



Devastating Rollbacks to Clean Water Protections

By Jill Howell

In late January, the announcement we have been awaiting since President Trump first signed an executive order three years ago, directing federal agencies to begin the work of repealing and replacing the 2015 Clean Water Rule, finally arrived.

EPA Administrator Andrew Wheeler and Assistant Secretary of the Army for Civil Works R.D. James, in front of the National Association of Home Builders, announced a new definition of the Waters of the United States with the Navigable Waters Protection Rule. The name, and the audience to which the rule was unveiled, were clear indicators of who this rule was written to protect, and it's not our streams and wetlands. The definition of what are "Waters of the United States" and thereby protected under the Clean Water Act, was revised in such a way that protections were removed from 18% of streams and 51% of wetlands nationwide. Protections for ephemeral streams - streams that flow as a result of precipitation - were eliminated altogether, without regard for their importance to habitat, downstream water quality, or natural flood control.

This rule is disastrous for North Carolina, where we have nearly 9,000 square miles of wetlands, encompassing

17% of the land area in the state, and approximately 95% of which is in the Coastal Plain. These wetlands not only act as filters for pollutants in waters, but we rely on them for flood protection and water storage.

While the outcome of this rule is incredibly disappointing coming from an agency meant to protect the environment, not open it up to polluters and developers, it is not surprising. And because of that, we at Sound Rivers have been preparing for this. In response to the rule, Sound Rivers, alongside 12 other environmental groups from across the country, filed a formal notice of intent to sue the Trump administration for eliminating longstanding Clean Water Act protections for our nation's waters.



Pine flats are found in the coastal plain and will likely lose rule protections (Source DEQ)

Our legal challenge is not enough. Even as we are fighting this rule, once this rule has been entered into the Federal Register, the clock starts ticking and the rule will go into effect in 60 days, most likely regardless of our legal challenge. This means that polluters will be able to dump into ephemeral streams, and developers will be able to fill vulnerable wetlands without a federal permit.

However, we as a state can stop this from happening in North Carolina. We need the North Carolina Attorney General to take legal action and stop the

Continued on P. 2

Greetings from Leadership

High Hopes For Clean Water in 2020

Devastating Rollbacks, Cont. from P. 1



It's hard to look past today's headlines and find hope for the continued health of our environment and our communities. We are bombarded daily with news of hits to federal clean water, air and land protections. The current Administration's attempts to dismantle

the Clean Water Act and the National Environmental Policy Act is certainly alarming, and all of these moves have one objective in mind: to reduce the public's right to know, and the ability to have a voice in government and big business decisions.

But here's the good news: There are many passionate, hard working people who strive daily to educate and engage with the public, decision makers and business leaders. I actually believe 2020 will be a good year for clean water and the communities that depend on it. Sound Rivers, our board, members, and staff are all making a positive difference. We are speaking out and pushing our elected officials to do better. We are volunteering to make a difference in our communities. And we will not be quiet!

Educate, Activate, Bring About Change

There will be many opportunities to engage with Sound Rivers this spring and summer. Please sign up for our weekly e-news to learn more. Consider a donation during the month of April, where your gift will be doubled! These funds are crucial in our efforts to make 2020 a good year for clean water.

Thank you for all you do!

For the rivers and the communities who depend on them,

Heather Deek

We would like to thank the Z. Smith Reynolds Foundation and the Eddie and Jo Allison Smith Family Foundation for their continued support of Sound Rivers and our mission to protect the Neuse and Tar-Pamlico Rivers.

implementation of this rule and allow the legal challenges to play out. In February, the Sound Rivers' Board of Directors sent a letter to Governor Cooper, Secretary Regan, and Attorney General Stein, asking them to take legal action on the "Waters of the US" rule and to prevent the implementation of the changes in North Carolina. This letter thanked the administration for the leadership on climate change and their strong, science-based comments regarding the rule, and emphasized the need for them to take continued action. What we need now is for you to make your voices heard.

As of newsletter publication, the state has not announced plans to challenge the rule rollbacks. Attorney General Stein's office needs to hear from you that clean water is a priority, and they need to take action immediately on this.

Please call (919) 716-6400 today and let his office know you want him to join in the fight against the Trump Navigable Waters Protection Rule. Please visit soundrivers.org for important updates.

Upcoming Events

April 4, 2020 - Ride 4 the River
High Water Social, Washington, NC

April 19, 2020 - Spring Neuse River Cleanup
Lawson Creek Park, New Bern, NC

May 2, 2020 - Spring Tar River Cleanup
Tarboro, NC

May 14, 2020 - State of The Rivers
with your Lower Neuse Riverkeeper
New Bern, NC

May 21, 2020 - Annual Meeting:
A Conversation on Stormwater, Flooding, and You
Neuse River Brewing Company, Raleigh, NC

Visit soundrivers.org for more info

Working for Your Water

Clean Water Rollbacks Affect Tourism



The recent rollback in clean water protections was intended to pave the way for more development and infrastructure, without the inconvenience of worrying about environmental impacts. Much of the new development of our wetlands and small waterways will undoubtedly come in the name of a successful tourism industry via improved infrastructure. If you build it, they will come, right? But the thought of making it easier to develop and build within wetlands and small streams spells disaster for the natural resources that are the backbone of NC's \$4.3 billion outdoor recreation and tourism industry (2016 Study by RTI).

The current federal administration fails to recognize the vital role of wetlands and small streams to the health and prosperity of large bodies of 'navigable waters'. Without preventative protections from construction sediment runoff, agricultural pollution, and other large or extractive operations, we can expect to see tourism, especially water-based tourism, take a big hit. No one wants to fish, swim, or recreate in polluted waters. No one wants to visit a place that's known for abundant, diverse wildlife and see none. No one wants to stand at the waterfront of the city and wonder, what's that smell? The problems seem laughably simple, but without support from our State and Nation's leadership, it is up to people to do what we can to fight for the treasures that bring people to NC in the first place, our uniquely diverse ecosystems and natural resources.

Flooding will continue to worsen with the development of wetlands and small streams. This will reduce the amount of time people can safely utilize our waterways. Without protections of our ecosystems natural filters and flow regulators, the water will get higher, it will be more polluted, and it will stay that way longer after every rain event.

Blue Living Tips



We are all starting to better understand the impact that a changing climate is having on our daily lives. The problem seems overwhelming. But there are many things we can do individually that together will make a difference. See some of the tips below. **If you have a tip to share, please email it to info@soundrivers.org.**

- Reduce, reuse and recycle: Yep, that still works!
- Use water more efficiently: Less water, less energy to pump to your home.
- Commit to eating more plants and less meat: Livestock contribute 14.5% of global emissions.
- Install a smart thermometer and other ways to reduce energy use at home
- Vote! Check out resources like vote411.org
- Be active in your community and find ways to support youth-led movements

To see more easy Blue Living Tips, posted weekly, visit soundrivers.org/bluelivingtips

Fast Facts About Your Water and Tourism

- Outdoor recreation provides a \$4.3 billion boost to North Carolina's Economy (2016 Study by RTI)
- Wetlands and seagrass provide \$270 million dollar value in carbon storage-- combating the negative impacts of climate change (2016 RTI)
- In 2017, wetlands, nurseries for many species of fish and an attraction for migratory birds, fueled more than \$430 million in revenue for commercial fisheries, \$3.9 billion was generated by recreational fisheries (Washington Daily News)
- North Carolina has already lost over 3 million acres of wetlands since colonization, roughly half. (NC DCNR)
- The vast majority of the remaining wetlands in the state (95%) are found in the coastal plain (National Wetlands Inventory)

Working for Your Water

Resiliency Requires Working for Our Environment

Floodplains, low lying areas surrounding rivers that are prone to flooding, are both vitally important and greatly at risk. Many floodplains are made up of wetlands - saturated land that acts as a sponge and a filter. Wetlands are an integral part of the ecosystem for many reasons, but most importantly for us, they are protection against flooding and pollution. As river levels rise, wetlands help to absorb the excess water and provide a barrier to slow flood waters before reaching homes and communities. They also act as "Mother Nature's filter," helping to filter out pollutants from stormwater runoff and preventing excess pollution from entering our waters.

As we have seen with past hurricanes, and will continue to see in the future, river flooding is a big problem and an inevitability. The flooding from Hurricanes Florence and Matthew was devastating to homes and communities. Hurricane Florence dropped 50% more rain due to climate change and warming oceans. This resulted in a total of 51,000 flooded homes in NC, VA, and SC; 11,000 more than in the 1970's due to the impacts of sea level rise. It also helped shine a light on why it is dangerous to have industries, wastewater treatment plants, and hog lagoons built in floodplains. The floodwaters washed millions of gallons of hog waste into our rivers. Wastewater treatment plants were also either inundated or suffered failures that led to sewer spills and even more pollution from untreated waste in our waterways.

One of the scariest things about the pollution and devastation as a result of Hurricanes Florence and Matthew is that federal protections for wetlands were still in place during these storms. With the rollbacks coming to our federal Clean Water Act, the protections we had during those storms could be further stripped away. Many types of North Carolina wetlands will be vulnerable to ditching, draining, and even being completely built over to make room for more development. Approximately 95% of North

Carolina's wetlands are located within the coastal region. It is the coastal region that is also most at risk for major weather events, such as hurricanes, that have been steadily increasing in frequency and intensity.

We are in a time in which climate change is creating greater environmental risks, especially for those of us on the coast. It is a time when we need to be strengthening protections for our natural storm barriers, not withdrawing them. It is a time for resilience. And that is the reason why Sound Rivers is legally challenging the Clean Water Act rollbacks.

Stay tuned at sounddrivers.org, facebook.com/sounddriversnc, or twitter.com/sounddriversnc for updates on this critical fight.

Follow the Tour De Tar 2020!



Your Pamlico-Tar Riverkeeper, Jill Howell, and Environmental Programs Coordinator, Clay Barber, are paddling the length of the Tar River from March 27 - April 4, and you call follow along! Check out sounddrivers.org/tourdetar to see photos, video, and musings as they travel swiftly down your river towards home.

Advocacy Updates

Atlantic Coast Pipeline In the Hands of the Supreme Court

On Monday morning, February 24, 2020, the Supreme Court heard oral arguments in a case that could determine the ultimate fate of the Atlantic Coast Pipeline (ACP).

At the heart of the case is who has jurisdiction to allow a pipeline to cross the Appalachian Trail on federal land. Lawyers representing Dominion Energy and the US Forest Service argued that the Forest Service has jurisdiction over the land in the George Washington National Forest, located in Virginia, where the pipeline would cross, and therefore has the authority to authorize a crossing of the ACP. The lawyers representing the Cowpasture River Preservation Association argue that the Mineral Leasing Act expressly prohibits the US Government from authorizing a pipeline to cross the Appalachian Trail on federal lands in the National Park System, which are managed by the National Park Service. Only an act of Congress can authorize a pipeline crossing on federally protected land.

During arguments, some of the justices expressed skepticism about the 4th Circuit Court of Appeal's ruling, and were concerned that upholding the lower court's ruling would "erect an impermeable barrier" to any pipeline along the Appalachian Trail. The line of questioning from the Justices, as well as the 5-4 make up of the court with conservatives holding the majority, is cause for concern for those opposed to the ACP.

Regardless of the Supreme Court's ruling, which is expected in June 2020, challenges to this pipeline project will continue. It's been more than a year now since construction was halted. And in February, the projected cost of the ACP has ballooned to \$8 billion (the original cost was \$4.5-5 billion).

While we await the Court's ruling, we are gearing up to re-start North Carolina Pipeline Watch (NCPW) so that we are ready if construction does restart. This program was developed by Sound Rivers and partners in North Carolina to train volunteers to monitor pipeline construction for violations. If construction moves forward, your waters have someone looking out for them.

Learn more at www.soundrivers.org/ncpipelinewatch.

And Still We Wait: Journey to Protect Blounts Creek

As of publication time, the NC Court of Appeals has yet to release its decision regarding the case of Sound Rivers vs. NC Department of Environmental Quality and Martin Marietta Materials (MMM). Since oral arguments were heard in May 2019, there have been no updates from the court. We are still awaiting a decision, and expect to hear any day now of the court's ruling.



Sound Rivers member Linda Boyer with her Blounts Creek catch. Photo Credit: Bob Daw

The appeal by MMM stems from a 2017 decision by a state court to vacate a permit that would have allowed the proposed MMM limestone mine to discharge millions of gallons of wastewater per day into the headwaters of Blounts Creek.

Sound Rivers has been working on this case since 2011 when the NC Division of Water Resources first began researching the potential discharge by Martin Marietta Materials into Blounts Creek, a popular fishing creek in eastern North Carolina with a diversity of fish and abundance of fish habitat. As we await the decision from the court, Sound Rivers remains committed to protecting Blounts Creek and supporting community members who have been advocating for themselves and the creek. We will be sure to communicate any updates on the case as they are made available.

Riffles & Runs

Swim Guide Returns for 2020!



The Sound Rivers Summer Swim Guide Program, our volunteer water quality sampling program, is returning for its third year. Each week, our volunteers collect water samples at popular recreation sites that we test for E. coli bacteria to inform users of where it is or is not safe to swim, boat, or fish. The program runs from Memorial Day weekend through Labor Day weekend. The results can be found on our website, social media pages, and through our weekly text alerts. The program is run by three college interns who spend the summer coordinating the volunteers, processing samples, and making sure the results are made available to as many people as possible. It is also an opportunity for these interns to learn more about our work and the importance of clean water.

Last year, we expanded our reach to include the Upper Neuse and two sites in Kinston. We will continue sampling the same sites this year. The Swim Guide Program has been a success for the past two years and we are looking forward to its return this Memorial Day weekend. The response from our volunteers and those of you using this resource has been overwhelmingly positive. We have met many people out and about who have proudly shown us their phones saying, "I got my swim guide text!" One of our goals this year is to get more feedback about your experience using Swim Guide and if there's more we can do to improve the program.

We are currently seeking volunteers to help with weekly water collections in Raleigh, New Bern, Greenville, Kinston, and Washington. All are welcome and training is provided. If you are interested, please contact us at volunteer@soundrivers.org.

West Craven Stormwater Partnership



Mitch (NCSU) and Mr. Shaw (WCHS) examining drain pipe for cistern

We are continuing to work with school campuses across the Neuse and Tar-Pamlico watersheds, to help manage and treat stormwater runoff before it drains into local, at-risk waterways.

The installation of a 3,000 gallon Rainwater Harvesting Cistern at West Craven High School (WCHS) is just one part of this Campus Stormwater Project. Sound Rivers, along with the staff of WCHS, is thrilled to create real-life opportunities for student learning and involvement in the world of water conservation. Not only will students assist in the physical installation of the water tank and irrigation system, but they will also help create a continuing opportunity for other students to study rainwater harvesting in action. Whether it's calculating the amount of water draining off the roof during a one inch rain, or realizing the value of saving potable water by using captured rain to irrigate raised planting beds, there are lots of transferable skills that can benefit these students. The icing on the cake? All the water that's used to irrigate the raised planting beds will be treated by infiltration before slowly finding its way back home into our local waterways.



Soon, a 3,000 gallon cistern will be placed at this site on the WCHS campus

Riffles & Runs

Ways to Support Clean Water

All of your generous support is what keeps Sound Rivers working to protect your water every day. You may see the big announcement on the outside of this newsletter - all donations in April are MATCHED! This means that some great donors are going to match all April gifts - if we can raise \$20,000, we'll get a total of \$40,000 to fund our crucial work!

There are many ways to support Sound Rivers, just a few mentioned below! We know you get many requests for your charitable giving, and we are so honored by your choice to assist our Riverkeepers. Thank you!

Membership/Donations: Join as a member (if you haven't already!) or make a one-time donation at soundrivers.org/donate. Your charitable gifts make our work possible!

Sustaining Member: If you make a gift at soundrivers.org/donate, you can choose to make your gift monthly during check-out - and your generosity helps us plan our year and ensure your Riverkeepers are working for you.

Gifts of Stock: Gifting stock might be the right choice for you - there are a variety of benefits to donating long-term appreciated securities, including stock, bonds, and mutual funds, directly to charity. Sound Rivers' Director of Development is always happy to provide any information your financial advisor would need to initiate this type of gift.

IRA Charitable Rollover: Did you know you can undertake a "charitable rollover" of all or part of your required IRA distribution? No income tax will then be due on the amount that passes to charity. If you're at least 70 ½ years old, you can give annually to Sound Rivers to fulfill your minimum distribution requirements while receiving tax benefits.

Legacy Giving: Supporting Sound Rivers by including us in your estate planning is an incredible gift of generosity that will ensure your rivers are protected indefinitely. If you are considering including Sound Rivers in your estate planning, we would love for you to let us know so we can recognize you as a legacy supporter!

For more info, email development@soundrivers.org

On the Water This Spring



As the weather warms and the leaves return to the trees, it's a great time to get out on the water! We hope you'll enjoy using our Tar-Pamlico Water Trail, a network of camping platforms on the Tar-Pamlico River.

More information and to reserve a camping site, visit:

tarpamlicowatertrail.org

Thank You For A Great Taste of Coastal Carolina 2020!

Taste of Coastal Carolina was a smashing success on March 10th at the NC History Center! **Thank you so much to our fantastic participating restaurants:** The Tiny Tornado, The Flame, Starlight Cafe, Vine Cafe, Kitchen on Trent, The Scullery, Carryout by Chrislyn, La Casetta, Mama's Sweet Baby Cakes, Chef Katherine of Carolina Colours, Sweet Pea's Cafe, Christy's Europub, Dickinson Avenue Public House, Jarvis Street Bottle Shop, Bateeni, The Carolina Bagel Co, Kreative Cakez, and Bradley's Hot Dogs!

Thanks as well to our amazing Taste sponsors:



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