



Keeping Watch Over Our Waters

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Clean Water Settlement Provides \$250,000 Investment in Chattahoochee River

Atlanta— In June of 2017, Chattahoochee Riverkeeper (CRK) discovered an approximately 55-acre property that was being cleared to pave way for a large warehouse/distribution center project on Peachtree Industrial Boulevard in Buford, Georgia. Construction had stripped 30 acres onsite of all trees and vegetation, and as a result each time it rained muddy, polluted water poured into Richland Creek. The creek is a tributary that flows directly into the Chattahoochee River within the heavily used Chattahoochee River National Recreation Area (CRNRA), a popular national park frequented by paddlers, hikers and trout anglers. More than three million people visit the CRNRA annually.

The developer had failed to install necessary protections to filter mud and sediment out of stormwater before it left the site. CRK filed a “citizen lawsuit” in Federal court in the Northern District of Georgia, raising claims for violations of the Clean Water Act.

A settlement has been reached that requires the developer to stabilize the site with grass and vegetation to prevent illegal volumes of mud and sediment from reaching state waters. As a condition of the settlement, CRK and their outside counsel, Andrew Thompson of Smith, Gambrell & Russell negotiated payment of funds for Supplemental Environmental Projects, which in Clean Water Act citizen suits allow settlement money to be reinvested into the impacted watershed.

By reaching terms for settlement, CRK has secured \$250,000 to fund environmental projects by five other nonprofits that will educate students about and improve water quality on the Chattahoochee River.

The Chattahoochee Parks Conservancy received money to fund three years of the BacteriAlert program, a joint project managed by U.S. Geological Survey, CRK and the National Park Service, which monitors turbidity and bacterial levels within the CRNRA to inform and provide safety alerts to the area’s visitors. The Conservancy will serve as steward of these funds and will receive some funding to expand its mission to build community support for the CRNRA.

“The BacteriAlert program is an invaluable system that provides real time health advisories to more than one million river users every year,” said Riverkeeper Jason Ulseth. “Having enough funds on hand to sustain three years of the program provides security and relieves some of the burden on our partners to fund this essential work to document water quality conditions in this heavily used stretch of river.”

The Chattahoochee Nature Center is receiving funds for two youth education programs at its popular Roswell center along the river. The programs will give students real-world, hands-on experiences at the Nature Center and on the river, including guided canoe trips and biological and chemical assessments of ponds along the river.

“Thanks to CRK, we can bring 1,500 more students to our beautiful river to teach them about the importance of clean water,” said Chattahoochee Nature Center director Chris Nelson.

Some of the settlement funds will go to the Elachee Nature Science Center, a Gainesville-based educational center. Elachee and CRK are long-time partners in the Lake Lanier Aquatic Learning Center, which annually brings more than

5,000 students onto our Lake Lanier Floating Classroom to learn about water quality. These funds will allow Elachee to expand the programs its offers students on and along Lake Lanier.

The Turner Environmental Law Clinic and the Southern Environmental Law Center (SELC) also received portions of the settlement in order to fund their important policy and advocacy work around water quality issues impacting the Chattahoochee River. The Turner Clinic is the capstone of the Environmental and Natural Resources Law Program at Emory Law School wherein law students provide high quality and much needed legal services to the public interest environmental community in Georgia. SELC uses the power of the law to champion the environment of the Southeast, and has 11 attorneys in Georgia focused on protecting the state's water, air and land.

“CRK is excited to celebrate another successful resolution that prevents pollution from entering the river and grateful to have diverse, successful partners that it can support in this way. One of the best was to preserve and protect the Chattahoochee River is by building a community of organizations, neighbors and students invested in its long-term health,” said Jason Ulseth, Riverkeeper.

Interview sources:

- Chattahoochee Riverkeeper Jason Ulseth – julseth@chattahoochee.org
- Smith, Gambrell & Russell Attorney Andrew Thompson – 404-815-3701, athompson@sgrlaw.com

About Chattahoochee Riverkeeper

CRK's mission is to protect and preserve the Chattahoochee River, its lakes and tributaries for the people, fish and wildlife that depend upon it. For more information, visit www.chattahoochee.org.

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