

RIVER WATCH

The Official Newsletter of POTOMAC RIVERKEEPER® NETWORK

3 RIVERKEEPERS, 1 NETWORK

2015 will reinvent the way you see your river, and how you see us.

Say hello to Potomac Riverkeeper Network, home to the same three Riverkeeper Branches—Upper Potomac, Potomac, and Shenandoah—but now with a new name and a finished look. Complete with a refreshed graphic identity, new staff, and a brand new website, we're excited to expand our reach to protect your right to clean water in 2015!

On March 1st, the Network introduced three new staff members. Flip to pages 4 and 5 to learn more about our new, long-awaited Potomac Riverkeeper Dean Naujoks, our newly anticipated Shenandoah Riverkeeper Mark Frondorf, and Phil Musegaas, our new Legal Director, who will be overseeing our activity across the three Riverkeeper branches, and expanding our programs into the Lower Potomac.

Together—organized, highly skilled, and determined to tackle the Potomac Watershed's biggest threats—our new enlarged team is well equipped to not only build upon our established work and successes, but also to increase our effectiveness and our results.

In 2014, our organization followed through with some significant changes and we are pleased to present to you our complete transformation. Along with our new name and team, we have adopted a brand new website to streamline our look and update our communications.

Our new website, developed and designed by our Communications & Membership Coordinator Madeline Pierce, is a modern and easy-to-use approach to web design. The new site features the most up-to-date information on our programs across the Network, with pages dedicated to each of our three Riverkeepers.

The website is also mobile friendly, making it simple for you to connect with us on the go. Exciting and interactive features offer new ways to explore the essential information about your river and what is affecting it. Explore pages loaded with educational information, fun facts and video resources, recreational and volunteer opportunities, and monthly program updates to help track the progress of our various ongoing legal projects.

To quench your thirst for more information on new and trending topics about your rivers, visit the Riverkeeper Blog. Here you can follow specific topics of relevance to your key interests and concerns, or escape through personal stories and tales of the rivers you've come to love. We have also expanded our social media presence online to give you more opportunity to have open dialogue with the voices behind your water. So help spread the word! Tweet your thoughts to Brent, Mark, Dean, and other staff to stay connected.

With our new solid foundation, we have even more capacity to focus on what we determined are the top priorities for our watershed in 2015. We will be focusing on three main objectives: utilize our new Riverkeepers to tackle existing and emerging major pollution threats head on, with a strong emphasis on legal advocacy; increase community outreach with new events throughout the year to reconnect you with your waterways and spread environmental awareness; and continue our upwards climb in our communications to keep you more informed than ever.

We are thankful to have so many of you stay with us as we have grown and remodeled, and encourage each of you to explore all we have to offer. Let us know how we're doing by reaching out to us at info@prknetwork.org.



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EVENT RECAP: 2015 BENEFIT CONCERT

#ACHIEVE-CLEAN2015

PROGRAM UPDATES



EarthShare/CFC #87828

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A LETTER FROM THE PRESIDENT

Dear friends and members,

On March 2nd, for the first time in our history, we are committing to having three full time Riverkeepers on the water. Three world class talents have joined our team as we take a huge step forward in reaching our full potential as an organization guarding over the Nation's River and protecting your right to a clean and healthy Potomac Watershed.

We owe endless thanks to our members whose generosity has allowed us to take this leap, and who have grown with us throughout the year. Let's now take a minute to talk about our algae campaign as a way to demonstrate why we need such powerful advocates.

It's been five years since we launched our algae campaign in response to your complaints. Each time I read one it sends me back to my own years of frustration as a fishing guide battling or avoiding the effects of algae. Few things can ruin a beautiful day on the river like an algae bloom. Algae is a scourge, and in a larger setting over the past 30 years, I have seen algae emerge with my own eyes in waterways across the country—



from Florida to New Hampshire to Oregon, Texas and Idaho. If Toledo, Ohio's drinking water closure this past summer is any indication, and my own personal observations about the increased occurrence of toxic algae blooms are true, algae could be emerging as one of our country's most pressing environmental problems.

What was unnerving to me as I got deeper into the algae issue is that public awareness was incredibly low. Nobody knew what the gross stuff in the river was—not the press, not the State or Federal Agencies. Even river users were mistaking algae as excrement from local livestock or the poultry industry. In 1994, famous Potomac fishing guide, Butch Ward, gave his business card out to members of the Potomac River Small-mouth Club so they could call him when they saw "smelly globs" floating on the water (at the time Butch thought the globs were poultry manure from the Valley's poultry industry).

Butch was concerned, and rightly so, about algae ruining fishing, damaging wildlife, and making people sick over the smell. I can remember as far back as 1999, during the notable drought period when Virginia's Department of Game and Inland Fisheries predicted a near wipeout of fish in the river if the algae, which had been accumulating in the low flows, died at the end of summer.

For over 20 years, I've both listened to and watched as fishermen and swimmers react with frustration and disgust at the appearance, odor, and interference of algae on their ability to recreate. "Take this information to the government, surely they will solve it!" I was told emphatically when I was a fishing guide. So, "take it to the government" we did, last month, submitting over 120 extremely personal letters written by friends and members of our organization. Letters from grandfather's describing ruined trips with their grandkids, a disheartened bride who's riverside wedding was ruined by the odors of decaying algae, riverside landowners avoiding their vacation homes for two months in the summer, countless accounts from fishermen no longer able or interested in fishing, and locals fearing for their health when using the river.

But so far our state government has ignored your letters, and they've ignored us. So we realize we needed to turn up our effort and have gathered more resources, experts, and scientific evidence, as well as collected more citizen testimony than we have on any previous issue. We have submitted legal arguments, factual support, and over 1,000 supporting pieces of evidence ranging from scientific analysis offering evidence that algae is killing native plants and the presence of toxic blue-green algae species, algal toxin production in our drinking water supply, and thousands of photos and videos, but to no avail.

In the beginning, we approached the Department of Environmental Quality as an ally. Five years later we don't know if they are here to help us or here to protect the industries which are at the root of these problems. It takes a lot for me to say this about an agency on which I have generally heaped praise. But when the Governor's own Secretary of Natural Resources acknowledges that we have an algae problem, and in her next breath tells me she does not have the authority to list the river for its impairment, I reach maximum frustration. Was Virginia's top person telling me she didn't have the authority to address an environmental harm? I heard from another prominent staff-person that the agency would not take any action until they had determined what the impact would be on the very same industries that are causing these problems. Legally, this is backward. Morally, I don't even want to think about where this falls.

Recently our discovery of *toxic algae* in the river added to the gravity of the situation. In April, Shenandoah Riverkeeper's staff algae scientist Brendan Young, discovered and tested several species of highly toxic algae at a number of locations. Our partner, US Geological Survey's scientists under Vicki Blazer (our 2013 Protector of the Potomac Award Winner), also tested the Shenandoah River's water and found the algal toxins were present in areas of the river used for drinking water and recreation.

While the Chesapeake Bay has benefited from decades of press highlighting issues like algae growth and dead zones, the Shenandoah and Potomac continue to be ignored. We hope members recognize our work to change this dynamic and the power of having three new advocates on the river. Thank you again for your support and a special thanks to those who wrote letters in support of our algae campaign.

Onwards and upwards,

Jeff Kelble
President

THE BATTLE AGAINST BERKELEY

Each year, Potomac Riverkeeper Network conducts a compliance sweep of all the discharge permits in each of the four regions under our three Riverkeeper Branches of the Potomac watershed. The goal of this compliance sweep is to generate a list of facilities that are polluting our water ways and breaking the law by violating their permits. In the Upper Potomac, at the top of the list for the last five years has been the Berkeley County Public Service Sewer District, in the Eastern Panhandle of West Virginia. The Sewer District operates four large waste water treatment plants that discharge into Opequon Creek, as well as several smaller treatment plants that also discharge into the various tributaries of both Opequon and Back Creek.

In October of 2011, Upper Potomac Riverkeeper uploaded a video on YouTube documenting the downstream effects from one of the main polluting facilities—the Opequon/Hedgesville Wastewater Treatment Plant, which discharges into Eagle Run, a tributary of Opequon Creek. A multitude of sewer upsets at this plant sent raw sewage into Eagle Run. The sewer plant has been violating its discharge permit limits for fecal coliform, with an average measure of 60,000 CFUs (colony forming units) since 2010. The permit limit is 400 CFUs. With the Sewer District at the top of the list of major polluters in the Upper Potomac, we began to take action in 2011.

The actions we take as Riverkeepers have to be calculated and strategic. The Riverkeepers of Potomac Riverkeeper Network follow a process—we don't just rush into legal action. We investigate and verify the pollution problem, communicate with the polluter to solve the problem, and if that fails, we push the State regulatory agency to take action. The very last step is to take legal action by filing a Clean Water Act lawsuit. The issues surrounding the situation with Berkeley County Public Service Sewer District included empty promises to the public, false actions, and an initial lack of response by the State. The Sewer District promised and assured the public that they were committed to installing the necessary mechanical upgrades to the plant to further prevent untreated sewage discharges, but ultimately they failed to follow through on this commitment. The State also cited the Sewer District with violation after violation and took no immediate action. Finally, at the end of 2011, we decided to build a Clean Water Act case.

Building a Clean Water Act case takes time as you have to have sufficient evidence of ongoing violations. Unfortunately, in 2011 just as we filed a Notice of Intent to Sue (NOI), the State filed first. It would seem that the action taken by the State would be welcomed as we did ask them to do so, right? Unfortunately, during our investigation in building the case, we realized that the State filing an action may not be so beneficial after all. Some States have a tendency to hand hold their "clients" with this kind of reprimanding action. It took the West Virginia Department of Environmental Protection four years to finally come to a resolution in court to solve these ongoing bacteria and ammonia violations polluting water every single day from 10 different facilities.

Finally, in 2014, a consent order was signed by a circuit court judge requiring the Sewer District to pay \$300,000 in fines and set a compliance schedule to achieve their permit limits by 2015. It seems hard to believe that a Sewer District with almost a decade of bad track records will fix their systems in the span of one year. Rest assured, your Upper Potomac Riverkeeper will be monitoring the situation as it progresses.





MEET YOUR R

Dean Naujoks joins our team as our new Potomac Riverkeeper, allowing us another opportunity to extend programmatic energies on the ground. For the first time in our history, we now have a full-time Potomac Riverkeeper to complete many of the core functions a Riverkeeper serves. Dean will increase our capacity to expand community outreach and conduct hands-on research and monitoring, all the while strengthening our relationships with local communities spanning from Harper's Ferry, West Virginia to the mouth of the Chesapeake Bay.

We are very excited to have Dean represent us as our new face to Maryland, Virginia, and Washington, DC communities and share his expertise with our staff, partners, and supporting members. Dean has previous experience with the Yadkin Riverkeeper and the Neuse Riverkeeper Foundation as an instrumental player in both financial growth and programmatic development. Dean served as the first Upper Neuse Riverkeeper for over seven years, and later became the first Yadkin Riverkeeper in 2008, where he also served as Executive Director until 2014.

As a river advocate for over 20 years, he has worked on issues similar to those in our watershed, such as municipal stormwater issues, wastewater violations, erosion and sediment control regulation, and fracking.

Among Dean's many successes during his tenure as Yadkin Riverkeeper was his leadership in the establishment of the Muddy Water Watch Project and the Tour de Yadkin.

DEAN

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Muddy Water Project (MWP), a statewide construction stormwater runoff campaign, involved Riverkeepers across North Carolina, including many other state conservation groups. MWP has been recognized by EPA as a model training program for citizen engagement on the issues of sediment and stormwater, and has been adopted by Waterkeeper programs in six other states in the U.S. Additionally, as part of Dean's continuous effort to bring out the water-lover in everyone, in 2012 he launched Tour de Yadkin, the largest non-competitive paddling event in North Carolina. With more than 1,800 participants each year, Tour de Yadkin has helped to raise funds and promote recreational opportunities and awareness to protect the Yadkin River.

In 2009, Dean was awarded River Network's National River Heroes Award, an accolade that honors those who provide leadership and inspiration in protecting our Nation's most treasured rivers. Dean is an avid traveler, sportsman and outdoor enthusiast, having visited many of the US National Parks. He is also a whitewater rafter and paddler, making for a natural fit for the position of Riverkeeper.

"I was truly honored when President Jeff Kelble asked me to join his amazing team and serve as the Potomac Riverkeeper. For the past decade, I have been inspired by Jeff's work as Shenandoah Riverkeeper and as a commercial fishing guide in the Potomac River basin," says Dean. "We share the same belief that clean water is a fundamental human right, and that the greatest legacy we can leave for our children is access to clean water. Safe-guarding the Nation's River that provides drinking water to approximately seven million people is a serious responsibility and will require a lot of work."

We are very excited to have Dean on board and bring a face to this original branch of our organization for the community we have been active in for so long.



Phillip Musegaas will re-create the role of our former in-house General Counsel as Potomac Riverkeeper Network's new Legal Director, overseeing our legal matters across all three Riverkeeper branches and expanding our work into the Lower Potomac, an area of the river we now can dedicate ample energy to.

(+) PHILLIP

LEGAL DIRECTOR

Phillip joins us from the founding Waterkeeper group, Hudson Riverkeeper, where he held positions including Program Director and Senior Attorney. For the past 10 years at Hudson Riverkeeper, Phillip was responsible for the development and implementation of litigation and policy campaigns, leading a team of four attorneys and independent consultants.

During his tenure as Director at Hudson Riverkeeper, Phillip brought successful actions against dozens of polluters in violation of the Clean Water Act, including legal matters resulting in solutions to mitigate issues like sewage overflows and construction permitting, endangered wildlife protection, and the remediation of large scale pollution events. Among his successes were actions taken against ExxonMobil for its

IVERKEEPER

(+ A NEW LEGAL HERO ON OUR SIDE)



Mark Frondorf has big shoes to fill, but he's the right man to fill them. On March 1st, Mark took the place of the much-admired Jeff Kelble, as our new Shenandoah Riverkeeper.

Mark's intimate knowledge of the Shenandoah makes him a perfect candidate to see our current actions through and develop our work in the Valley. For over 20 years, Mark acted as a fishing guide on the Potomac and Shenandoah, as well as several other Mid-Atlantic rivers. As President of the Potomac River Smallmouth Club, he successfully lobbied both Virginia and Maryland officials to implement and expand catch and release regulations and he was instrumental in getting the federal government to revise the Code of Federal Regulations to permit wade fishing on portions of the Potomac.

Mark's passion for the river is largely what brought him to the position of Shenandoah Riverkeeper, and he has acted as a long-time supporter of Potomac & Shenandoah Riverkeeper through membership dues and in-kind services as a fishing guide for our Annual Shenandoah River Rodeo.

Mark Frondorf comes to the Shenandoah Riverkeeper position accustomed to hard work and cognizant of the importance of a hands-on approach to protecting our rivers. With over 25 years experience as a former Senior Policy Analyst, Defense Analyst, and Legislative Assistant, Mark has the necessary competency to tackle major issues affecting the Shenandoah. Among his many successes, Mark was also the principal investigator and author of a federal government study examining the issue of ocean dumping



MARK
SHENANDOAH RIVERKEEPER®

of U.S. chemical weapons, exploring the full-range of issues, challenges, and potential solutions to this complex problem. In addition, Mark also served on the Board of Directors for the Mid-Atlantic Federation of Fly Fishers.

Much of our work at Shenandoah Riverkeeper revolves around the persistence of our staff, quality communications, and refined legal know-how, in an area where local economics and livelihood is embedding into industries like agriculture which can pose risks for a healthy river and must be approached on a personal and collaborative level.

Jeff Kelble leaves behind a legacy of excellence in his Riverkeeper work, including our Get the Cattle Out and Algae Elimination campaigns as part of his continual efforts to tackle nutrient pollution problems which result in the massive algae blooms that plague the Shenandoah. Mark's abilities in the legal realm, as well as his ability to strengthen established relationships and forge new ones within the Shenandoah Valley, will be a valuable resource in order to keep our progress flowing.

Mark is ready to bring forth his passion for the river to share with all who wish to discover it. He reflects upon his most intimate moments with his favorite rivers, explaining how they brought him into a lifetime of work to protect them. "Being a fishing guide, I've been a witness to some very poignant moments - fathers connecting with their sons, young girls catching their first fish, folks celebrating milestones and honoring those that have passed. And it all happened on our river. Thoreau said 'people go fishing all of their lives without knowing that it is not fish they are after.' They are after a connection with nature and each other. They are after memories," explains Mark. "The work that the Shenandoah Riverkeeper organization accomplishes is so vitally important to ensuring that future generations can have such memories on a clean, healthy and vibrant river. I am proud to pick up the mantle from Jeff and continue to fight the good fight."

historic 17 million gallon Greenpoint oil spill, as well as numerous concrete companies, scrapyards, and other waterfront sites whose operations violated the Clean Water Act.

Phillip also worked to ensure passage of a New York state law requiring public notification of sewage discharges, and served as a citizen advisor on two task forces convened by Mayor Bloomberg to address climate resiliency challenges in the wake of Hurricane Sandy.

As the only organization in the Potomac Watershed working to restore clean water through legal advocacy, Phillip will help to secure our ongoing projects and lead each Riverkeeper to successfully conquer emerging issues.





Protect
your
RIVER.

protect
your

fun
experience
family
lifestyle
knowledge
safety
curiosity
VOICE.



ACHIEVE CLEAN 2015

Achieve Clean was first introduced to the public eye in early December as part of our annual fundraising campaign and featured selected Top Threats by each of our three Riverkeeper branches. Through your generosity, we exceeded our goal to raise \$100,000 by December 31st!

You went out of your way to call, mail in donations, and hop online to share the word or make a contribution. We're in good shape for the year ahead and can't wait to continue our work with you to #achievecleanin2015!

We pride ourselves in our ability to say that every donation goes to directly support our programmatic work throughout the Potomac River Watershed. We still stand alone as *the only* nonprofit in the region using legal advocacy to solve the most prominent threats facing our waterways. Thank you for standing with us!



PROGRAM UPDATES

UPPER POTOMAC **RIVERKEEPER**

MD STORMWATER GENERAL PERMIT

We submitted comments which prompted Maryland Department of Environment to adjust the permit to reflect most of our requested changes!

FRACKING

We have pledged our support of the Protect Our Health and Communities Act, to put a long-term moratorium on fracking in Maryland that will allow more time to research the long-term cumulative health and environmental risks of drilling, and show how to implement regulations which truly protect our river and our families from harm.

DEER LODGE

The terms set forth by the court ordered Consent Decree were completed in November, 2014. We will continue to monitor the park to verify there are no further sewage discharges.

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DC LONG TERM (SEWAGE OVERFLOW) CONTROL PLAN

WASA is looking to get out of its legal agreement and to shorten one of the tunnels. We're evaluating whether this will mean more days the Potomac is unsafe for recreation. We would consider a legal challenge of any new agreement that did not meet the original terms.

WASHINGTON SUBURBAN SANITARY COMMISSION

Maryland Department of the Environment is working with WSSC to form an agreement that will fix the problems with discharges over in the Potomac Region. Settlement discussions have ensued

MD RAIN TAX

Opponents coined the term "Rain Tax" for the fees collected in MD to clean up urban runoff. We understand the MD Legislature has already raided this fund for other things!

LNG PIPELINES

We have decided not to be a direct party in the lawsuit aimed at stopping the terminal from being built, instead we will be filing a friend of the court brief (amicus brief).

COAL ASH

We have served our 60 day notice of intent to sue. Dominion offered settlement terms which did not solve the groundwater pollution problem. We are expecting to file soon.

SHENANDOAH **RIVERKEEPER**

ALGAE ELIMINATION CAMPAIGN

Submitted legal and factual arguments for why the Shenandoah should be listed as impaired due to algae's impact on recreation and aesthetic enjoyment. Awaiting VA's decision whether or not to list the river.

FEEDLOT & MANURE RUNOFF

Over 100 farms have fixed their feedlot runoff or manure runoff issues. A dozen more are currently working on solutions.

In January, 2015 we filed three Agricultural Stewardship Act complaints with Virginia Department of Agriculture and Consumer Services on three Shenandoah Valley farms for runoff pollution from winter livestock feeding areas.

GET THE CATTLE OUT CAMPAIGN

We have sent four rounds of letter to landowners of the 73 herds of cattle with access to the Shenandoah River. Roughly 15 landowners have fenced their cattle out already or made other changes to practices eliminating problems associated with cattle access.

2015 BENEFIT CONCERT

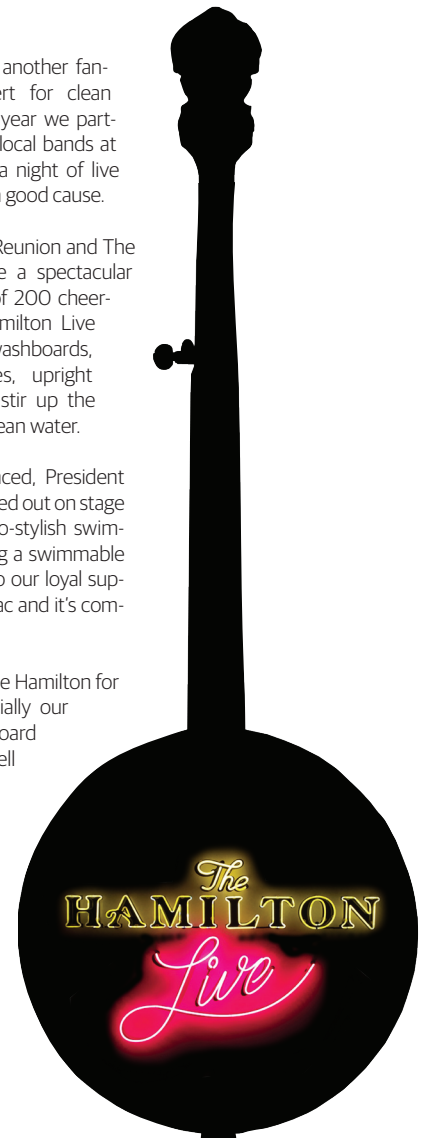
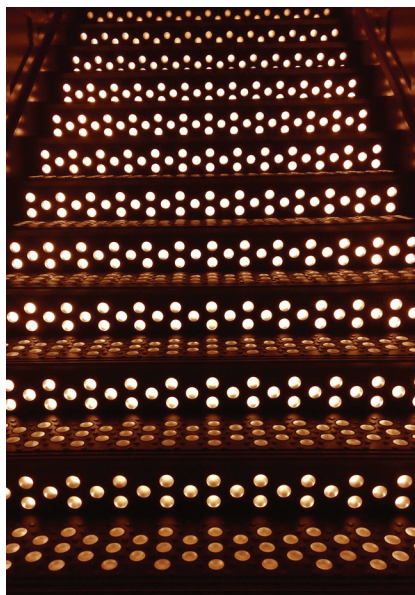


Another year, another fantastic concert for clean water! Each year we partner up with local bands at the Hamilton Live for a night of live music, great food, and a good cause.

This year Spirit Family Reunion and The 19th Street Band gave a spectacular performance in front of 200 cheering fans, filling the Hamilton Live with their array of washboards, banjos, guitars, fiddles, upright basses and drums to stir up the crowd in the fight for clean water.

As the show commenced, President Jeff Kelble added a little shock value as he strutted out on stage wearing nothing but a towel and some not-so-stylish swimming trunks. Jeff shared his vision of recreating a swimmable Potomac River in the years to come. Thanks to our loyal supporters, we may live to see the day the Potomac and its communities are reunited—swim suits to water.

We owe a big thank you to the folks down at the Hamilton for being such accommodating hosts, especially our loyal Board Member Sally Davidson, Board Chair of Clyde's Restaurant Group, as well as to both of the bands for donating their time in support of swimmable, drinkable, fishable water.





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1615 M Street, NW, 2nd Floor
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ON THE CALENDAR

CELEBRATE
15 YEARS OF
SUCCESS

05.30.2015

5:00-8:00PM

at the

POTOMAC BOAT CLUB
WASHINGTON, D.C.

WWW.PRKNETWORK.ORG/GALA2015



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