On Oct. 18, Chattahoochee Riverkeeper (CRK) celebrated the 40th anniversary of the Clean Water Act (CWA), the principal federal law established to protect the nation’s waters. For 18 of the past 40 years, CRK has applied this important statute in hundreds of instances throughout our watershed to stop illegal discharges from polluting our most precious natural resource.

The CWA is an integral part of our efforts to protect our river. There is no better example than our landmark case against the city of Atlanta for its failing sewer system in the 1990s. More recent examples include our legal victory in 2010 requiring the city of Cumming to restore a stream it illegally destroyed, sending muddy runoff into Lake Lanier.

**Expanding our reach**

For most of those 18 years, CRK has tackled pollution in the upper Chattahoochee River Basin. With many successes behind us and with the support of a very capable board of directors and staff, we have expanded our reach downstream another 150 river miles — the entire length of the Chattahoochee!

The 2012 draft list of impaired waters shows that of 413 total river miles, more than a third (158 miles) are impaired due to elevated levels of pollutants. Additionally, many of the streams and reservoirs within the Chattahoochee watershed are also impaired, including 904 miles of impaired streams and 36,863 acres of reservoirs.

In fact, given the limited monitoring conducted by government agencies, it is likely that more miles of our rivers and streams are impaired. Less than 20 percent of state waters have ever been tested!

While we have made great strides in years past, there is much work ahead to leverage clean water laws and bring the waters of the Chattahoochee into compliance to protect public health and ecology.

**A plan for the work ahead**

CRK works with civic and neighborhoods groups, as well as local, regional, state and federal government agencies. In each of these venues we educate, monitor and test, provide recreational opportunities, and apply technical, scientific and legal skills.

Two of CRK’s newest programs are tailored to address the specific problems associated with impaired waters. Our Neighborhood Water Watch enlists community volunteers to collect and deliver water samples from local streams to our labs in Atlanta and Gainesville. The water samples are tested for bacteria among other pollutants. Where elevated levels of pollutants are found, we work to identify the source of pollution and to stop its reoccurrence.

Our other new tool is the revised general permit for industrial stormwater discharges. This permit, issued under the authority of the CWA, covers hundreds of industrial facilities in our watershed requiring industries to adopt best management practices to curb stormwater runoff.

We are identifying unpermitted facilities, as well as permitted facilities that are violating benchmarks and pollution limits. Our goal is to reduce the impact that industrial operations have on the Chattahoochee River and its tributaries, and once again, the federal Clean Water Act will be integral to this effort.
The first alarm sounded with an email that arrived in my inbox at 8:37 p.m. on Sunday evening, July 29.

CRK member Joni House, who lives on Morgan Falls Lake near Roswell, forwarded a photo and a message: “Rapids and a flowing river. What’s up?”

Later, she emailed that a kayaker had come up her hill “covered in mud and panicked” because instead of encountering the usually placid lake, she had found herself caught in “river rapids” between Sandy Springs’ Overlook Park and Morgan Falls Dam, a distance of half a mile.

The kayaker said she’d had to haul her kayak up a 10-foot mud wall from the rapid flow in the channel to get to the cove below Joni’s property. She also said that a man and a child in a canoe had capsized in the unexpected turbulent water, but were safe.

Joni could hear the sounds of the rapids, where a lake had been earlier that morning.

On Monday morning, July 30, CRK staff began receiving USGS WaterAlerts that the river flow at Vinings, below Morgan Falls Dam, was registering the lowest levels recorded since Buford Dam was built in the 1950s.

Where did the lake go?

According to the U.S. Army Corps of Engineers, the agency miscalculated downstream water needs and for three days in late July failed to release enough water from Lake Lanier through Buford Dam to satisfy those needs, including withdrawals for metro water supply.

Georgia Power, which controls releases from Morgan Falls Dam, failed to realize, until the third day, that the Corps wasn’t sending enough water downstream, and continued to release water, draining the lake. According to several sources, when Georgia Power finally realized there was a major problem, they tried for an entire day to reach the Corps using the wrong phone numbers.

Potentially dangerous situation

From Buford Dam to Peachtree Creek in Atlanta, and very likely continuing downriver, people and wildlife experienced an unsettling and potentially dangerous situation when the agencies that control the flow in the Chattahoochee River failed to communicate. The lack of adequate real-time monitoring stations along the river — for which CRK has repeatedly advocated — compounded the communications problem by denying pertinent information to decision-makers.

The Atlanta Regional Commission, which coordinates water utility withdrawals and works with the Corps and Georgia Power to ensure adequate river flow, said, “We’d like to see that sort of thing never happen again.”

We hope it won’t happen again either! Too many people depend on the Chattahoochee River not to monitor every precious drop. See photo and story on page 6.

Reflections

Watershed Moment

The Chattahoochee River and trail system at Island Ford provides convenient access to “a little piece of peace,” offering a welcome contrast to the hustle and bustle of the metro area and the noise and traffic just around the bend in the river at GA 400. While the park is obviously well cared for, and civilized enough to allow public access, this has been achieved with sensitivity to the need to retain the soul of a very natural environment.

— Duncan McLauchlan, Roswell
NEW PROGRAM FOCUSES ON INDUSTRIAL POLLUTION

Industries in Georgia must now take additional steps to control storm runoff from their facilities, pursuant to the new industrial stormwater general permit that became effective last summer – and which CRK helped negotiate through a stakeholder process.

The permit covers thousands of industrial sites statewide, such as food processing operations, landfills, auto salvage yards and chemical plants, among many others. These industries are required to apply for coverage under the permit and develop pollution prevention plans that use best management practices to curb stormwater runoff from washing pollutants into nearby waterways.

Hundreds of unpermitted facilities

CRK has evaluated industry compliance with the general permit and concluded that hundreds of facilities have failed to apply for coverage and develop pollution prevention plans, including government-operated sewage treatment plants and landfills. Every time it rains, these facilities are illegally discharging stormwater into the Chattahoochee watershed. Pollutants may include fecal coliform bacteria, toxic metals, excess nutrients, total suspended solids, volatile organic compounds, herbicides and insecticides, as well as industry-specific contaminants.

The Georgia Environmental Protection Division (EPD) is the state agency charged with enforcing the permit; however, the agency has only two individuals on staff to manage and inspect thousands of facilities statewide and it has failed to keep tabs on rogue industries.

This fall, CRK has started a new program to identify the unpermitted industries, as well as permitted industries that are not complying with the requirements. Our goal is to secure compliance with stormwater regulations and improve water quality throughout the watershed. Once completed, this project will have a significant impact on the health of the river and its tributaries.

CRK Technical Programs Director Jason Ulseth made an unsettling discovery during a stream inspection in Atlanta’s Grove Park last summer. The stream, which is a tributary to Proctor Creek, was flowing pure white.

CRK contacted city officials, who were able to send a source tracking team out within the hour. Crews searched an underground culvert with flashlights and inspected all nearby manholes and storm drains but were unable to determine the source of the milky white substance in the creek; subsequent testing indicated that it was likely paint. The stream has since cleared up, and we continue to monitor the situation. If you see potential water-related problems, click on “REPORT A PROBLEM” at www.chattahoochee.org.
TROUB COUNTY’S LONG CANE CREEK ADOPTED BY LOCAL VOLUNTEERS

Not long ago, Ricky Wolfe walked along the banks of Long Cane Creek in the back field of his Troup County farm, shaking his head with concern. As a longtime area resident and Troup County Commission chair, he has been well aware that the stream is on the state’s “impaired waters” list due to high levels of fecal coliform bacteria and poor fish populations.

In an effort to learn more about the problems facing Long Cane Creek which flows into the Chattahoochee below West Point Dam, CRK recently formed a new partnership with Wolfe and the local chapter of the Sierra Club.

The program kick-off took place last summer when the local volunteers participated in Georgia Adopt-A-Stream (AAS) training conducted by CRK Technical Programs Director Jason Ulseth, a certified trainer. The workshop included classroom and hands-on instruction in the field on ways to monitor streams for various parameters including pH, dissolved oxygen, conductivity, temperature and E. coli bacteria.

All volunteers successfully passed two written exams and were issued certificates allowing them to “adopt” Long Cane Creek. With CRK’s technical assistance, the volunteers will be analyzing samples at least once per month; the results will be available on the statewide database — www.georgiaadoptastream.org. Long-term data provided by this partnership will be instrumental in our assessment of the overall health of Long Cane Creek, as well as any potential causes for impairments.

Education station at Wolfe Farm

Ricky Wolfe’s organic farm will serve as a long-term water quality monitoring and education station. The creek will be monitored monthly and the educational component of the project will offer visitors a tour of the farm to learn about sustainable agriculture and the water challenges that farmers face on a daily basis.

“Water quality is a major environmental issue and I am happy to contribute in a small way to its scientific understanding,” said Wolfe.

The farm tours will begin with a discussion of the Chattahoochee River watershed. Guests will then learn first-hand how innovative solutions have been implemented to conserve water and prevent pollution while producing organic crops.

Tours will be conducted throughout the year by reservation only, beginning in October 2012. To schedule a tour, contact Jill Sistino, CRK regional outreach manager, at jsistino@ucriverkeeper.org.

PADDLE TRIP ON THE CHATTahooCHEE REVEALS NATURE’S BEAUTY

By Charles Seabrook, Wild Georgia Column (AJC, 8/25/12)

It was a perfect August day for a leisurely paddle on one of my favorite rivers, the Chattahoochee, which runs through one of my favorite green spaces, the Chattahoochee River National Recreation Area.

So, I joined 20-plus members of the Chattahoochee Riverkeeper for a 9-mile voyage down the river from Morgan Falls to Paces Mill.

Our leader was Jerry Hightower, who knows this stretch of river perhaps better than anyone else in Georgia. He was raised along the river near Atlanta and has been a ranger in the national recreation area since its inception in 1978.

As we floated along, Jerry provided commentary on the amazingly rich flora, fauna and geology along the river. He also pointed out where Indian towns were located centuries ago and where fierce Civil War battles took place along its banks. Here are excerpts from my notes:

Late summer flowers, sliders and cliff swallows

"Many late summer wildflowers — Joe-Pye weed, iron weed, wingstem, jewelweed, cardinal flower, virgin’s bower and others — in bloom all along the river ... cardinal flowers are particularly striking, the reddest of all of Georgia’s red wildflowers, Jerry says ... gleaming white flowers of virgin’s bower, a vine, are eye-catching as they climb high up trees and shrubs along river ..."

"Red-eared sliders and river cooters bask on rocks ... lots of beaver and muskrat holes in the river banks ... an osprey and a red-shouldered hawk flap overhead ... belted kingfishers add flashes of blue-and-white as they dash over the water ... the most commonly seen birds, though, are great blue herons ... we see them flying across the river or standing along the banks every few hundred feet. ..."

"Under the Johnson Ferry Road Bridge we see the amazing mud nests of cliff swallows glued to the bridge’s girders — a remarkable adaptation by wild creatures to an urban area, Jerry notes. ..."

"Approaching the river’s ruggedly scenic palisades section, where steep ridges rise some 1,000 feet above the river, Jerry gives a geology lesson: A geological feature known as the Brevard Fault, he says, gives us this beautiful section of river. ..."

"How extraordinarily lucky, I think, is Atlanta to have this magnificent place.”
DEVELOPER PROTECTS HERON ROOKERY NEAR SWEETWATER CREEK

The largest heron rookery outside of the Georgia coast is located just 25 minutes from downtown Atlanta on private property adjacent to Sweetwater Creek, a Chattahoochee River tributary in Douglas County.

For the past 15 years, increasing numbers of great blue herons have found a place to nest and breed, living communally on a 27-acre wetland that is part of a 300-acre tract of land owned by commercial developer Ron Orr.

Orr was surveying his property back in 1997 when he saw the first male blue heron build its nest on the site. Since then, he and local caretaker Mike Jackson have watched a group of sycamore trees where 40 platform nests support a rookery of 150-plus birds during the peak of breeding season.

Standing an impressive four feet tall with a six-foot wingspan, the great blue heron is North America’s largest heron. Anyone who has spent time along the Chattahoochee has seen these iconic birds soaring above with lightening speed to snap up fish, crayfish and other prey.

Legal settlement leads to protection

Once overharvested for its plumage, the heron now is considered common throughout its range. However, because herons depend on wetlands for foraging and treetops for nesting and breeding, they remain vulnerable to habitat loss and human encroachment.

In the mid-2000s, construction activities on adjacent property almost destroyed Orr’s wetland, choking it with eroded soil, and disturbing the heron rookery.

After years of litigation led by attorney Cooper Knowles, Orr was able to abate the destruction and subsequently developed a plan to protect the rookery from future development.

While the rookery is not currently open to the public, Orr hopes that one day it might be accessible by trails from nearby Sweetwater State Park.

To learn more about herons and Orr’s efforts to protect the Chattahoochee rookery watch “Herons and Heroes” on GPB’s “Georgia Outdoors”: http://www.gpb.org/georgia-outdoors/season-18/episode/herons-and-heroes.

SAVE THE HOOCHE CAMPAIGN RAISES $30,000

SweetWater Brewery continued what has become an incredibly productive eight-year partnership by raising $30,000 over the summer in its Save the Hooch Campaign. The Atlanta-based brewery presented CRK with a ceremonial check at the annual End of Summer BBQ on Aug. 4 at Canoe Restaurant, located on the edge of the Chattahoochee.

This was a particularly special year for the campaign, which included working with new partners and more special events to raise awareness and money for our river patrol and water monitoring efforts. For example, the brewery connected with CRK with local retailer Hop City, which featured our work in its monthly “Growlers Give Back” charity promotion.

The campaign, which ran from Memorial Day Weekend through July, also benefited from a charity concert at Smith’s Olde Bar and beer dinners at area restaurants including the Woodfire Grill and the Georgia Shrimp Company. In eight years, Save the Hooch has raised more than $350,000 for our work to protect the river.

“It’s partnerships like the one with SweetWater Brewery that illustrate how we all can work together to provide enough clean drinking water for everyone,” CRK’s Sally Bethea said. “I don’t know what we’d do without them.”

Learn more about the campaign at www.savethehooch.com.

River Matters

For information on these and other river-related events, visit www.chattahoochee.org/calendar

October 20
West Point Lake Clean-up
West Point Lake

October 20-21
Paddle Trip
 McIntosh Reserve Camping and Paddling Trip: McIntosh Reserve to Franklin, GA

October 21
Sustainable Farm Tour
 Wolfe Farm, LaGrange

October 26
The Big Thirst author Charles Fishman
Midtown Atlanta

October 27
Family Fall Festival, Gainesville
 Elachee Nature Science Center

November 2-4
8th Annual HemlockFest
Dahlonega

November 10
Autumn on the River (Trout Unlimited)
Ippolito’s Italian Restaurant, Roswell

Welcome, fall interns!

We’re excited to be working with very talented interns this fall. Nicholas Martinez, a student at Emory University’s School of Law, will be working with General Counsel Juliet Cohen on our various legal issues. Jessica Sterling, who recently earned a master’s degree from the University of Georgia’s Odum School of Ecology, will be assisting Technical Programs Director Jason Ulseth on water monitoring and related programs.
MIX-UP UNDERSCORES NEED FOR BETTER RIVER-MONITORING

A glitch by the U.S. Army Corps of Engineers in its scheduled water release from Buford Dam resulted in a massive drop in water levels in the Chattahoochee River National Recreation Area on July 29-30. The drop put some paddlers in peril and threatened water quality and wildlife as well.

The problem was compounded by a communications gaffe between the Corps and Georgia Power (GP), which operates Morgan Falls Dam 36 miles downstream — when GP was unable to contact the proper Corps officials after noticing the drop in water levels. The incident served as a reminder of the need for better water monitoring along this vital stretch of the Chattahoochee.

“We kind of messed up by underestimating what was necessary for Sunday,” Corps spokesman Pat Robbins told the Atlanta Journal-Constitution. “Once we knew there was a problem, we did our best to get it fixed.” The incident also sent rowing clubs and other boaters to cancel their activities. One paddler narrowly avoided getting sucked toward Morgan Falls Dam, according to the AJC article.

Small margin of safety

For years, CRK has called for improved monitoring of river flow, especially at the confluence of the Chattahoochee and Peachtree Creek, which is 48 miles downstream of Buford Dam near major discharges of treated sewage.

The lake behind Morgan Falls Dam near Roswell drained to reveal the river in late July, due to a glitch between agencies that manage the Chattahoochee River Basin.

State grants support suspect 'water supply' projects

On Aug. 1, 2012, the morning after the primary elections, the Georgia Environmental Finance Authority and the Georgia Department of Community Affairs quietly awarded more than $9 million worth of grants for two so-called water supply projects through Gov. Nathan Deal’s Water Supply Program (GWSP).

More than $90 million was also awarded in loans for six other projects.

The GWSP was first announced in early 2011, when Governor Deal promised $300 million over four years to assist local governments with developing new sources of water supply.

Private resort to benefit

The Lake Lanier Islands Development Authority was approved for close to $4.5 million in state direct investment. The authority oversees the lease agreement with the Lake Lanier Islands Management, LLC that manages the Lake Lanier Islands Resort owned by Gwinnett businessman Virgil Williams.

Unlike the GWSP’s stated goal of assisting local governments with water supply needs, this grant money will be used to rehabilitate a well with a yield of 1.7 million gallons of water per day to provide the resort with water that is now provided by the city of Gainesville.

‘Water exchange’ for Lake Lanier?

Another $4.6 million in state direct investment was granted to the Southwest Georgia Regional Commission to construct three test wells on three state-owned properties, including a state park and wildlife management areas. The grant money will support a test project to pump Floridan Aquifer water into another deep aquifer that ostensibly can later be tapped to augment low flows in tributaries to the lower Flint River and Chattahoochee River.

The project proponents, Joe Tanner and Associates, have suggested a “water exchange” whereby the U.S. Army Corps of Engineers would re-allocate storage in Lake Lanier in exchange for flow augmentation in the lower Flint and Chattahoochee River basins that would contribute to flow requirements on the Apalachicola River.

The middle Chattahoochee River may suffer the most under this proposed arrangement, if the metro Atlanta region uses more water stored in Lake Lanier: the only flow requirement on the Chattahoochee River south of Atlanta is at the Florida border.

The use of GEFA grant funds for projects that do not directly promote water supply is unacceptable policy. Water supply funding should go to projects that offer the most needed water at the lowest possible cost to protect the interest of taxpayers.
FILLING ATLANTA’S WATER GAP THROUGH CONSERVATION

In September, CRK released our annual update of “Filling the Water Gap: Conservation Successes and Missed Opportunities in Metro Atlanta.” As in 2011, we again conclude that while local governments continue to lead the way in terms of conservation successes, more savings are achievable if we implement additional conservation measures.

After surveying nine local governments who rely predominately on the Chattahoochee watershed for drinking water (Atlanta, Gainesville, Roswell and Cobb, DeKalb, Douglas, Forsyth, Fulton and Gwinnett counties), we have determined there is still at least 134 to 147 million gallons of water per day (MGD) available to metro Atlanta in the near term.

These savings are achievable by repairing system leaks, retrofitting old homes with new plumbing fixtures, limiting the sale of select appliances to energy efficient models, refining conservation pricing to incentivize more water conservation by residential and commercial customers, and supporting large-scale rainwater harvesting projects.

Savings through reuse could serve millions

A serious commitment to the reuse of treated wastewater for consumptive and non-consumptive purposes could add as much as another 252 MGD, bringing the total water savings potential up to nearly 400 MGD. That’s enough water to serve 2.6 million people in metro Atlanta.

In order to implement these measures effectively, local governments need more support at the regional and state level. In particular, the state should offer more grants and zero-interest loans to help fund costly infrastructure repairs needed to reduce water losses through system leaks.

Finally, our report also strongly recommends that the Metropolitan North Georgia Water Planning District reassess future water demands based on the latest U.S. Census data, drought information, water conservation efforts, and employment outlook. This information is critical to the efforts of the U.S. Army Corps of Engineers to update its operating manual governing reservoir operations throughout the Apalachicola-Chattahoochee-Flint basin.


WE REMEMBER JIM SCARBROUGH

Last June, we all lost a champion of clean water, public health and environmental protection when James “Jim” Scarborough passed away suddenly and prematurely in a road accident. CRK staff came to know Jim during the 15 years he worked for Gwinnett County’s Water & Sewer Authority. During that time, he was a major architect of Gwinnett County’s current water and sewer system, a leading system within metro Atlanta.

Jim also was instrumental in the formation of the county’s stormwater utility, one of a mere handful in the region formed to manage stormwater runoff. He was a staunch public health advocate who pushed for revisions to the public health code that now includes backflow prevention and other safe drinking water provisions.

Prior to working for Gwinnett County, Jim spent 30 years at the Environmental Protection Agency (EPA), where he led the Southeast Region’s Resource Conservation and Recovery Act (RCRA) program overseeing clean-up of hazardous waste sites. He also led EPA’s Clean Water Act program, an experience that undoubtedly influenced his subsequent work with Gwinnett County.

“I just loved the guy. I revered him,” said Frank Stephens, who worked side-by-side with Jim at Gwinnett County Water & Sewer Authority for 15 years. “He was a guiding light with a strong moral compass. He was also a pure delight to work alongside.”

Scarborough led a full and varied life. He once served as a lieutenant colonel with the Tennessee Air National Guard. He was active in the Norcross community, where he taught Sunday school at Norcross First Baptist Church, and he served on the city of Norcross’ Planning and Zoning Appeals Board and the Sustainable Norcross Commission.

By all accounts, he also was extremely devoted to his family, who always came first.

You may honor Jim by donating to Intrepid Fallen Heroes Fund (www.fallenheroesfund.org) in his name or to Upper Ocmulgee River Resource Conservation & Development (Attention: “Gift for Jim,” 750 S. Perry St. Suite 212, Lawrenceville, GA 30046) to support planting a tree in Norcross in his name.
A record number of attendees joined CRK’s board and staff for our 18th Annual Patron Dinner in mid-September at The Foundry at Atlanta’s Puritan Mill. While honoring some of our most important river advocates, we also raised more than $235,000 to support our river advocacy and education programs.

Bert Ellis, an active entrepreneur in the media and technology industries, received our prestigious River Guardian Award for providing critical communications strategies for more than a decade to guide our river protection programs. It has been the support from Ellis that helped us produce some of our most compelling messaging tools, including a new call-to-action river video that debuted at the dinner.

We also recognized Newnan resident Warren Budd with our River Steward Award for his steadfast support for Georgia’s rivers while serving on the Georgia Board of Natural Resources. TOTO USA, the world’s largest plumbing manufacturer, was honored with our River Sustainability Award for its bottom line commitment to the efficient use of our limited water supplies.

April Ingle, director of Georgia River Network, received the River Advocate Award for her passion and leadership as an organizer of Paddle Georgia, galvanizing thousands of people to love rivers and work to protect them.

Guests dined on food and beverages from Dennis Dean Catering and enjoyed a music performance by Collective Soul frontman Ed Roland’s Sweet Tea Project.

If you prefer to receive RiverCHAT electronically, contact David Lee Simmons at dsimmons@criverkeeper.org.

**THANKS TO OUR 2012 PATRON DINNER SPONSORS!**

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