of clean water. While much of this bill will not have a significant impact on the Potomac River, several aspects are of interest to PRKN, including support for freshwater mussel restoration as a water quality improvement measure and funding for water quality monitoring.

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Sadly, two bills – Environmental Justice Permitting and Clean Up Your Ash – Coal Ash Assessment, Extraction and Recycling – did not pass. But we will work to build support, educate lawmakers, advance environmental equity, improve health outcomes and remove environmental injustices caused by permitting decisions to underserved and overburdened communities and continue to push for clean up of discharges from coal ash pits because they threaten public health.

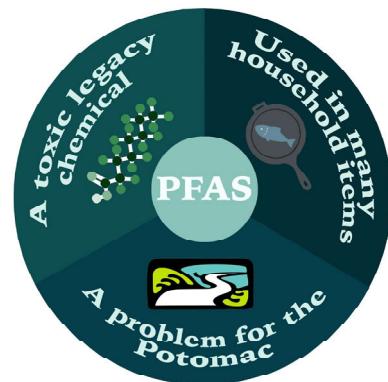


*Betsy supporting important legislation in Maryland*

## VIRGINIA PRIORITIES

### **PFAS Assessment, Monitoring and Community Advisory – PASSED!**

These bills begin to address the threat of PFAS by requiring monitoring of Virginia's public drinking water using EPA methods. Where testing shows levels of PFAS above EPA's current limits, the Virginia Dept. of Environmental Quality will perform a PFAS Assessment, requiring upstream monitoring of potential significant sources of PFAS through self-reporting from industrial facilities as well as monitoring of wastewater treatment plants and other potential dischargers.



### **Pay for Performance – PASSED!**

The legislature passed the establishment of a pay-for-outcomes pilot program to accelerate nutrient reductions and improve living resource outcomes in meeting Chesapeake Bay restoration goals. We are encouraged by this development, which, if successful, can help Virginia to move beyond current best management practice and cost-share programs that are failing to obtain the nitrogen and phosphorus reductions required to achieve Virginia's Chesapeake Bay cleanup goals.

### **Agricultural Cost-Share – PASSED!**

These funds would help the agricultural sector meet nutrient reduction goals, by establishing a cost-share program to help thousands of farmers pay for a significant portion of their costs in meeting those goals. Unfortunately, this measure has been underfunded for years, resulting in an extension of two-years to meet these nutrient reduction goals.

### **Wetlands Delineations – PASSED!**

Virginia has always depended on the U.S. Army Corps of Engineers for wetlands delineations to determine which wetlands were protected under the federal Clean Water Act and could not be filled or destroyed without a federal permit. Virginia has a broader definition of Waters of the State of Virginia than the current federal definition; however, there are no personnel within the Department of Environmental Quality to conduct these wetlands delineations or even to review those submitted by a developer. We recommended a budget increase of \$7 million dollars for VDEQ to hire and train new personnel.

# PROTECT YOUR RIGHT TO CLEAN WATER



Lots of exhilarating fun on the river!



Dolphins in the Potomac – they deserve a clean river too!



The dancing!!



River season is around the corner, and as you renew your fishing license,, and dust off your kayaks or life jackets for the warm weather, make sure you also renew your membership with Potomac Riverkeeper Network and join the movement to preserve the health of the rivers and streams we all enjoy. The most powerful legal tool Potomac Riverkeeper Network uses to stop pollution is the Clean Water Act, which allows PRKN to enforce clean water laws, but to do so we must demonstrate that our members are directly and adversely impacted by water pollution illegally dumped in our local streams and rivers. The lawyers call this “standing to sue.”

Your membership is critical so that Potomac Riverkeeper Network has standing in court, on your behalf, to hold polluters accountable for illegal pollution that harms our rivers, the critters who live there, and humans who rely on clean water for drinking, swimming and fishing. We are facing major legal challenges this year in the wake of the Supreme Court’s decision to weaken wetland and stream protections and state budget shortfalls that limit environmental programs in Potomac watershed states. Your membership dollars go towards keeping these important river ecosystems healthy for all of us.

Becoming a member is the best way to protect your right to clean water, but it also comes with benefits that make it worthwhile for you. Members stay informed about river issues and Potomac Riverkeeper Network’s work to solve them through subscriptions to our email list and Riverwatch newsletter (like the one you’re reading now!). Members also get invited to exclusive membership meetings with their Riverkeeper and get access to paddle trips and other cool member experiences that get you more connected to the rivers you love.

**Make a membership donation of just \$35** and declare you are standing with us as we tackle massive threats to the river from forever chemicals poisoning our fish or coal ash leaking into our drinking water supplies. Members who join us before June 30th will receive a complimentary PRKN magnet that you can adhere to your river gear!



SCAN ME



Water Quality Monitoring 2024 volunteers in training



POTOMAC

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NETWORK

3070 M Street NW

Washington, DC 20007

## Party on the Pier 2024!

Saturday September 14, 2024  
is the new date  
but great location stays the same

District Pier at The Wharf  
101 District Square, SW  
Washington, DC 20024

Join us and your  
fellow clean water  
advocates and  
supporters for a  
beautiful sunset,  
drinks, dinner,  
and dancing.



SCAN ME

To become a sponsor contact  
Carlie Smith, Development Officer  
at [carlie@prknetwork.org](mailto:carlie@prknetwork.org)



A PRKN supporter joining in – by supporting! Credit Capitol Hill Photography Tony Bolognese