



Rivers Quarterly

Newsletter of Rivers Unlimited, Ohio's Statewide River Protection Organization

Water Quality in Ohio

We should, and can, accelerate cleanup for economic reasons, too!

Sixty percent of Ohio's river miles are fishable and swimmable; 40% are not. That's slightly more favorable than actual but easier to remember and the same as figures for the whole nation.

There are about 880 stream stretches making up the 40% "not". These must be remedied by the Total Maximum Daily Load process (TMDL) which looks at surface runoff as well as end-of-pipe discharges, also at channelized streams and ag ditches etc.

We do not challenge the figures in Ohio EPA's fact sheet FS-1-EAS-2000. The science is good and scientists very good. OEPA's goal is 80% fishable and swimmable by 2010. According to our calculations that comes to about 737 miles per year to be cleaned up (on average -- nothing may happen for the next few years). This may be wishful thinking. There seems to be no push to determine the TMDLs and fight the serious battles as to which landowners, farmers and

municipalities will have to pay and actually bring about cleanup. We believe that if benefit/cost were brought into TMDL deliberations it would speed, simplify and justify decisions. It seems obvious that the more a polluted river costs the public, the sooner we should stop the bleeding. And believe it or not, that's what the general public thinks, according to our Ohio State University study.

Permits to pollute, 600 to 700 per year, are still granted where OEPA states "the discharge from this facility, if approved, would result in degradation to, or lowering of, the water quality of the (receiving waters). However, the chemical-specific water quality criteria developed to protect



See "Water Quality" on Page 3.

A Community Takes Action

Decades of environmental abuse brought to an end by residents and leaders.

Back in April of 1975, Georgia Pacific, in Columbus, Ohio, spilled phenols and formaldehyde into a ditch. Then in July, they did it again. And again in October more chemicals were spilled. Nearby families complained. And the next year more phenols and formaldehyde spilled into the environment. Citizens reported spills that somehow Georgia Pacific didn't report to the government.

Into the 1980's Georgia Pacific was still at it. Big spills, 1500 pounds of phenols, 2000 pounds. Then an explosion in 1984 affected numerous nearby families who suffered respiratory troubles and there was a significant vegetative die-off in the area. You'd think with this history and with big accidents that Ohio EPA would require corrections. But no. There followed another release of about 2000 pounds of phenols and formaldehyde. Again

See "Community" on Page 11.

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A Look at Our Trustees

Rivers Quarterly provides a close-up of its leadership.

In keeping with our tradition of representing a wide constituency on issues of river and stream preservation, Rivers Unlimited's Trustees reflect broad experience in government, community involvement, and business. They share a deep commitment to better health, quality of life and the natural beauty of our streams for all citizens and future generations. *As the second of a two-part series (see [Rivers Quarterly, Summer 2001](#)), we present the concluding 2001-2003 Board of Trustees of Rivers Unlimited. Alternates are listed after the Trustees.*



Karen O'Reilly, Columbus - PROOF (Protect the Reckless Overdevelopment of the Olentangy Floodplain), Chairperson. Fruit of the Vine Urban Ministry's Homeless Outreach.

Eric Partee, Milford - Little Miami, Incorporated (Southwest Ohio), Executive Director since 1982. Civil Engineer with expertise in Resource Management.

Thomas Quinn, P.E., Cincinnati - Private consultant in environmental engineering. Cincinnati Metropolitan Sewer District of Greater Cincinnati, Hamilton County, Director from 1992 to 1998. City of Indianapolis, Advanced Wastewater Treatment, Administrator 1984 to 1992. Division of Pure Waters for Monroe County, Rochester, New York, Chief of Technical Operations. Co-authored numerous papers on water quality, sludge management and automation in the wastewater treatment industry.

Marilyn Wall, Cincinnati - Rivers Unlimited, Vice President and board member. Ohio Citizen Action, Vice President and active volunteer. Environmental Community Organization, founder and Chair. Ohio Chapter Sierra Club.

Alternates

Elizabeth Altfater, Columbus - Upper Arlington High School, chemistry and environmental science teacher and supervises the Ohio Natural Heritage River project on the Scioto. Consulting firm in Columbus, city environmental planner.

Bob Carl, Marietta - Darby Creek Association, former Chair. Past Rivers Unlimited trustee.

Backgrounds on Mike Fremont, Lewis Barbini, Rachael Belz, R. Hunt Brawley, Douglas Hill, Susan Knight, Justine Magsig, Marshal Moser, Carolyn Mural, and W. Todd Nein were listed in the Summer issue of Rivers Quarterly. For another copy of that issue, please call the Rivers Unlimited office at (513) 761-4003.

Rivers Unlimited

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Bob Carl, *Marietta*



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River Protection Organization*

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River Resource Economics Studies

This ongoing project is gaining national attention and the assistance of foundations and universities.

For those new to this subject, which we have discussed in *Rivers Quarterly* since beginning work on it with Ohio State University in 1997 – here's what these studies mean: as a powerful inducement to restore rivers, methodology derived from these studies allows communities to determine if restoration of their degraded streams to near-natural scenic corridors with clean water will benefit them economically, beyond the cost of restoration.

In 2000 we completed the Muskingum River study of an operative septic system, a greenway extension from Zanesville to Marietta, enactment of zoning in one county and repair of antique locks, all of which would bring more money into the regional economy than they would cost.

In 2001 we completed a study of Farming Practices and Community Water Treatment Costs in the Maumee Basin, originally with an eye to what it cost to remove pesticide from drinking water supplies; next to determine the effect of turbidity on treatment costs. This was an intensive, 2-year study which showed that although reducing pesticide use in the Maumee Basin would save treatment plants money, so also would reduced turbidity. Reducing turbidity would mean reducing tillage. Other factors determining cost are water storage capacity and treatment plant volume, farmland erosion rates, effect of non-farmed land etc. Carbon particle treatment is used for algae and other foreign matter removal and taste improvement as well as pesticide filtration. For information on this study call us or Dr. Lynn Forster at OSU, Forster.4@osu.edu or (614) 292-6340.

We have on staff Radha Ayalasomayajula, a resource economist who has worked on these studies since 1997. She is coordinating ongoing studies of dam removal (or renewal) at the Ballville Dam near Fremont on the Sandusky River. She has a desk at OSU at (614) 292-2853, email rayalas@hotmail.com. We will have the cooperation of Michigan's Department of Natural Resources in this investigation, which will involve 3 other dams, a big one and little one in Michigan and a little one in Ohio.

Stephen Irvin is working on Part 2 of a water quality cost methodology which should serve the public well, since we effectively do not recognize that polluting water has any cost to the general public as long as the "designated uses" are not lost. One thing is proven so far, and that is that the

public is more willing to pay to restore degraded waters than maintain clean waters. Until now the economic factor, which is what American business is all about, hasn't been taken into account in water quality decisions, which we would say is the reason 40% of our state and national waters are not fishable or swimmable. Radha is also working with Stephen on this study, to be complete June 30th.

These are extremely promising studies. We haven't encouraged much outside interest in them until we have a little more information together. Nearby the office however we are looking at the costs of doing a study on the Hamilton and Butler county stretch of the Great Miami and a study on the polluted urban Mill Creek of Cincinnati. Let us know if you're interested! ♦



Water Quality

(cont. from front page)

aquatic life and human health, set forth in OAC 3745-1-07 will not be exceeded." That implies that even though it degrades the water, there is no loss to society, no cost. We disagree.

This year our work with Ohio State University will have developed a methodology for determining the cost to the public of increased pollution of a river stretch so that this can become an integral part of the decision of Ohio (or any state) to grant or deny permits to pollute. Once we can calculate the costs of increased waste loading, externalized upon landowners along a stream and the general public, some affected communities will say no! We expect that will hasten the cleanups.

We see nothing in OEPA's planning, agenda or staffing to give confidence that cleanup is advancing. By "Executive Order", Surface Water funding for FY 2002 will be cut \$591,000 or 6%. RU expects to prove that investing to make rivers clean, with scenic corridors, will increase Ohio's economy and make that \$591K look trivial! ♦

Sabotage!

We are preparing to drop 25% of the positions in ODNR, including 11 persons in DNAP.

Have you noticed what is happening all too quietly during Ohio's present budget crunch? The environment, that's what makes the land between the Lake and the River a decent place to work and live, is having its protective agencies raided. At least that's the way it appears.

The Ohio Division of Natural Areas and Preserves, under the Ohio Department of Natural Resources, is one of the oldest programs of its kind in the country. Ohio's State Wild and Scenic Rivers program is also part of the division. Other states modeled their programs after and we have built a staff of experts and a very useful body of data on Ohio's best remaining lands along with the rare, endangered, and other species that occupy them. A very popular program, it is unusual in that part of it is supported directly by the taxpayers through the "Tax Checkoff Program." The program administers Ohio's wide variety of over 100 state nature preserves.

This investment in irreplaceable real estate, records of Ohio's natural history, brainpower and experience is now being disproportionately jeopardized by large outbacks in staff and programs. This agency actually helps private and public organizations conduct wise planning on the landscape by recording where the sensitive areas are and has thereby certainly prevented various conflicts that we may never know about.

It appears a similar hit is being taken by the Ohio Environmental Protection agency, down 6% for surface water funding alone (that's what we fish in, swim in and sometimes drink). Their unenviable but necessary job of serving as check against unwise development, is not only underappreciated, it appears to be loathed by other powers in our government to the point where OEPA will not be able to do much to protect the environment but carry the name.

Do you see that this shortsighted setup has potential to do great harm to Ohio, not just its image, but the reality of its waters, air, food, and landscapes? We need some smart planning by our leaders who will recognize the economic value of a healthy Ohio while on their search for the almighty dollar. We're giving our prized natural resources away to the developers and highwaymen. Do we have to go through another cycle of public outrages like a dying Lake Erie or a river that catches fire?

What to do? **Write and call!** But go higher up than ODNR and OEPA. We know they have good people who don't want to see their agency's demise. (Sam Speck, Director of DNR was the author of the bill that created the Division of Natural Areas and Preserves.) Go to the Governor, and especially your State Senators and Representatives. That's where the trouble is -- they make the decisions! ♦

New York Times

Editor publishes RU's July 17 response.

SPA Delays Further Rules of Clinton Era - was a July 17th headline of the New York Times. It has to do with putting off enforcement of TMDL cleanups until 2003 while the Bush Administration reviews the Clinton-imposed rules.

We replied as follows:

Saving Our Rivers

To the Editor:

Re "Conservatives and Congress Fight U.S. Aid for Rivers" (news article, Dec. 26): The American Heritage Rivers Initiative is very likely in the public interest. The way to sell it to doubters is to demonstrate that the benefits exceed the costs — in dollars.

Forty percent of the nation's waters are not fishable or swimmable, so the potential of restoration is colossal. Resource economics studies will verify the confidence of those working with rivers that these modest initiative investments — to clean up waters and make their corridors scenic — really pay off.

MIKE FREMONT
President, Rivers Unlimited
Cincinnati, Dec. 26, 1999

THE NEW YORK TIMES EDITORIALS/LETTERS SUNDAY, JANUARY 2, 2000



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In Ohio the loss is about \$600,000,000 a year in sport fishing's economic contribution alone. Does the Bush Administration really believe it is acting in the national economic interest to delay cleanup? Is there an intelligent economist on their staff? ♦

Citizens Speak Up to Ohio EPA

How the Ohio EPA's failure to enforce environmental laws has affected Ohio citizens.



If you've tried to protect a wetland, stop a stream from being channelized or tried to stop factory pollution, you've likely dealt with the Ohio EPA. Citizens across Ohio have found the Ohio EPA to be a consistent roadblock to environmental protection.

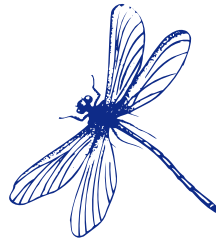
On November 13, over 300 citizens took off school and work and came to Columbus to tell USEPA their stories and are now providing follow up testimony to the USEPA. We heard from citizens who had:

- ... experienced the dismay of having raw sewage in their basements and yards due to illegal sanitary sewer systems. In violation of the law, Ohio EPA allowed more homes and businesses to be built and connected to these systems, worsening the pollution.
- ... tried to get Ohio EPA to investigate fumes from factories. They were routinely told the company had no problems and no permit violations. Yet after pressuring the agency, and sometimes conducting their own citizen air sampling, they found that the factories were major polluters operating without permits for these emissions.
- ... found that companies were applying for permits and negotiating with the agency, sometimes for years, but citizens could not get copies of the permit applications from the Ohio EPA. These applications are supposed to be public documents, but the companies stated they contained trade secrets. Rather than evaluate whether or not these were bona fide trade secrets, the Ohio EPA allowed the companies to keep the entire applications and their revisions secret. After repeated requests for the permit applications, the agency finally got "sanitized" copies which claimed information as confidential, even though some of that information is publicly available elsewhere.
- ... tried to stop pollution from factory farms that had no water pollution permits. Despite the Ohio EPA's agreement a year ago to issue pollution permits for factory farms, only a handful have been issued.
- ... tried to stop nuisance odors from factory farms. These nuisances are illegal, yet Ohio EPA has yet to take action to stop them
- ... tried to stop pollution at factories which had expired permits and repeated violations with no Notice of Violation letters sent to the factory.
- ... found that the agency staff, even when they wanted to help citizens, were stymied by their own computer systems which were out of date, had bad data, and created erroneous calculations.
- ... discovered permits, that should have been issued for very large facilities 5 years ago, still were not even available in draft form.
- ... discovered draft permits for large facilities, where months and in some cases years went by without issuance in final form, making the permits unenforceable.
- ... found that the number of inspections declined, even at facilities which had repeat exceedances and complaints. When told that was because staff was shifted to other areas, like issuing permits, the citizens discovered that the numbers of permits issued still hadn't gone up!

Despite the Ohio EPA's agreement a year ago to issue pollution permits for factory farms, only a handful have been issued.

The list goes on. We have filed our final comments with USEPA on their response to our petition. ♦

Local River UPdates



Great Miami River

The Friends of the Great Miami have been actively evaluating and assessing what issues are affecting the river, the river corridor and the aquifer (underground water supply).

Gravel mining along and in the river has emerged as a predominant factor in degrading water quality, aquifer safety and streambanks. Aquifer safety? The aquifer (from which well water is drawn) is fed by the river and filtered through river bottom sediments, sand and gravel. Much of that filtration is in the top few inches of the river bed. When that is removed in instream mining, polluted river waters percolate right through into the aquifer.

Ohio Senate Bill 83 addressing surface mining has passed both Senate and House subcommittees as well as the full Senate. It's currently under review after the House subcommittee recommended some minor changes. While the bill falls short of the restrictions and monitoring we believe necessary to regulate this industry in our waterways, it's a significant improvement over the current mish-mash of agencies who claim no responsibility for oversight. At its best, this legislation would require permitting every 2 years instead of every 10, with mandatory monitoring by ODNR's Division of Mining & Reclamation. At its worst it does little to restrict permit holders from instream mining, in the main channel of the river. FOGM's position is to back this bill as there is no competing, superior legislation proposed.

Some years ago *Chevron* acquired the former Gulf Refinery at Hooven, along the Great Miami. It has a really "intoxicated" floodplain where its tank farm used to be and for several years has been undergoing remediation. FOGM is considering becoming a land trust to steward restoration. It's an extensive property and its aquifer is at risk.

Redevelopment of Western Hamilton County has been ordained by the County Commissioners, to the dismay of many who fear the loss of their clean air, beautiful quiet, forested surroundings and traffic-free quality of life. Protecting the river corridor is key to retaining and improving the residential quality of life there. While planners agree, political realities have a way of interfering with good planning. There needs to be a protective forested buffer between the river and roads, buildings, dumps, mining, junkyards, composting operations etc. FOGM takes its place as a prime protector of waterways with Little Miami, Inc. and the Mill Creek Restoration Project, and joins Oxbow Inc. and Citizens Land Conservancy of Western Hamilton County in improving quality of life, the environment and the regional economy. A clean river with a scenic corridor

can just by "being there" contribute millions to the economy, increase tax base, protect water supplies and offer quality recreation.

Intuitively, the river could be a real magnet for fishing, boating, hiking, biking, picnicking, birding and swimming. The way to find out would be to have a resource economics study done. FOGM is researching the possibility of funding such a study with Rivers Unlimited and the Ohio State University. Ask FOGM, 513-761-4003 for copy of a paper on this by Rivers Unlimited.

On the Wilhelm farm property in Colerain Township, Vice President David Styer with colleagues put together an inventory of flora and fauna. FOGM is working with the Township Trustees to designate the land for use as a park and/or wildlife refuge.

The next few months will prove critical to the organization as we move to become the primary watchdog for the protection of the Great Miami River.

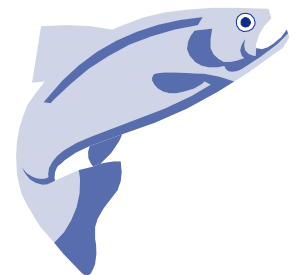
The Ohio River

Ohio River Advocacy is the name of a new organization to, as we see it, improve and restore the Ohio River, its tributaries and in effect its watershed. In August a group deliberated early steps to be taken, one of which is to influence the Ohio River Ecosystem

Restoration Program of the Army Corps of Engineers. This plan includes (almost as if it were a rider on a congressional bill) the expansion of existing Myers and Ellis dams to increase their auxiliary locks to accommodate 1200-foot barge trains, same as the main locks do. These two locks can only accept 600-foot tows now.

This new construction would be extremely expensive and of course is only to take barges when the main locks are under repair - seldom. For this, we taxpayers are expected to further subsidize the bargers by giving them a super highway where they don't even have to occasionally break up a 1200-footer into two 600-footers to get through the locks.

The Ohio River Ecosystem Restoration is being held hostage to Myers and Ellis lock works, so that if the



Local River

(cont. from Page 6)

individual states don't buy into the restoration (there is probably 65-35% federal versus non-fed cost sharing) the Corps will say, well, just give us the lock expansions. The Corps will be happy to get that. We at RU believe the Corps is quite incapable of dealing with ecosystems - the states and consultants can do better, and in the public interest, not the interest of the Corps' "keep busy" and empire building proclivities (see RU's Summer 2001 Rivers Quarterly Journal).

What is the "Ecosystem Restoration"? In the 1950's Congress ordained that the Corps build 20 high dams along the Ohio River to replace the 50 low-head dams along the 981 mile river, thus making it much faster for barge trains to lock through. That was an enormous subsidy. This process raised the pool level (its normal level in dry months) by 35 feet at Cannelton, IN and by 13 feet at Cincinnati between dams etc. A few big steps replacing lots of little ones. This permanently flooded many islands, covered a lot of former floodplain and backed up many tributaries for several miles changing the habitat, residential and commercial situations.

Facts from Patty Morrison of the U.S. Fish and Wildlife Service:

- ✓ The Ohio River has the richest freshwater mussel system in the world. There are about 50 species. Many have been lost. There are 5 federally endangered species left, and they are threatened by zebra mussels as well as our own intrusions.
- ✓ There are 38 islands left out of the 58 preexisting the high dams.
- ✓ 65% of the forested floodplain is gone.

Facts from Alan Vicory, Executive Director and Chief Engineer of ORSANCO, Ohio River Valley Water Sanitation Commission:

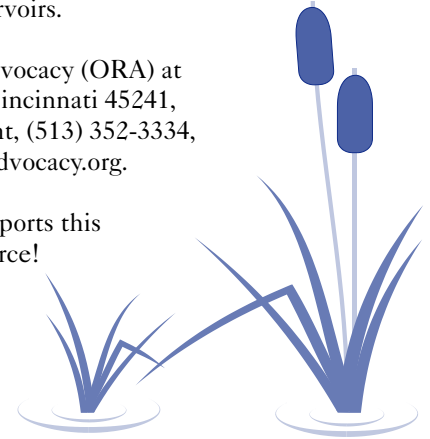
- ✓ The Ohio carries over ten times the freight of the Great Lakes.
- ✓ It makes up 30% of the flow of the Mississippi..
- ✓ It receives 12% of the nation's combined sewer overflows.

Back there in the dam-building 60's through 80's, these habitats, species and wildlife population losses were not acknowledged as "costs" that should affect construction a) decisions or b) practices. The "benefits" of increased river transportation were exploited without the full understanding that this was a big subsidy to one mode - like rail right-of-ways and interstate highways. Maybe there's a rough parity, but the dam system never got a respectable benefit-cost assessment.

Note that if the river carries that much tonnage, most of it fuel, the river could be shut down by terrorist activity pretty quick. We responded to an email from Russia seeking advice on how to protect dams from terrorist sabotage. Disclaiming expertise, we suggested that more low dams would be safer, and they could store water underground in tunnels instead of above-ground reservoirs.

Reach Ohio River Advocacy (ORA) at
4480 Classic Drive, Cincinnati 45241,
Rich Cogen, President, (513) 352-3334,
or rcogen@ohioriveradvocacy.org.

RU endorses and supports this much-needed new force!



The Toussaint River

The Toussaint River in Ottawa County enters Lake Erie east of the mouth of the Portage, in a marsh, wildlife area and a few miles northeast of military Camp Perry. Since about 1910 the Camp has been testing big guns by firing shells into Lake Erie near the beach. About 20% (!) of the shells didn't explode and remain theoretically alive, up to 150 mm or about 6 inches in diameter.

Official word got out that this "unexploded ordnance" or UXO was dangerous and should be avoided, no use of cell phones even, which caused the marinas and cottages to be deserted - hundreds of them - and the local economy to tank. It is a great walleye fishery. The fish don't seem to set off the UXO.

Storms and lake currents move the UXO onto beaches and up the river, children may play with rounds or walk on them in the shallows, they get picked up with anchors but amazingly no one has yet been hurt.

We were driven over UXO areas in a pontoon boat without incident and vowed to help. Never seen this before! Need critical mass of political pressure - local, state and national - need to show actual effect on the regional economy. There are several technical, legal and organizational steps to take.

It is neither just nor wise to make this superb wildlife and recreational spot a national sacrifice area. It should be cleaned up at public expense and the affected businesses compensated. They are bearing the externalized cost of our military preparedness. Another Vieques as it were! ♦

Ohio Natural Heritage Rivers System

*What is the significance of ONHR designation?
Listen to our supporters opinions ...*

Ecoservices wrote:

“Please accept this letter of support ... to continue and expand the ONHR

Pike Run had significance beyond the stream itself. Some thirty other like projects are being planned by the Allen County Engineer. Other counties of the Maumee’s Great Black Swamp country are watching.

Rivers Unlimited ... had a program tailor-made for this type of battle - Ohio Natural Heritage Rivers. Designation as an ONHR stream raised the visibility of the project which confounded local officials. The project took on statewide significance, as it should.

Although Rivers Unlimited sometimes says that ONHR designation is symbolic, rather than legal, it had real effects. Officials had to closely look at the what and why of the designation. Why would citizens “do this to them?” Yes, they did not like the potential for bad publicity, but they were also forced to look at the stream differently. It is a resource people care for and are willing to take action to protect. Designation turned out to be a reason to oppose channelization that was cited frequently by those who are not themselves members of RU or ONHR”.

and from the *Friends of the Great Miami:*

“We are a citizen-based education and advocacy group established to conserve, restore and enhance the Great Miami River System for the benefit of wildlife, residents and the public interest.

FOGM is a member of the Ohio Natural Heritage River System and through that connection was provided training in strategic planning and board development that helped us identify those projects that will help us protect the Great Miami River. Specifically we seek to save the river from the adverse effects of activities such as gravel mining and landfills ...

In addition we are seeking methods by which FOGM can replicate the Muskingum River Economic Restoration Study. We believe the river is tied intimately to the economy of the region. Any economic development plans need to include the proper restoration of the stream. There has been much discussion over the past several years of establishing increased parklands, greenways, bikepaths and recreational usages.

In short, the Ohio Natural Heritage River System has been a positive and constructive force for our organization.”

Concerned Citizens of Spring Valley:

“Only recently CCSV was given Heritage status as part of the Ohio Natural Heritage River System. We requested to be part of the program because we thought it would be an important tool for our local non-profit organization

whose mission is to protect and enhance sites of scenic, natural, and historic value within Spring Valley Township. We thought the award might assist our efforts to contest the decision of our Board of Zoning Appeals to allow a gravel mine to operate on the banks of the Little Miami River - a state and national scenic river. In addition, we believe our participation in the program will help us persuade our zoning commission to develop a conservation overlay along the corridor of the river. The program will also lend credibility to our efforts to preserve and enhance other features of our township which are of historic, natural and scenic value. These include the Accommodation Line Scenic Byway (which crosses the river), and the Little Miami Bike Trail. We also hope that it will indirectly help us in our efforts to restore and rejuvenate the village of Spring Valley, the whole main street of which is on the National Register of Historic Places.

I am writing to express our support for your efforts to raise funds for this program. It has the potential to provide citizens with important tools for protecting rivers within the state of Ohio.”

Community 20/20:

“For the past year and a half Community 20/20 has been working with Rivers Unlimited to restore the Muskingum River in Southeast Ohio. Through RU’s Ohio Natural Heritage River Program, Community

In short, the Ohio Natural Heritage River System has been a positive and constructive force for our organization.

Designation (cont. from Page 8)

20/20 has helped develop the Washington County Friends of the Muskingum River which is a group of residents in Washington County committed to improving the condition of the Muskingum River corridor.

Because of the work of Rivers Unlimited and the economic impact study on the Muskingum River conducted by Ohio State University, Community 20/20 was able to submit a Senate Appropriation request of \$3.5 million through Senator DeWine's office for major river corridor improvements along the Muskingum. This request, which is currently before Congress, seeks funds to implement improvements such as forested buffers, continuous greenways, bikepaths, and improved sewer and septic systems which will contribute to the development of a major recreational corridor. The selection of these improvements is based on the findings in the OSU study which have helped to guide and prioritize river restoration efforts in this region. Further development of the OSU study and continued work with Community 20/20 and other river advocates could provide a template for river restoration across the country.

I sincerely hope your organization will continue to support Rivers Unlimited in their efforts. They have already made a dramatic impact on river restoration in this region."

PROOF (Olentangy River):

"I am writing this letter to tell you a little bit about how Rivers Unlimited helped impact a community and a generation through its dedication and diligence of promoting Ohio's rivers

This is when the whole campaign turned around. Rivers Unlimited gave us so much support. They came to our community meetings, walked the river banks with us and gave us advice on how to fight a developer. They provided a wealth of research and intellectual data to assist us. It is subtle and hard to explain but somehow our little community group seemed to have a protector. Soon after our first meetings and reviewing this breathtaking stretch of river, Rivers Unlimited introduced the idea of declaring this section an Ohio Natural Heritage River. This seemed like a great idea since we had a large group that wanted to protect the river but had no idea of how to do it. It also served as political dynamite! We put out press releases and now this section of river was not going to be destroyed without a fight! I believe the designation of this section of river as an Ohio Natural Heritage River by Rivers Unlimited is

what turned the tide.

Rivers Unlimited set up a presentation of the ONHR designation to the members of Columbus City Council to raise public awareness. Not long after, we got the best news of all. The developer pulled out and the City of Columbus Department of Recreation and Parks purchased the land with the intent to always keep the 15 acres as woods We are organizing a river bank cleanup next month This section of river is also included in Rivers Unlimited Note Cards. This has generated much support and increased public awareness that we have such a precious resource right here in the city.

....Community groups almost never win against large corporate developers. I believe we never could have succeeded without Rivers Unlimited support and assistanceRivers Unlimited is out there on the front lines fighting the battles in the trenches. They really are the protector of our rivers...."

Alan Naas:

"On behalf of my entire family I want to express our appreciation to Rivers Unlimited for its efforts to prevent the channelization of Pike Run. I am certain that the designation of the segment which runs through our farm as an Ohio Natural Heritage River was instrumental in stopping a planned channelization which has been in the planning stage for many years.

Rivers Unlimited offered alternatives which would maintain the natural character of the stream for future generations to enjoy. This is especially important in northwest Ohio where there are not a lot of natural areas left. I feel that due to Rivers Unlimited's efforts Pike Run will become a model of how to manage urban floodwaters in a more environmentally friendly manner and thereby prevent the destruction of other creeks, streams and rivers throughout the state"

"Realizing over 40% of Ohio's waters still do not meet the standards set in 1972 by the Clean Water Act and that public education is the key for any further improvements, The Ohio Smallmouth Alliance strongly endorses the effort of Rivers Unlimited and the Ohio Natural Heritage Rivers (ONHR) Program.

Furthermore, as it is the objective of the Ohio Smallmouth Alliance to promote public awareness and protection of our Smallmouth Bass resources and the improvement of water quality goes hand in hand with that goal, we urge everyone statewide to consider and embrace the Ohio Natural Heritage Rivers (ONHR) program for their waters." ♦

Non-Environmental Governance

Ohioans elect their leaders, yet major donors are at the wheel of government.

It may seem that our reports over the last several years have been mostly critical and unfavorable to Ohio's EPA and sometimes to our Department of Natural Resources.

Among these reports include our petition to USEPA to take over pollution permitting because of nonenforcement of the Clean Water Act, RCRA and the Clean Air Act (1997 to present), our sorry history with antidegradation, audit privilege, wretched Brownfields legislation, promise of a new multilane bridge over the Little Miami National Wild and Scenic River, the Cupp Channelization Bill, CAFO regulation taken away from OEPA and given to the Agriculture Department, our state fighting the strengthening of the Clean Air Act (coal-burning power plant smoke with mercury depositing in our watersheds, picked up by fish to their detriment and ours), and other destructive acts we didn't address.

We criticize the leadership: Governor Taft's advisors, aides and OEPA's Director. We do not impugn agency people who want to "restore and maintain the chemical, physical and biological integrity" of Ohio's waters. They follow instructions or they're gone. But the higher-ups in fact do not serve us, the people, but rather the homebuilders, the highway builders, the developers, the steel, paper, oil and chemical plant pollution lobby – major campaign funders as it were, environmental blackmailers too often. If you're concerned about the environment, in fact we're under corporate control. Forget it that WE pay the taxes that support those who supposedly represent us. They might as well be Afghan warlords! And this goes for too many of our legislators both state and national.

We're not politically partisan, we're sustainability, environmentally partisan! If we can hold on to our natural real estate until our rulers either wake up or get voted out ... ♦



Little Darby Creek

From Wildlife Refuge Prospect to Big Dairy Operation?

Little Darby in Madison County, flowing into Big Darby Creek in Franklin County, continues to join the Scioto River at Circleville. Both creeks are National Wild and Scenic Rivers as well as Ohio Scenic Rivers. The Darbies are so species-rich and otherwise environmentally and scenically endowed as to be the only waters in Ohio that were considered as possible "Outstanding National Resource Waters" by Ohio EPA, when we thought we had a chance to protect them from additional pollution.

Development interests have always fought preservation because it limits their freedom to exercise options to build housing tracts, malls, commercial enclaves and the sewers, highways and water lines that would serve them. Maybe a dairy would be better than thousands more houses in the Darby watershed.

A major landowner north of London sold off land that was inside the boundary of the wildlife refuge sought by the U.S. Fish and Wildlife Service and the Nature Conservancy to protect Little Darby Creek's water quality, fish and abundant wildlife. He evidently turned down their offer. The buyer is Vebra-Hoff Dairy Development, said to have built about 30 large dairies in Ohio, Indiana and Michigan. It is likely that the land was sold after it became apparent that the local farmers would have no part of a federally controlled wildlife refuge. So much for local control! And so much for stewardship of our natural resources from our Ohio government!

Note that the cutoff limit for significant environmental controls is 699 cows. V-H has several dairies with that number of cows, clearly to avoid that kind of control. And remember that control is now in the hands of the Ohio Department of Agriculture since the Legislature removed it from the Ohio EPA as a result of Ag lobbying.

If several hundred cows become their near neighbors, these farmers and all the other nearby residents will bear the following costs (in unknown and varying amounts): damage to public health, reduced residential property value, reduced quality of life because of the stink and flies from manure lagoons, spills into watercourses leading to Little Darby even under the best management promised, excessive water drafts plus possible pollution of wells in the aquifer from an excess of manure application.

It would be wonderful to have in Ohio a national model of how to protect a superb natural river from a dairy farm. We challenge Vebra-Hoff to show us how! ♦

Thanks to The Columbus Dispatch for much of this information, the day we go to press!

NANFA!

RU joins forces with NANFA to protect Ohio's native fish.

NANFA stands for the North American Native Fishes Association, established in 1972, the same year as Rivers Unlimited. Their purpose is to conserve these American Native fish (however small or large) and protect and restore their habitats. It is to "advance captive husbandry and the educational, scientific and conservation benefits it affords" as well as to collect native fishes "in a legally and environmentally responsible way for aquaria as a valid use of a natural resource".

We addressed this remarkable, scholarly, amusing and friendly group at its annual meeting at Hocking Hills State Park and explained how river resource economics was key to their fish habitat conservation, and, according to U.S. Fish and Wildlife's Kent Kroonmeyer (*Rivers Quarterly*, Summer 2001) "Economic benefits are the primary issue that will justify and drive river restoration projects in the future, not environmental justifications."

Rob Carillio is NANFA's ultra-capable Ohio Regional Representative, in Warren, Ohio at (330) 393-4448, and dartermann@cboss.com. ♦

RU Speaks Out

The River Management Society has requested an article on our river resource economics work. River Management Society News will feature the Midwest in the forthcoming issue. We addressed their 2000 Symposium in Charleston, SC on this subject. ♦

If you or someone you know is interested in having a Rivers Unlimited speaker for an upcoming function, please call our office; we want to spread the word!

Community

(cont. from front page)

nearby residents and families' health was affected. Next there was a 10,000 pound release. Then a 70,000 pound release, then a 3500 pound release of methanol. Then the rupture of a methanol pipeline. Year after year, over and over, the same story. No action by OEPA.

In 1997 there was a huge explosion, a worker was killed, nearby residents went to the hospital. Documents at the agency show the staff was very worried about their health, but Ohio EPA didn't tell the residents that. Residents should have been evacuated but Ohio EPA did nothing. Protecting the public would have been contrary to their twisted mission. Courageous local residents finally took matters into their own hands and filed a lawsuit to stop Georgia Pacific from making them sick.

Now after decades of inaction by the Ohio EPA, but with the hard work of nearby residents, members of the South Side Community Action Association and a team of lawyers led by Dave Altman and members of his firm filed suit. The legal team, including Mike Colley, Dan Abraham, Rich Pace of Columbus, Lance Himes, Jim Helmer, and Paul Martins, has prevailed in an important legal victory. Columbus Common Pleas Court Judge Jennifer L. Brunner called the settlement exceptional. Residents whose health and property have been adversely affected by Georgia Pacific will receive compensation from a multi-million dollar settlement.

Rivers Unlimited salutes the heroic efforts of the South Side Community Action Association for their leadership and persistence in their 17-year effort to force Georgia Pacific to clean up, make the neighborhood safe and compensate victims of their pollution. Rivers Unlimited also salutes the team for taking on a difficult, time-consuming case at the risk of not being paid for their efforts to bring justice to this community. Without Altman's and the team's hard work, dedication, and integrity, this would never have come about.

There is now a remaining question about groundwater contamination below the plant migrating toward other property owners who were not part of the suit. Will Ohio EPA do its job and require cleanup or will pollution continue forcing other citizens to the courts for action? ♦

Volunteers Wanted!

Call or email us if you would like to help out on river issues anywhere in Ohio – on any particular river. Just let us know and we can maybe pair you up with a suitable project.

If you are in the Cincinnati area, call us; we have interesting stuff to work on! We're at (513) 761-4003; ru@cinternet.net ♦

MEMBERSHIP FORM

EASY MEMBERSHIP! COMPLETE STEPS 1, 2, 3, CLIP AND MAIL.

Yes

I do want to help Rivers Unlimited protect the 61,000 miles of rivers and streams in Ohio from pollutants and other forms of degradation. Use my gift to help the nation's oldest statewide river protection organization continue to protect and restore these scenic waterways which are vital to the health, economy and quality of life in our state.

Here is my tax-deductible contribution of:

1

- \$35 Basic Membership
- \$50 Family or Group Membership
- \$100 River Sustainer
- \$250 River Steward
- \$___ Other

2

Please make your check payable to *Rivers Unlimited* and mail to:

NAME _____

ADDRESS _____

CITY _____ STATE _____ ZIP _____

E-MAIL _____

3

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