

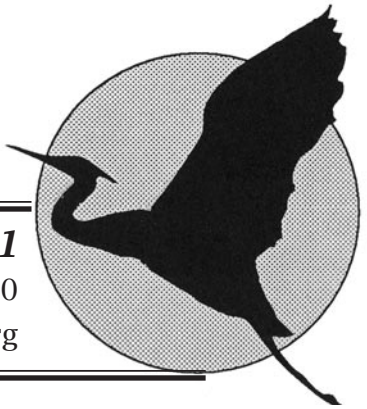
Voice of the Haw



The Haw River Assembly *December 2021*

P.O. Box 187 · Bynum, NC 27228 · (919) 542-5790

email: info@hawriver.org · www.hawriver.org



HRA's Successful Settlement with Greensboro Over 1,4-dioxane Pollution

Since at least 2014, Greensboro's wastewater treatment plant has discharged 1,4-dioxane, a cancer-causing chemical, into South Buffalo Creek, which flows to the Haw River, where downstream Pittsboro gets its drinking water. An agreement finalized last month takes a significant step forward in stopping those discharges. On Thursday, November 18, the Environmental Management Commission agreed to a settlement with Haw River Assembly, Greensboro, and the City of Fayetteville that will reduce pollution; increase monitoring, enforcement, and public awareness; and address basin-wide 1,4-dioxane pollution. Southern Environmental Law Center represented HRA in bringing this challenge in April 2021 against the state's Special Order by Consent, that allowed Greensboro to continue these discharges. We were joined in our legal action by the City of Fayetteville, as the Haw River flows to the Cape Fear River, where Fayetteville and other downstream cities pull their raw drinking water. *continued on page 4*

"The monitoring required under this agreement will identify the industries responsible for these toxic discharges in Greensboro, and put the responsibility of safe and clean water on polluters, instead of on the downstream users."

Emily Sutton, Haw Riverkeeper

Farewell 2021! Heading into 2022 For HRA's 40th Anniversary!

We're looking forward to celebrating our 40 years protecting the Haw River and Jordan Lake in the coming year. It's been quite a ride! Our work over the decades has expanded throughout the watershed, and through new projects as we've fought polluters, conserved river land, and hauled tons of trash from the river, lake, and creek banks. We've brought over 48,000 schoolchildren to experience their river through our Learning Celebration, and recruited hundreds of volunteers to make it happen. Other volunteers have been amazing participants in our citizen science projects such as stream monitoring and Muddy Water Watch. We hope 2022 will see the waning of Covid, and bring back all of our popular events.

For HRA's 39th year, we had a gorgeous day at Jordan Lake on November 13 for our annual membership meeting. Blue skies and autumn leaves made a perfect setting for having lunch together, and kayaking on the lake. We gathered back together at the outdoor Seaforth pavilion for our meeting.

Jason (Crazy Bear) Keck opened the meeting with a beautiful Indigenous blessing, and spoke about the importance of protecting our waters. Chris Carter, long-time president of our Board of Directors (thank you), then led us in introductions. We heard from the almost 50 participants about where they lived in the watershed – from Buffalo Creek in Greensboro down to Robeson Creek in Pittsboro.

Executive Director Elaine Chiosso honored the memory of our now passed Board member, George Pauly, and announced the new lending library of environmental and nature books at HRA's office that were part of George's amazing collection (see page 5 for details). She also announced that George had bequeathed us his house, which we will sell, and use the proceeds to support our work. What a great gift to help us carry on. *continued on page 4*



Photo by Elaine Chiosso

Board member David Jester and his son enjoy kayaking Jordan Lake at the HRA Annual Meeting.

HRA Board of Directors

Chris Carter, President, *Alamance County*
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Dianne Ford, Secretary, *Alamance County*
Jo Sanders, Treasurer, *Chatham County*

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Mac Jordan, Emeritus Member, *Saxapahaw*
Omega Wilson, *Environmental Justice Advisor, Mebane*

HRA Staff

Elaine Chiosso, *Executive Director*
Kyleene Rooks, *Event & Outreach Coordinator*
Emily Sutton, *HAW RIVERKEEPER®*
Carolyn Paden, *Office Manager*
Cynthia Crossen, *Newsletter Editor*

Thanks to **Jan Burger** for art throughout this newsletter: Climate Action Logo, Plastics Campaign Logo, ACP/MVP graphic, and River Watch Heron.

To join the Haw River Assembly or renew your membership, send a check to **HRA, P.O. Box 187, Bynum, NC 27228**; or go online at <http://hawriver.org/join-hra/>.

All contributions are tax-deductible.

Thanks for your support!

Individual: \$30 Family: \$45

Sustaining: \$60 Heron Circle: \$100 & above

Low Income: \$10

The Haw River Assembly is a nonprofit grassroots organization founded in 1982. Our mission is to protect and restore the Haw River, its tributaries, and Jordan Lake; and to build a community that shares this vision.

(919) 542-5790 www.hawriver.org

Notes from the Haw

Hasn't it been a glorious autumn! I'm so thankful to live where nature puts on such a show for us each year, turning the world from green to gold. Now, as winter approaches, is a time to reflect, and find gratitude. The Haw River Assembly is so grateful to all our supporters. As a membership organization, we never take it for granted that your belief in the work we do is important enough that you are a dues paying member. A special shoutout to our River Watch and River Cleanup volunteers who have been continuing this important work throughout the pandemic. We're grateful to our event sponsors, and those making special donations – their gifts sustain us in so many ways. This past year we were bequeathed properties left by two of our Board members who passed away, George Pauly and Ruth Lucier. We are in the process of fixing them up – one to sell and one to keep – and are honored that they left them to us as a last gesture of support for our organization.

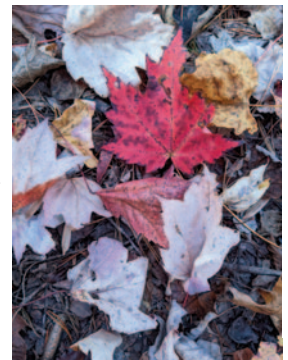
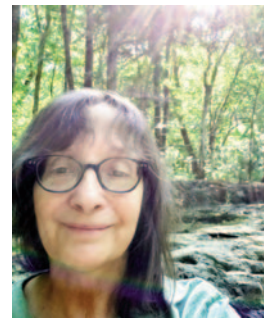
I also want to express gratitude to our Board of Directors and our staff, who do so much! We welcome John Runkle to our Board, a retired environmental attorney who dedicated his career to protecting threatened communities and places in NC. We say a fond farewell to Iris Seaton, who is now attending Warren Wilson College, and much thanks for her time with us. Thanks to ALL of our Board members, many of whom serve on our committees on environmental justice, climate change and more, along with supporting events and overseeing the organization. Emily Sutton, Haw Riverkeeper, has a great reputation in the state for the work she is doing to protect our waters, and Kyleene Rooks has risen with grace to the challenge of continuing our education, outreach, and events in this time of Covid, finding creative uses for online streaming, and organizing some safe outdoor events. We appreciate the behind the scenes work that Carolyn Paden, our office manager/bookkeeper, is doing, and we're always grateful to Cynthia Crossen for producing our newsletter! There's so much to be thankful for.

*Every autumn comes around and fills me with delight,
Watching summer's green turn to gold before my eyes.
But autumn's pretty colors soon fall and fade away,
Leaving this cold December day.*

But, I can see the hills that had been hidden by summer leaves,

And we'll walk again among the winter trees.

*The evergreen of hollies, and the mosses and the ferns,
Will wait with us...until spring returns.*



Photos by Cynthia Crossen

*For the river,
Elaine Chiosso,
Executive Director*





HAW RIVERKEEPER®

Issues in the Watershed

from Emily Sutton, HAW RIVERKEEPER®

The Legacy Pollution of the Burlington Missile Plant – Listening to the Community

Earlier this fall, NC Policy Watch published an article by Lisa Sorg about the abandoned Army missile plant (formerly owned by Western Electric) that has been polluting a low income Black and Latino Burlington neighborhood – and the Haw River watershed – for more than three decades. A shameful lack of action by federal, state and local officials – and private owners, has led to this environmental racism. The Army is responsible for cleaning up the TCE and PCE chemicals below ground at the plant, and beneath the neighborhood, where a plume has migrated through the groundwater and has also contaminated a neighborhood stream. That stream feeds Service Creek and from there, about a third of a mile to the Haw River. We have been discussing strategies for taking action on this problem with others, including the Alamance NAACP EJ Committee and WERA. In early November, Emily Sutton and NC Representative Ricky Hurtado (from Alamance County) spoke about the issue with people in the neighborhood to hear more about their concerns. Though the surrounding community is on Burlington's city water service, we are concerned about exposure to toxins through air pollution and groundwater, which could be reaching adjacent creeks. Emily is making sampling plans to find out more about pollutants in the water in the area surrounding the plant.



Photo by Elaine Chiosso

Haw Riverkeeper Emily Sutton (left), with Board member Kate Fulbright setting out on Jordan Lake at HRA's Annual Meeting.

Burlington: PFAS Our litigation work with Burlington is still ongoing, and we have increased sampling intervals and added new sampling methods to ensure that we are understanding the full issue of PFAS discharges. The City and their lab team have been transparent and eager to identify sources, and have been cooperative with our legal team and lab teams. The levels of PFAS totals coming into the Haw from Burlington's wastewater treatment plant have decreased, but we are continuing to sample each individual trunkline within the Burlington wastewater system for PFAS and pre-cursors of PFAS, which could combine into measurable PFAS compounds in the system, in the sludge, or directly in the river. These lab results can be found on the City of Burlington's website, as well as our HRA website. Once we have fully identified each source, we can address industrial practices within that industry and prevent PFAS, and its precursors, from entering the watershed.



EPA PFAS Strategic Roadmap

In October, EPA Administrator Michael Regan visited Raleigh to unveil a new plan to regulate PFAS compounds over the next five years. This plan is a big step forward, and though much of the stronger pieces of enforcement fall on a longer timeline that we'd like, this plan provides state agencies the tools they need to regulate these compounds right away. However, the NC Department of Environmental Quality has released their own proposed plan that involves many more years of sampling and research before any meaningful regulation occurs.

As early as 2022 under the EPA Roadmap, Effluent Limitation Guidelines would regulate PFAS discharges for certain types of industrial processes. The Roadmap recognizes that PFAS compounds are pollutants that are required to be disclosed in discharge permits (NPDES). Disclosure will not immediately trigger limitations, but is a critical step to understanding PFAS loads discharged into surface waters, and moving towards regulatory limits. Additionally, it changes Unregulated Contaminant Monitoring Rule to now include towns of 3,300 or more (such as Pittsboro) and puts the burden of sampling and

removal on the polluters themselves, a huge step towards industry accountability.

However, this Roadmap has gaps that need to be addressed. Biosolids (sludge from wastewater) are not covered in this plan, other than studying for PFOA and PFOS. However, if all PFAS, and precursors, are included in regulatory action at the industry and wastewater treatment level, this could remove PFAS compounds at the source so they are not reaching our surface waters from runoff of contaminated sludge applied to fields.

Secretary of NCDEQ, Elizabeth Biser, has previously stated that the agency has been waiting on guidance from EPA to start regulating these contaminants. This is the guidance they have been waiting for. The PFAS Strategic Roadmap lays out a timeline for the action plan, but states have the authority to do all of those steps as soon as possible. NCDEQ can act on regulating PFAS compounds right now, without delay.



Donna Chavis delivers the keynote address at the 2021 HRA Annual Meeting.

developed the Principles of Environmental Justice. She used those Principles in her work with communities to stop the proposed Atlantic Coast Pipeline. She spoke to us of the importance of using the term environmental racism, and spoke of current pollution issues such as factory farming methane, MVP, and PFAS, which threaten tribal people and others in our state. She spoke also of the need to see the long view, and for keeping hope alive, and how Rights of Nature can be a path for the changes we need to make happen.

We were honored to have Donna speak to us, and we thank everyone who came out to enjoy the beautiful day with us. Onwards to 2022!

We held elections for our 2022 Board of Directors, re-electing Board members to serve new terms, and we elected John Runkle (pictured at right), who was on our founding board back in 1982. He is a recently retired environmental attorney who represented community groups and local governments on issues such as housing developments, landfills, wastewater treatment plants, power plants, pipelines, and incinerators. John was an important advisor to HRA on several issues. As counsel for NC WARN, the Blue Ridge Environmental Defense League, and other environmental and social justice groups, he appeared before the NC Utilities Commission, the Nuclear Regulatory Commission, and other state and Federal agencies and courts. We welcome him back to our Board!



Kyleene Rooks, our Event and Outreach Coordinator, and Emily Sutton, Haw Riverkeeper, gave us updates on their work this past year. Despite Covid, they have been as busy as ever, creating on-line events, and increasing our monitoring of sediment, CAFO poultry farms, and industrial contaminants.

Our keynote speaker was Donna Chavis, of Pembroke, who is a member of the Lumbee tribe of North Carolina, and has over 40 years of service with non-profits at the local, state, and national level. She currently serves as Senior Climate Campaigner with Friends of the Earth U.S. She is a recognized leader in social and environmental justice change and practice. Donna was a member of the Planning Committee of the First

National People of Color Leadership Summit in 1991, which



Board member Dianne Ford and HRA Executive Director Elaine Chiosso enjoy the sparkling Jordan Lake waters at the HRA Annual Meeting. Photo by Carolyn Paden.

1,4-dioxane Legal Challenge, continued from page 1

1,4-dioxane is a toxin used as a solvent and in degreasers in industrial processes and cannot be removed in traditional drinking water treatment processes. The surface water goal, which is set at a 1 in 1 million lifetime cancer risk, is 0.35 ug/L. The EPA Health Guidance for drinking water is 35 ug/L (considered too high by many scientists). Compare that to levels discharged by Greensboro over the last two years, ranging from 543ug/L and 1,210ug/L.

The City of Greensboro has a responsibility to eliminate these discharges from their industrial users who send wastewater to the city's wastewater treatment plant. Sixty miles downstream in Pittsboro, over 4,000 drinking water users are consuming this industrial toxin. The initial Special Order by Consent, that was the focus of HRA's legal challenge that resulted in the settlement, failed to adequately penalize future discharges or incentivize Greensboro to prevent future releases, and to find out which industries were responsible. We're confident that the monitoring included in the new agreement will enable Greensboro to determine sources of 1,4-dioxane so the city can prevent discharges, including extraordinarily high-level discharges like the one that occurred in November of this year. The agreement's increased penalties will further induce the city to fix this problem. The recent spikes in 1,4-dioxane in the Haw and in downstream drinking water supplies should have never happened; this agreement will provide the information necessary to stop these discharges going forward, and penalties if the city fails to do so.

Though this agreement is focused only on Greensboro, the primary source of 1,4-dioxane pollution in the Haw River basin, the Environmental Management Commission has committed to conduct a comprehensive, basin-wide investigation of 1,4-dioxane discharges throughout the Haw and Cape Fear River basins, and to take action to reduce those discharges. Haw River Assembly will continue to monitor compliance reports with this Special Order by Consent in order to protect the Haw River watershed and our communities that depend on it.

For more information about Haw River Assembly and the Special Order by Consent, visit www.hawriver.org.

HRA's New George Pauly Memorial Lending Library

We have assembled an amazing collection of over 150 books on nature writing, climate, Gaia, ecosystems, field guides, edible and medicinal plants and much more, that belonged to the late George Pauly. We are also growing the collection – so let us know if you have a great nature or environmental book to donate. The books are available for checking out from the office (3 books per 2-month limit). Due to Covid we have not yet returned to regular office hours, but we are usually there Tuesdays and Thursdays from 10 am to 4 pm, or send an email to make an appointment to come browse: info@hawriver.org.



Rights of Nature and Community Rights



On September 23, HRA held an online screening of the film “Invisible Hand”, produced by Mark Ruffalo. This documentary shows communities fighting the “invisible hand” of exploitative capitalism by using Rights of Nature law – a new legal paradigm in western culture. The idea argues that nature holds inalienable rights, and that vital parts of Nature – a river, watershed, or ecosystem – shall be granted personhood in the court of law and be provided with legal standing to defend itself. A group has evolved at HRA to discuss these ideas and how it might apply to our watershed. Because NC is not a “home rule” state where local governments have more control

of local laws, we are also exploring the Community Rights movement. If you are interested in joining our discussions (so far just online) please send a message to info@hawriver.org.

Save the Date for the March 19, 2022 Haw River Clean-Up-A-Thon!

We're planning to host our 32nd Annual Haw River Clean-Up-A-Thon on Saturday, March 19, 2022! So start scouting your clean-up spots along the river or a creek you live near, because we'll have bags and gloves ready for you. Last year 364 volunteers, from 35 different teams and locations, removed 467 bags of trash, 29 tires, and several other large items including box springs, a refrigerator, televisions, car bumpers, and more! Your help as a clean-up volunteer makes a real impact! Since so much of the trash we find is plastic, you're keeping it out of the waters where it is dangerous to aquatic life, and degrades to tiny microplastic pollution.

Sign up forms will be available after the New Year and announced online. Until then, we encourage all our members and volunteers to get out and hike the beautiful trails along the Haw River and Jordan Lake during the holidays. Bring a trash bag with you – if we all pick up a little trash, it adds up to a lot, and keeps it out of our waters.





HRA Outreach and Watershed Education

from Kyleene Rooks (at left),
Outreach & Event Coordinator
(919) 542-5790;
krooks@hawriver.org

Plastics Campaign Updates

Trash Trout!

In January 2022, all 15 of our North Carolina Riverkeepers will begin installation of in-stream litter collection devices (Trash Trout). This follows one year of microplastic sampling throughout the state. In the Haw, our Trash Trout will be placed in Third Fork Creek in Durham off of the American Tobacco Trail greenway. This site was selected with help from volunteers, including Bob Brueckner and his team of volunteers who've collected 21 bags of trash from this exact site since June. We'll be installing this trap to prevent litter from escaping into the streams and ending up in Jordan Lake.

We'll be recruiting volunteers to empty the traps after major rain events, so please contact Emily Sutton at emily@hawriver.org if you'd like to be a part of our team. We'd like to continue to recreate the project in areas of need throughout the watershed, so keep an eye out for streams that need some extra care where trash continues to build up. We will also use this litter collection as a way to inform our advocacy moving forward. We will have volunteers complete basic surveys to provide information on the types of trash that is being collected each month. This will help us move municipalities and businesses to curbing their plastic waste based on our findings.



Local Businesses Can Help Stop Plastic Pollution at the Source!

In efforts to mitigate this issue, the Haw River Assembly has been partnering with local businesses to eliminate single-use plastics in their business models. Make sure you support local businesses that support the health of

our river! Be on the lookout for our campaign's window decal (see the "turtle on a log" above), and support these local businesses working to eliminate the consumption of microplastics – one straw at a time! Meantime Coffee at UNC-CH, and Freehand Market in Saxapahaw, have both been participating since we started this project.



Learning Celebration Update

After postponing our fall 2020 celebration, the Haw River Assembly has decided that this spring 2021 we will work with schools to put on a modified version of the Learning Celebration. On several Fridays in March, April, and May, HRA will be hosting in-person field trips at local parks, streams, and schools to share our love for our river with fourth-grade students throughout the watershed! We need your help! Folks who are interested in volunteering for our modified spring Learning Celebration should reach out to LC Coordinator Kyleene Rooks at krooks@hawriver.org.



The Learning Celebration community enjoys a September swim together in Bynum, followed by a delicious potluck at the HRA office. Photo by Cynthia Crossen



River Watch Updates

We have a new team led by Andrew Torlage on Neville Creek, west of Chapel Hill, that has joined our River Watch project, and we have four new teams interested, with a training scheduled in January, weather permitting. We are looking for at least one new volunteer to join the team that monitors the Haw River below Hwy 64 in Chatham County. This is the team formerly led by George Pauly, with Maja Krickner now taking over. Let us know if you want to join them (four monitoring dates per year) – contact Kyleene Rooks at krooks@hawriver.org. Thanks to all our River Watch teams and their dedication to gathering the data we need to know the health of our creeks and the river!



Sustainable Holidays – Sustainable Growers!

The holiday season is in full swing, and if you and your family will be eating meat, there is still time to support sustainable meat production.

Waterkeepers across the state have banded together to create a pledge to avoid meat produced in Contained Animal Feeding Operations (CAFO), which result in some of North Carolina's most challenging water quality issues. In the Haw River watershed, we're fortunate to have so many alternatives to industrial animal production, and we encourage you to support our farmers who are choosing to raise our foods in ways that minimize harm to our water, air, and communities. See the list and map of farmers on our website at:

<https://hawriver.org/river-issues/cafo-campaign/>



Join in *climate action* at the local level, while staying up to date with state and national campaigns and news. Check out our webpage for information on how climate change is impacting our local watershed, and actions you can take to stop fossil fuel, and to protect our waters and forests: <https://hawriver.org/home/climate-action-campaign/>.

Our 2021 T-Shirt — Crawdad!

The "crayfish", by Clyde Jones, is on a light blue organic cotton T-shirt, produced by T.S. Designs of Burlington, using their environmentally friendly process. Shirts are available online from HRA. Check our website to order: www.hawriver.org.



\$25 (adult) S, M, L, XL (sorry, no XXL)
\$25 (women's style) S, M, L, XL
\$20 (youth) S, M, XL

Or, mail a check to HRA, P.O. Box 187, Bynum NC, 27228. Add \$5 per shirt for shipping and transaction fee.



Photo by Elaine Chiosso

Upcoming 2021-22 HRA Events

December 18-19, 2021 Haw River Watch Monitoring weekends. Our volunteers monitor water quality on creeks or sections of the river, recording changes over time and notifying us of pollution incidents. Find out more on our website at Programs/River Watch, or contact Emily Sutton, Haw Riverkeeper emily@hawriver.org.

January 2022 (TBA), Haw River Watch Training Days. Check back on our website for details.

Saturday, March 19, 2022, Haw River Assembly Annual River Clean-Up-a-Thon. See details on page 5.

April 22, 2022, Earth Day

May 7, 2022, Haw River Festival in Saxapahaw. We hope to return to our wonderful in-person Festival on the Haw next spring!

And — **Saturdays on the Haw are coming back!** We'll be celebrating our river once a month with members like you!

Check out our 2022 schedule at
<https://hawriver.org/saturdays-on-the-haw/>

For **paddle trips on the Haw River** contact our partners Haw River Canoe and Kayak Company, hawrivercanoe.com, and Frog Hollow Outdoors, froghollowoutdoors.com.

Updates and details can be found at www.hawriver.org, on our Haw River Assembly Facebook page, and from our weekly E-newsletters which you can sign up for at info@hawriver.org.



*We're wishing everyone a healthy and safe holiday season.
May the coming year bring you joy, peace,
and the beauty of the river.*



**March 19, 2022 –
HRA Clean-up-a-thon!**

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