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DEAR FRIENDS OF RIVERKEEPER,

Energy – how it is produced and how it is consumed – has quickly ascended onto the world stage as the defining issue of the 21st century, which is particularly disquieting given that a compelling argument could be made that water – its scarcity and quality — will, in fact, be the defining issue.

Americans, who make up a mere 5% of the world's population, account for over 25% of the world's energy use, and consequently, over a quarter of the planet's green house gas emissions. The impacts associated with fossil fuel use have become epidemic. Our addiction to oil is driving much of America's failed foreign policy, causing war, funding terrorists, polluting our air and water, destabilizing American democracy, and most frightening of all, warming our planet – possibly irreversibly.

While we waste energy without a thought or a care — and our leaders in Washington fight to protect the narrow financial interests of big oil and nuclear power — other countries are devoting themselves to figuring out how to use energy more efficiently and to radically reduce their contribution to global warming. Not only are Europe and Japan taking responsibility for the collective mess we've made but they are going to profit from it economically as they develop new technologies and markets that allow us to use energy more efficiently and to produce it more sustainably.

Fortunately, a growing number of forward-looking states and companies – backed by an increasingly alarmed and engaged citizenry – are taking matters into their own hands and coming up with solutions to America's energy crisis. In our cover story, Indian Point campaign director Lisa Rainwater describes the impact our current short-sighted energy policy is having on the Hudson and on our communities and outlines specific ways in which Riverkeeper members can do their part to change our energy habits while helping America re-establish its historic role as an innovator and global leader.

In this issue of *Riverkeeper*, we preview the upcoming fight to stop Entergy from receiving a license extension that would allow the out-of-state energy company to operate the chronically malfunctioning Indian Point plant for another 25-plus years. The bad news is that this is it: if we don't succeed in the next two years in either convincing the NRC to deny Entergy a new license or in convincing Entergy to negotiate a settlement, our valiant struggle to close Indian Point will be over and New Yorkers will have to live with the threat of a catastrophic accident for another generation. The good news is that we can win and have both the political and public support necessary to prevail. But it's going to take a focused and concerted effort and we'll need your support to carry us to victory.

On other fronts, Robert Goldstein, our Hudson River program director, showcases our exciting new relationship with the Columbia Graduate School of Architecture, Planning and Preservation. This fall a select group of the School's graduate students and faculty will be helping us craft guidelines that we can use to encourage more thoughtful development along the waterfront – projects that incorporate green design and minimize the impact these multi-use developments have on the watershed and the local communities that host them.

This issue's *Unsung Hero* is Judith Enck, Attorney General Eliot Spitzer's stalwart champion of environmental causes. As you will learn, we could have no better friend fighting for our right for a clean environment than the humble but brilliant Judith Enck.

As always, I am grateful to all of you for your ongoing support and generosity in helping Riverkeeper fight the good fight to protect our environment, our health, and ultimately our democracy.



— Alex Matthiessen, Hudson Riverkeeper & President



Riverkeeper is the official publication of Riverkeeper, Inc., an independent, member-supported environmental organization. Founded in 1966 by fishermen and community members to confront polluters for control of the Hudson River, Riverkeeper has investigated and successfully prosecuted more than 300 environmental lawbreakers and has guided the establishment of 156 Waterkeeper programs across the nation and beyond. Riverkeeper is a registered trademark and service mark of Riverkeeper, Inc. All rights reserved.

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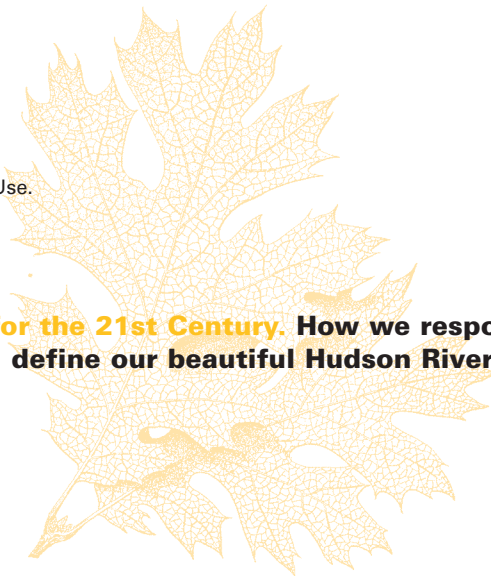
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Cover art: Daniel Baxter 2006



Watershed news is an update of Riverkeeper's efforts to protect New York City's drinking water supply.

COURTESY OF TOM ALWORTH

Belleayre and Beyond

Watershed Team Looks Westward

Riverkeeper's efforts to preserve and protect the New York City Watershed began in 1987, with the recognition that the watershed provides high quality, unfiltered drinking water to more than half the population of New York State. It is now a central component of our mission to safeguard the integrity of water resources critical to the Hudson River Valley and New York City.

BY CHRISTOPHER WILDE

In recent years, a primary focus of our attention in the West-of-Hudson portion of the watershed has been fighting a mammoth resort development in the Catskill Mountains that would lie within the watersheds of two of the system's reservoirs. As proposed, this development would claim nearly 600 acres of the most fragile part of the mountain, drastically changing the landscape for hikers, backpackers, birders, and others who look to enjoy the beauty and "forever wild" characteristics of the Catskill State Park. In addition, the mutation of this landscape would be catastrophic to the surrounding areas. Of particular concern is the risk of increased turbidity – or cloudiness of water that impacts water quality for drinking and fishing – that could result from

such widespread construction on steep slopes and the permanent conversion of forested mountainsides to buildings, parking lots, and golf courses.

Specifically, the developer of this proposal is seeking to build a 573-acre resort on the steep slopes and mountain-ridges that constitute the eastern and western sides of the New York State-owned and operated Belleayre Mountain Ski Center. The proposed destruction of approximately 275,000 trees would make room for two 18-hole golf courses, two large hotels, several hundred time share units, and other commercial facilities, with a total of 99 separate buildings, including two sewage treatment plants. The developer would turn eighty-five acres of forested land into paved surfaces, such as roadways, driveways and rooftops.

Not surprisingly, this is the largest development proposal in the history of the Catskill Park. It is far from the kind of development projects that are consistent with the 1997 Watershed Memorandum of Agreement.

Together with ten other local, regional, and national groups, Riverkeeper has spent the last several years in a battle against this ill-conceived development. In September 2003, a 7,000-page Draft Environmental Impact Statement for the proposal was released, upon which Riverkeeper and many others submitted extensive comments outlining the variety of omissions, scientifically invalid assumptions and conclusions, and other shortcomings in the document. The following summer, Riverkeeper and ten other groups formed the Catskill Preservation

ALTHOUGH OUR FIGHT AGAINST THE BELLEAYRE PROJECT IS CURRENTLY THE MOST PROMINENT AND TIME-SENSITIVE EFFORT AMONG OUR CASES IN THE WEST-OF-HUDSON, THERE IS NO QUESTION MORE OF OUR TIME AND RESOURCES WILL BE DEVOTED THERE AS DEVELOPMENT PRESSURES IN THE CATSKILLS REGION ESCALATE...

Coalition (CPC), to participate with full party status in the Issues Conference, an administrative process to challenge the Draft Environmental Impact Statement and draft project permits.

Through the course of a four-month Issues Conference, the CPC, through its expert witnesses, identified a variety of “substantive and significant” issues deserving of further testimony and cross-examination of experts. In September 2005, the Administrative Law Judge (ALJ) of the New York State Department of Environmental Conservation issued a ruling that would require this further inquiry in an administrative trial, or adjudication, of twelve issues in connection with the proposed Belleayre Resort at Catskill Park. The twelve issues to be held over for adjudication were:

- Water Supply and Groundwater and Surface Water Impacts
- Aquatic Habitat Impacts
- Stormwater Impacts
- Impacts to the Catskill Forest Preserve
- Impacts to Wildlife
- Noise Impacts
- Traffic Impacts
- Visual Impacts

- Impacts to Community Character
- Secondary and Induced Growth Impacts
- Cumulative Impacts
- Alternatives

That the exhaustive ruling touched on such wide-ranging issues makes clear the array of potential impacts of this project, and their need for adjudication spoke volumes on the developer’s utter failure to sufficiently minimize, mitigate, or even explain such impacts.

Shortly following this ruling, U.S. Representative Maurice Hinchey, a longtime defender of the Catskills whose district includes much of the potentially affected area, proposed an alternative. Congressman Hinchey recognized that the project as envisioned threatens the character, natural resources, and quality of life of the Catskills. He also recognized that the ALJ ruling represented an important, though procedural, decision and sought to advance a potential resolution. The Congressman’s proposal includes permanent protection of the eastern portion of the project site which would be sold by the developer for inclusion into the Catskill Forest Preserve. Protection of the eastern portion is critically

important given its proximity to existing wilderness areas and because it contains steep slopes that drain into waters essential for recreational fishing and for the New York City drinking water supply. The proposal also envisions an environmentally sound development project on the western portion of the project site that would be in keeping with the scale and character of surrounding areas and the rural nature of the Catskills at large. Riverkeeper and the other members of the CPC have supported this proposal in concept.

Since Congressman Hinchey’s alternative was proposed, a growing collection of concerned agencies, including the New York City Department of Environmental Protection (DEP) and Region 2 of the U.S. Environmental Protection Agency (EPA), have also expressed support for the need to permanently protect the eastern portion of the site while considering the concept of a less intrusive project on the western portion. Chief among the concerns of both DEP and EPA is the possible runoff of turbid stormwater into the Catskills water supply from the eastern side, particularly where that portion of the

water supply has already reached a turbidity crisis point.

Meanwhile, Riverkeeper and the rest of the CPC continue the legal fight against the Belleayre Resort, wherein the Commissioner of DEC will rule on appeals to the ALJ’s 2005 ruling, ultimately deciding which issues will move forward for what would be a lengthy adjudicatory hearing requiring extensive legal and scientific expertise on CPC’s behalf. Riverkeeper deeply appreciates the continuing support of its members in this long but critically important effort to preserve the Catskills’ precious resources. For more information on how to help, please visit <https://secure.ga3.org/05/catskills>.

Although our fight against the Belleayre project is the most prominent and time-sensitive effort among our cases in the West-of-Hudson, there is no question more of our time and resources will be devoted there as development pressures in the Catskills region escalate, as the turbidity problems that threaten water quality persist, and as EPA considers extending the City’s filtration waiver for the Cat-Del system early in 2007. ■

The New York Community Trust: *A Partner in*

For more than a decade, The New York Community Trust has provided bedrock support for Riverkeeper to safeguard the upstate watersheds that supply drinking water to more than nine million residents of New York City and the Hudson Valley.

Through the Henry Philip Kraft Family Memorial Fund, the Trust has helped Riverkeeper to build a robust program dedicated to watershed protection. What began in the early 1990s as a project with one staff member is now a full-fledged department comprising three attorneys and a scientist. Riverkeeper's Watershed Program staff work closely with other members of the Clean Drinking Water Coalition.

"The New York Community Trust's longstanding support

has increased Riverkeeper's capacity and our effectiveness as an advocate for and enforcer of stronger federal, state, and local laws, and a catalyst for grassroots action in the watersheds," said Alex Matthiessen, Riverkeeper's President. "The consistency with which the Trust has supported us has allowed us to forecast our resources and develop longer-term campaigns focused on systemic change. We consider the Trust a partner in our watershed protection program, and on behalf of the millions of people that program serves, we are very grateful."

"Since we began our New York City environment grant program in the mid-1980s, protecting the quality of the City's drinking water supply has been a priority," said

Patricia Jenny, program director at the Trust. "More than a century ago, City leaders created one of the world's largest and best drinking water systems, now one of our greatest assets. Riverkeeper's legal and scientific efforts to protect this asset are a very important part of our commitment to ensure that the City's water continues to set the standard."

The Trust was among the first foundations to support Riverkeeper's watershed protection efforts, helping us to hire a "Reservoir Keeper" in the early 1990s to help call attention to New York State's and New York City's neglect of the City's upstate reservoirs; and to advocate on behalf of drinking water consumers. Subsequent grants helped Riverkeeper to build a staff to

The Trust was among the first foundations to support Riverkeeper's watershed protection efforts.

implement and enforce the 1997 Watershed Memorandum of Agreement, a comprehensive landmark agreement among the Clean Drinking Water Coalition and local, state, and federal officials that provides resources and a framework for protecting the drinking water supply in its unfiltered state.

Recent grants from the Trust have supported Riverkeeper's anti-sprawl campaign in Putnam and northern Westchester

Riverkeeper Joins with Columbia to Consider Responsible River Development

BY ROBERT GOLDSTEIN, *GENERAL COUNSEL*, AND MAURA YATES, *HUDSON RIVER PROGRAM INTERN*

The current, most insidious threat to the Hudson Valley is the imprudent redevelopment of former industrial space along the River and its tributaries. The ecological integrity of the Hudson Valley is being compromised by development that has spun out of control. There are at least 15,000 units now being developed or in the planning process in Hudson Riverfront towns — Yonkers alone is engaged in processes that will develop 6,000 waterfront units. And that is only along the Hudson! Countless developments are in the various

stages along its tributaries. While many of these developments are slated for former industrial sites or "Brownfields," market pressures are also placing undeveloped "Greenfield" parcels at risk of development.

Why now? You only have to view the River from almost any vantage point to see the reasons for this surge in development. It is remarkably beautiful and dramatically cleaner than it has been in years.

Development is not necessarily a negative if it is done responsibly. Riverkeeper feels that projects should be designed to offset any detri-

ments to the ecological integrity of the Hudson River watershed, and ideally provide a net gain in environmental quality. Development on existing Brownfields may provide these benefits if several critical preliminary conditions are met. These include: (1) a complete assessment of the conditions on-site, followed by a comprehensive and closely scrutinized remediation tailored to remove contaminants from the site rather than cap them; (2) a site plan that is appropriate in magnitude for the community; and (3) the conduct of a complete (and honest) environmen-

tal impact analysis including consideration of local waterfront revitalization issues. It should be noted that none of these conditions will justify the development of Greenfields, which Riverkeeper stresses should be slotted for preservation rather than any development.

Responsible Brownfield redevelopment is such an integral part of creating and maintaining a sustainable Hudson River Valley that Riverkeeper has enlisted the expertise of the faculty and students at the Columbia University Graduate School of Architecture,

Watershed Protection

Counties, in which the Croton portion of the watershed is located. With the help of the Trust, Riverkeeper has researched and published a study on the environmental, economic, and social impacts of sprawl-styled development and conducted extensive outreach on the study to elected and appointed officials, watershed residents, business owners, and other stakeholders. In 2005 we made presentations of the study before more than half of the town boards in the Croton watershed.

This year the Trust is supporting the next phase of Riverkeeper's anti-sprawl campaign which will engage watershed communities in the development and implementation of solutions to sprawl. Riverkeeper has conducted

successful public workshops attended by elected officials, developers, and residents on solutions to sprawl, and we are working on a second volume of the report focused on these solutions. The report will provide the basis for a vigorous grassroots campaign at the local, state, and federal levels. The Trust is also continuing its support of our ongoing review of development projects in the watershed and our work with local community groups to address those projects that threaten drinking water resources.

Riverkeeper thanks The New York Community Trust for its commitment to drinking water protection for New York City residents, and for its support of our Watershed Program. ■

Planning and Preservation. Emulating our existing long-term successful relationship with the Pace Law School Environmental Litigation Clinic, and our fledgling association with Columbia Law School's Environmental Clinic, this new partnership will supplement Riverkeeper's Hudson River team with the finest minds in architecture and urban design. Columbia's fall 2006 design studio, the vehicle for this pairing, will focus on creating solutions to current design and land-use issues that affect the Hudson River Estuary. Through the use of real-life case studies, graduate students – architects all — will look at various urban design models, using them to address development issues and concerns in the watershed.

After preliminary analysis, Columbia University and Riverkeeper recognize that in order for the waterfront to be protected, three tiers of "location," or scales, must be addressed: the immediate waterfront, the local municipality, and the entire watershed. The formulation of new, complex models using the three-tiered scale will be the guiding force behind the joint effort. This approach will ensure the most effective and comprehensive – as well as unique – advance in urban design and planning customized to defend the watershed's ecological integrity, while mapping a sustainable and practical strategy for dealing with the future's predictable development pressures. ■

WATERSHED DEVELOPMENT PROJECTS UPDATE

The watershed team continues to work on a number of intensive sprawl development projects, including:

■ PATTERSON CROSSING

A voluminous Draft Environmental Impact Statement (DEIS) was released in late summer, allowing us to significantly ramp up our efforts regarding a project that as currently envisioned is a massive half-million-square-foot big box retail center with some 2,000 parking spaces straddling the towns of Kent and Patterson. We have serious concerns regarding the level of impervious surfaces, potential stormwater impacts to both the Middle and East Branch Reservoirs, and insufficient consideration of alternatives, among others. Our written comments and those expressed at the public hearings will fully reflect the multitude of potential impacts we discover in an extensive review of the DEIS.

■ STATELINE RETAIL CENTER

In mid-summer Riverkeeper submitted comments on the scoping document for Stateline, a proposed 183,000-square-foot shopping center in Southeast, including a 135,000 square-foot 'anchor' which is yet to be announced, located just 600 feet from the East Branch Reservoir. Though the project does not currently consider impacts to steep slopes or wetlands, its proximity to the reservoir, as well as its sheer scope, remain of concern. As the review process for the project unfolds, Riverkeeper will advocate for a reduced footprint, alternatives to large impervious parking lots, and innovative stormwater controls, among other improvements.

■ GATEWAY SUMMIT/THE FAIRWAYS

A Final Environmental Impact Statement (FEIS) for this multi-use project located in Carmel was released in late summer. The project in its initial form included a mix of commercial and residential use on 190 acres to include a hotel and conference center, roughly 250 units of assisted living/senior housing, retail and office space, and a YMCA. In part through Riverkeeper's advocacy, the developer scaled back the project from its original incarnation by reducing impervious surface by 20%, disturbance on 20% and higher slopes by nearly 60%, and overall site disturbance by over 40 acres. Through review and comment on the FEIS, we will continue to advocate for additional refinements and reduced impacts where possible.

■ WESTCHESTER COUNTY AIRPORT

In mid-summer we submitted comments on a scoping document for a number of proposed activities at the Westchester County Airport, which is sited in close proximity to the Kensico Reservoir through which 90% of the water supply flows. In those comments, we expressed serious concerns with potential water quality impacts of several proposed safety, environmental, and security 'improvements' at the airport. We will continue to participate closely in the environmental review process for these activities going forward.

BY WILLIAM WEGNER

After more than half a century of widespread use of road salt in North America, the environmental impacts of salt application have come under scrutiny by environmental and scientific communities as well as regulators and legislators. Long-term deposition of millions of tons of salt on impervious road surfaces has resulted in roadside habitat degradation, wildlife kills and drinking water quality impacts. According to the National Research Council, road salt use in the United States ranges as high as 12 million tons per year, with Massachusetts, New Hampshire and New York reporting the highest salt loadings.

An examination of New York City's unfiltered drinking water supply reveals that groundwater discharge accounts for up to 60% of total annual stream flow in the 2,000-square-mile watershed and that infiltration is the most common mechanism for road salt to enter groundwater supplies. This has resulted in contamination of private drinking water wells and measurable salinity in freshwater stream base flows. There are approximately 6,000 miles of paved roadways in the watershed, where, according to the United States Geological Survey (USGS), road salt application ranges from 37 to 298 tons per lane-mile per year. Two-lane town, county and state roads receive 37 tons per lane-mile per year. The Taconic State Parkway, which travels through three watershed sub-basins in the Croton watershed, receives 75 tons per lane-mile per year. Interstate 84 travels through two sub-basins in the Croton watershed and receives 298 tons per lane-mile per year.

The New York City Department of Environmental Protection's 2004 Watershed Water Quality Annual Report states: "... most of the [Croton Watershed] reservoirs have displayed steady increases in conductivity since the early 1990s, most likely associated with development pressure in the watershed, e.g. increased use of road salt." In fact, a recent study by the USGS reported that if road-salting practices continue at their present rate in the northeastern United States, many freshwater streams will be too saline for use as drinking water supplies within the next century.

Riverkeeper Partners With Municipalities to Reduce Road Salt Use in the East-of-Hudson Watershed

Impacts of road salt on soils, vegetation, wildlife, aquatic biota, human health, and infrastructure are well documented. Elevated sodium and chloride levels in soils create osmotic imbalances in plants, a process that inhibits water absorption and reduces root growth. Damage to vegetation degrades wildlife habitat by destroying food resources, habitat corridors, shelter and breeding or nesting sites. In freshwater ecosystems, salinity stresses aquatic communities and inhibits the natural processing of leaf litter. In humans, excess dietary sodium is associated with hypertension, and up to 30% of the U.S. population may have borderline to pronounced hypertension. This amounts to nearly three million New Yorkers who are potentially affected by road salt loading into the drinking water supplies. In addition to the public health and environmental problems associated with chloride salt deicers, the corrosivity of road salt adversely impacts motor vehicles and infrastructure, with corrosion protection measures in new bridges and the repairing of old bridges estimated to cost snowbelt states \$250-\$650 million per year.

These findings compelled Riverkeeper's Watershed Team to research potential salt contamination of water supplies and cost-effective alternative deicing management practices in the East-of-Hudson Watershed. In addition, we explored partnering with East-of-Hudson municipalities to document existing practices, learn what reduction practices are being implemented, and pilot test some of the road salt alternatives.

In July, the Watershed Team met with Westchester County Executive Andrew Spano and the Westchester town supervisors to discuss implementation of a countywide program to monitor road salt application on a town-by-town basis. The County agreed to act as a repository for the data and to

map it in Geographic Information System (GIS) format on its website. To generate meaningful data, we developed a plan to collect records of weather conditions during snow and ice operations, whether operators are pre-wetting or spreading road salt, the types and amounts of deicers used, and how many miles each driver logs during each snow event. It is also important to know the air temperature and time of application so that we can cross-reference that information with meteorological data for any given storm. This will allow Riverkeeper and the Westchester municipalities to track road salt application and determine which deicing management practices require less salt application than others.

In August, the Watershed Team attended a second meeting with the Westchester County town supervisors, the town highway superintendents, and the New York State Department of Transportation (NYSDOT) to further outline the program goals and to structure uniform data collection practices. The Westchester County Planning Department chaired the meeting, and the town highway superintendents offered to form a task force to develop program procedures and a timeline for our next winter season. The Watershed Team also was invited to present a lecture on the environmental impacts of road salt at NYSDOT's snow and ice operations seminar in October.

While many communities claim reductions in road salt use in recent years, no data has been collected to document these claims. In late September, Senator Vincent Leibell (R-Westchester, Putnam and Dutchess) secured \$121,000 that will be used to install new temperature sensor equipment on highway department trucks in the Town of Somers and allow Riverkeeper to collect data and assess alternative de-icing equipment and methods against current practices. The truck-mounted sensors measure pavement surface temperature which results in reduced road salt applications when colder air temperature readings would otherwise suggest the need for salting. The pilot project in Somers should inspire other communities to collect and share similar data. This way, the best technology available can be applied to enhance the protection of our freshwater ecosystems and drinking water supplies. ■

What We Do and How You Can Help

Founded in 1966 by fishermen and community members to confront polluters for control of the Hudson River, Riverkeeper has investigated and successfully prosecuted more than three hundred environmental lawbreakers and is credited with having led the battle to restore the Hudson River and to save New York City's drinking water supply. Today, the Hudson River is the only major estuary on the Atlantic coast of the United States that still retains spawning stocks of all its native fish species. Riverkeeper has helped to establish globally recognized standards for waterway and watershed protection and serves as model and mentor for the growing Waterkeeper movement that includes more than 156 Keeper programs across the country. Please visit our website at www.riverkeeper.org.

How We Operate

Through citizen complaints and our own investigations, we root out polluters and other threats to the Hudson and New York City watershed. We rely on Pace University Law School's Environmental Litigation Clinic to help bring them to justice. With Robert F. Kennedy, Jr. and Karl S. Coplan at the helm, 10 students work as attorneys each semester bringing lawsuits against polluters. The students receive special permission from New York State to practice and provide Riverkeeper with the equivalent of as much as \$1 million in legal services each year.

Ways to Contribute

By joining Riverkeeper you become part of a community of people fighting to protect the Hudson River from pollution and harmful development. Membership benefits are offered at varying levels. Donors under \$500 receive a Riverkeeper bumper sticker, a subscription to the Riverkeeper semi-annual newsletter and invitations to select member events. In addition to the above, Atlantic Sturgeon members (\$500-\$999) receive name recognition in the Riverkeeper newsletter and a DVD copy of *Swim for the River*, a 2006 documentary chronicling the first swim of the entire length of the Hudson River. Hudson River Stewards (\$1,000-\$4,999) receive a Riverkeeper picnic blanket. Hudson River Falcons (\$5,000-\$9,999) receive a copy of *Hudson River Journey, Images from Lake Tear of the Clouds to New York Harbor*, with the introduction written by Alex Matthiessen, Hudson Riverkeeper and President.

When making cash contributions, check to see if your company matches charitable contributions by employees. It could double your gift to Riverkeeper. For more information about contributing to Riverkeeper, please contact Allison Chamberlain in the Development Office at 914-478-4501, ext. 232.

Gifts of Stock

Gifts of appreciated securities are an effective way to help Riverkeeper and realize significant tax advantages at the same time. To find out more about contributing stock, contact Riverkeeper's Development Office, at 914-478-4501.

Charitable Estate Planning

If you wish to ensure the protection of the Hudson for future generations, consider remembering Riverkeeper in your will. The proper designation is:

"To Riverkeeper, Inc., a not-for-profit, tax exempt organization incorporated by the laws of the state of New York in 1983, having as its address 828 South Broadway, Tarrytown, New York 10591-6602. I hereby give and bequeath _____ to be used for Riverkeeper's general purposes."

For additional information about planned giving opportunities, please contact Riverkeeper's Development Office, at 914-478-4501.

How to Join

To join Riverkeeper, simply fill out the form below and mail it along with your contribution to: Riverkeeper, 828 South Broadway, Tarrytown, NY 10591-6602. Please check the appropriate box and fill in the amount below or log on to our website at www.riverkeeper.org.

- Blue Crabunder \$100
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Enclosed is my check or credit card authorization for \$ _____

I would like to charge my contribution on my:

VISA MC AMEX Exp. Date ___/___/___

Card # _____

Name as it appears on card _____

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Address _____ Business Address _____

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e-mail _____ Business e-mail _____

Please sign me up for Riverkeeper's Activist Listserv. I want to be notified by e-mail about public hearings, letter-writing campaigns and other activist events. My e-mail addresses are included below.

REENERGIZING NEW YORK for the 21st CENTURY

ENERGY.

IT IS THE DEFINING ISSUE OF
OUR CENTURY. WE NEED IT. WARS
ARE FOUGHT OVER IT. AND IT COMES AT
A TERRIBLY HIGH COST. HOW WE RESPOND
TO OUR ENERGY NEEDS WILL DEFINE OUR
BEAUTIFUL HUDSON RIVER, FROM LAKE TEAR
OF THE CLOUDS TO THE BATTERY, AND WHO WE
ARE AS A PEOPLE.

WE AT RIVERKEEPER EMBRACE THIS CHALLENGE
FOR ALL THAT IT MEANS TO US AND OUR WORK
– AND URGE YOU TO JOIN US AS WE FACE
THIS ENERGY DILEMMA THAT CAN NO
LONGER BE IGNORED.

THAT IS WHAT REENERGIZING
NEW YORK IS ALL ABOUT.

by Lisa Rainwater

At the core of Riverkeeper's forty-year history has been a deep-seated concern over the impact human beings and the industries they run have on one of the most valuable and beautiful waterways in all of North America: the Hudson River. In the 1960's a strong band of citizens comprised of commercial and recreational fishermen witnessed grave impacts on the Hudson River fisheries from a variety of industries, including power plants, auto factories, and manufacturing plants. With steadfast civic action, the group spearheaded efforts to stop the construction of a power plant deep within the belly of Storm King Mountain. Riverkeeper's predecessor, the Hudson River Fishermen's Association, as the group became known, was successful at stopping the power plant. Their actions were instrumental in carving out federal environmental laws that now protect our waterways from becoming industrial sewers.

While the health of the Hudson River has come a long way in the last forty years, threats to the River and its watershed persist. Raw sewage continues to seep into the river from points up and down the Hudson every time it rains. Power plants – large and small – continue to use outdated technologies to draw water from the River and in the process kill billions of fish, eggs and larvae annually. And small and large industry continues to dump in the Hudson, often until they are discovered by Riverkeeper's boat patrol and are then forced to stop and remediate.

On the horizon is another growing threat to the Hudson

River and its environs. As the population has expanded, the suburbs have expanded with it. What once were considered rural areas have now been swallowed up under the rubric of the 'greater New York metropolitan area,' leading to massive housing developments, mega mall proposals, asphalt strip malls, and once bucolic landscapes now subdivided and dotted with mammoth mansions. With these new 'developments' comes an insatiable need to satisfy the energy demands of buildings and people who didn't exist ten or twenty years ago. This ever-

or we can choose to use energy wisely – decreasing our reliance on dirty energy and decreasing our wasteful behaviors that directly impact the River and the environment that we will soon hand over to our children.

Energy has given us some of the most important advances in all humankind – but it's also come at a terribly high price. If we are to continue to make improvements to the River we love and the world in which we live, Riverkeeper sees only one sustainable option available: Smart Energy production and use. We now need to strive

only to protect our River, but also to protect the very environment that helps sustain it and us. As the 2006 National Academy of Sciences study on Indian Point made clear, there are no technological impediments to changing the way we get energy. Realizing this, Riverkeeper is focusing now more than ever on energy issues, how it's produced, and how it's used. We believe this last piece of the puzzle, which may be the most difficult, is the piece that will ensure that our River, its watershed, and its human population remain healthy for decades to come.

Riverkeeper is focusing now more than ever on energy issues, how it's produced, and how it's used. We believe this last piece of the puzzle, which may be the most difficult, is the piece that will ensure that our River, its watershed, and its human population remain healthy for decades to come.

growing quest for more energy has startling implications for the health of the Hudson River, its watershed, and the people who call it home.

The Quest For Energy

Like much of the county, New York is facing an energy dilemma. And like much of the country, how we, as a community of New Yorkers, choose to address this energy dilemma will have short- and long-term ramifications for our families and our environment. We can choose to consume energy with a mounting, voracious appetite – increasing the number of power plants and their impacts on the Hudson River and increasing our detrimental contributions to global warming,

and put all our resources into the effort to reduce the costs of energy production and energy use on our environment and on our health. That's what *Reenergizing New York* is all about – using state-of-the-art technologies to meet our energy needs and simultaneously benefiting our local communities and the environment we need to survive.

From power plants to sewage treatment plants to housing development projects, Riverkeeper has tried through the years to focus on as many sources of pollution impacting the Hudson River as possible. With the 21st century fully underway, a comprehensive energy plan has become a solid component of our strategy, not

An added bonus, of course, is that in this transition Indian Point, along with the dangers it poses to the Hudson Valley and New York City, will become an obsolete form of energy production that will only serve as a reminder of a bygone era.

In launching our *Reenergize New York Campaign*, we are in many ways harkening back to our roots. We don't support the building of dirty power plants to whet our energy appetite, and we definitely don't support a twenty-year license extension for the Indian Point nuclear power plant that continues to suck in billions of gallons of Hudson River water a day. There are myriad alter-

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natives to antiquated, large-scale, dirty forms of energy production, and, like our predecessors, we stand charged to protect the Hudson River. At this juncture, it entails the quest for (and commitment to) safe, reliable, affordable energy sources.

The Time is Nigh

It's been nearly seven years since New York rang in the new millennium, and in that time our worldview has changed. The terrorist attacks of September 11, 2001 brought the world together, if but for a brief moment, to mourn with New York and the rest of the country. Within the next year, the United States government embarked on a "global war on terror," leaving a trail fraught with tremendous

loss of life, unstable geopolitical regions, and a mounting debt placed heavily on the shoulders of our children. Oil prices have soared, forcing sectors of the American population to choose between paying heating bills or buying food and medication. The federal government's attempt to 'handle' the emergency hurricane crisis in the Gulf a year ago was feeble and misguided, raising more questions than answers as to its ability to handle an emergency of any size, much less a nuclear one. The term "global warming" has now entered the vernacular, in part because of Vice-President Al Gore's recent film, but also because people have an innate ability to see and understand the truth, despite repeated attempts to keep us in the dark.

All of these factors have converged into one looming issue facing all Americans, young and old: energy. How will we

address our increasing energy demands? How will we be able to afford such demands? How will we begin to decrease these demands? How will we be able to reduce our CO2 emissions in hopes of halting the devastating effects of global warming? How can we avoid high risks associated with antiquated forms of energy? How will we again become world leaders in innovative, safe technologies that can be exported to other parts of the world?

Unfortunately, with the passage of the Energy Policy Act of 2005, Congress missed the opportunity, not only to take into consideration all that has happened in recent years, but also to address these critical questions. As the Union of Concerned Scientists noted, "Congress chose to largely follow the path of a 19th century fossil-fuel past instead of crafting an energy bill for the 21st century that would lead us to a clean energy future." If there had ever been a time when the energy future of America could have been led down a new, clean, secure path, it was 2005. Instead, the \$12.3 billion energy bill maintains the status quo – providing huge tax breaks

and financial incentives to traditional (read fossil fuel and nuclear) energy producers already amassing all-time high profits. It does little to reduce our dependence on foreign oil, fails to address global warming, and provides paltry incentives for renewable energy.

But that doesn't mean we should give up hope. Across

the country people are starting to talk – *and act*. People who have never thought about energy are talking about wind farms and solar panels. Farmers have begun to lease small parcels of land for clean, renewable wind turbines; homeowners are cashing in on state rebates for solar panels faster than states can fill the orders. People who have never considered themselves 'environmentalists' are talking about the impacts of global warming. Consumers are trading in their gas-guzzling automobiles for hybrids and fuel-efficient vehicles. People who have never thought about where their energy comes from are talking to their electricity providers and demanding 'renewable-only' energy options. And they're purchasing it when available.

Throughout American history, the federal government has failed the public. Throughout American history, states and local governments have stepped in to fill the gaps and right the wrongs. Throughout American history, citizens have banded together to force policy change when policymakers can't seem to do it on their own.

The time is nigh for change – big change.

And the Empire State is set to take the lead in transforming how energy is produced and used in this country.

Reenergizing New York – Smart Energy Production

Implementing a comprehensive, all-inclusive energy plan for New York State would be a home run for the next governor, for securing safe and reliable energy is critical to the social, environmental, and



SLEEK SOLAR PANELS DRAW ENERGY FROM THE SUN ON THIS HOME.

can be implemented in New York State today. These technologies are not only safe and reliable but they also greatly lessen the need to lay large transmission lines through our neighborhoods and the Hudson River, since they can often be sited in close proximity to where the energy is needed most. A sound energy plan that seeks to phase out large, polluting power plants in the coming decades will go a long way in igniting the renewable energy sector and ensuring that future

hands of New Yorkers, because all the windmills in the world won't negate the social and economic costs associated with energy if we continue to increase consumption of energy at the current rate. Smart energy use – a combination of energy efficiency and energy conservation measures – is key to reducing the need for large power plants, protecting the Hudson River from pollution and fishkills, and reducing our contributions to global warming. Luckily, there are myriad

economic future of the State of New York. This plan should include changes in how energy is produced and how energy is used.

One of the most important ways to greatly diminish the cost of energy production on society and our environment is to change the way it is produced. New York State should begin to move away from relying solely on large power plants to generate electricity. Do we really want to depend on archaic technologies that pump poisonous gases into our air, that generate radioactive waste known to be deadly for 300,000 years, that destroy our fisheries, that leak radioactive poisons into our groundwater, and that fill our fish with mercury? The federal government may have opted to continue subsidizing the coal and nuclear industries, but the State has the ability and the responsibility to step in and provide incentives for increased renewable energy production. Financial incentives, the repowering of dirty power plants, long-term power purchase agreements, solar rebates for residential and commercial properties, real net-metering

for commercial properties, and renewable energy certificates are but a few means with which to encourage safer and cleaner alternatives to the current forms of energy production in New York.

The NYS Renewable Portfolio Standard (RPS), adopted by the Public Service Commission in September 2004, requires that a minimum of 25% of the State's electricity demands are generated from renewable energy sources by 2013. We have seven years to meet this standard – and according to NYS Comptroller Alan Hevesi's report, the benefits will be enormous, flooding the market with up to 43,000 high-paying new jobs, generating revenue for farmers, reducing public health care costs, jump-starting in-state investments, broadening the tax base, diminishing pollution, and stabilizing energy prices for consumers.

Wind, solar, biomass, and geothermal are safe, reliable, and viable technologies that

generations won't be plagued with polluted air and water, decimated fish populations, and additional tons of deadly radioactive waste sitting on the banks of the Hudson River.

During the first six years of the new millennium, we have unfortunately seen little progress towards changing the way we produce energy in New York State. With the clock continuing to tick on reaching the targeted goal of 25% renewables by 2013 – coincidentally the end of Indian Point 2's operating license – the next governor must act quickly and resolutely in bringing renewable energy to New York. He also needs to know, however, that the public stands behind him, because how we produce energy in New York is only one piece of the energy puzzle.

Reenergizing New York – Smart Energy Use

The other piece of the energy puzzle is how we use energy. It is this piece that lies in the

ways we, as New Yorkers, can take a proactive role in reenergizing New York in order to ensure a safe, secure, and reliable energy future for our children and our children's children.

And, New Yorkers have already proven their tenacity and civic commitment to Smart Energy use. This August, during the record-breaking heat wave, Mayor Bloomberg issued a proclamation to city dwellers, requesting that everyone conserve energy in order to ensure energy reliability during the hottest days. New Yorkers banded together and conserved energy – doing their part to avoid what could have been a week's worth of unstable electricity supply. With energy bills continuing to rise and the planet's delicate system continuing to become less stable, there is no better time than now to consider how we use energy on a daily basis – not just during the dog days of summer – and to change our behavior accordingly. If we all do our part,

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Throughout American history, citizens have banded together to force policy change when policymakers can't seem to do it on their own.

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small changes at home and at work can bring huge payoffs – economically and environmentally.

For Our Future

This fall Riverkeeper calls on our members, elected officials, and the general public to join us in making significant changes in how we use energy in New York and how we produce energy in New York. For five years, tens of thousands of New Yorkers have signaled their wish to see Indian Point closed. Twenty million people live within a fifty-mile radius of the nuclear plant that sits a

mere twenty-four miles from New York City. If each of us did our part to practice Smart Energy use, we could make great strides in diminishing Indian Point's antiquated contribution to New York's energy supply. The less energy we use, the less energy needs to be produced.

New York could become the leader in 21st century renewable energy production and Smart Energy use, returning us to a state deserving of the title "The Empire State." Our new governor needs to know that New Yorkers stand committed to weaning ourselves from energy sources that are unsafe, pose security risks, damage our

environment, and contribute to global warming. Our new governor also needs to know that as individuals, we are willing to change our energy behaviors – even in the smallest ways – to reduce our energy demands and thereby limit the number of new, polluting plants from coming online in the future.

Changing the way we use energy and changing the way energy is produced in the Empire State are critical to achieving this goal. The benefits reaped from this action plan are numerous, including protecting our River, saving money, reducing our contributions to global warming, bringing high-paying jobs to New

York State, and showing our children how to be responsible and active community members.

We encourage you to visit our website throughout the fall to learn more about our *Reenergize New York Campaign*, and how you can make a difference. If New York State leaders and residents all do our part, we can continue to protect the Hudson River, its fisheries, and its watershed, while leaving a legacy of beauty and serenity to our children. If a band of fishermen could come together and halt a power plant forty years ago, surely we can come together and commit to a Smart Energy plan for the next forty *and beyond*. ■

GET STARTED NOW! REENERGIZE!

SMART EFFICIENCY

- **Buy and/or replace appliances and technological equipment with Energy Star products.** These items use less energy while performing the same functions. The federal government even offers tax rebates on some Energy Star purchases. To learn more go to www.energystar.gov.
- **Replace incandescent light bulbs with compact fluorescent bulbs.** The bulbs may cost a bit more, but they last up to five years and reduce your energy bill significantly.
- **Spring clean year round.** Keeping the vents on your appliances free of dust and debris enables them to run more efficiently, requiring less energy to keep your food cold and to wash your clothes.
- **Install a low-flow faucet on your showerhead.** You won't feel the difference in the shower, but your water heater won't have to work as hard to keep large volumes of water hot.

SMART CONSERVATION

- **Turn up your thermostat.** By setting your air conditioner or central air two degrees higher than your current setting, you greatly reduce your energy use without sweating during those hot summer days.
- **Keep doors and windows closed when using air conditioning.** Businesses, in particular, often prop doors open to lure customers in during hot days. If you see a business cooling the outdoors, ask to see the manager and explain the importance of Smart Energy use.
- **Think before you use an appliance.** Hang clothes to dry, handwash dishes and decide what you want before you open the refrigerator.
- **Unplug energy vampires, when not needed.** The conveniences of modern day life have brought with them a mountain of tiny gadgets that need to be charged. The chargers continue to draw energy even if the device is not plugged in. (This also applies to television sets, cable boxes, computers, and other common electrical equipment found in the modern home.)
- **Install a smart metering device to monitor your energy use.** Smart meters show the consumer when energy demand is high and low. Keeping track of fluctuations not only tells you when it's best to run your appliances but also reduces strains on the grid.

THE COMMON SENSE CONSPIRACY

by Dar Williams

Conspiracy? Yes, of course there is a conspiracy against this country's energy security, and the name of its mastermind is Business as Usual. It's only common sense. Right now, Business as Usual is fighting hard for its right to prosper and thrive as it has done for the last hundred and fifty years. It's throwing kids on the T.V. screen to tell us that we have an almost infinite amount of coal in our very own country (c'mon and use it already, you crazy grown-ups!), it's writing elaborate scripts to unhinge the logical connection between high gas prices and high individual profits, it's sounding like a concerned team player, and it smiles condescendingly at the idea that renewable energy could ever compete with its energy source. The proponents of Business as Usual will speak clearly yet passionately about the sovereignty of traditional, extractable energy. They may even believe what they are saying. It's where they come from. It's who their friends are.

But if we love our mighty river mightily, and we do, then we ourselves, consumers and constituents, must see past Business as Usual and become passionate about controlling our own energy future, not only because of global warming, but also because energy issues are river issues. Indian Point fills the Hudson River with two-and-a-half billion gallons of boiling super-heated water every day, which wreaks havoc on the river's ecosystem, with or without the strontium and tritium leaks, and it's not the only plant that does so. Roseton, Bowline and Damskammer are a few of the other power plants on the river that cool themselves by transferring their waste heat to the Hudson. And, of course, they release

The truth is, now is the perfect time to participate in conservation, efficiency and renewable energy in our small businesses, families, schools, and places of worship.

an unacceptable amount of pollutants into the Hudson Valley air.

Riverkeeper has been in a constant battle to make these power plants safer, cleaner, and more accountable, and now it's taking on the issue of energy use itself, and we can help. I encourage everyone who loves the Hudson River to embrace lowered energy consumption and to research and invest in renewable energy.

We are in a race against time. We're up against the re-licensing of a rickety nuclear plant. We're up against a federal government that cynically recognizes "climate change" as an excuse to exhort the use of even more nuclear energy, while also shrugging and pointing out that we'll need more fossil fuel plants, too. We're up against a propaganda machine that tells us that solar energy is inefficient and that wind turbines are ugly, loud, bird killers. And speaking of inflated and conflated stories, though, I should mention that soon we'll also be pressured to equate recent blackouts in Queens caused by ConEd's maintenance failures with the need for more power plants, or certainly for keeping our present ones up and running. And we'll be told that chang-

ing our energy ways is no match against the march of progress, even though it takes two watts to power a cell phone, while new air conditioners are hundreds of watts more efficient than those built only eight years ago. The same goes for all major appliances and most computers.

The truth is, now is the perfect time to participate in conservation, efficiency and renewable energy in our small businesses, families, schools, and places of worship. And, by the way, now is also the time to buy solar panels, since the federal energy bill quietly submitted a token gesture of tax incentives for them, and NY State has one of the best solar incentive programs in the country as well. We Hudson Valley residents, representing a disproportionate amount of wealth, smarts, and chutzpah, can circumnavigate the wonderfully crafted pessimism and passivity of our present Business as Usual mindset, lower our energy use voluntarily, and show up their common sense conspiracy with our common sense community, because that's where we come from. That's who our friends are. ■

Dar Williams is a musician who has become a major force on the New England folk scene. An idiosyncratic songwriter who writes folk songs from a unique, insightful perspective, Williams takes pains to avoid the coy and the quirky; her songwriting and performing style has been compared to that of Joni Mitchell and Joan Baez. Dar and friends are starting up a website called Mission Decommission, tallying up the conservation, efficiency and renewable energy contributions of Hudson Valley residents in the year 2007. They'll be up and running alongside of Riverkeeper as it challenges the re-licensing of Indian Point Nuclear Plant in 2007.

INDIAN POINT AT THE CROSSROADS

BY RENEE CHO

It is expected that Entergy will submit an application to the Nuclear Regulatory Commission (NRC) to extend Indian Point's operating licenses for another twenty years in March 2007. The two reactors are over thirty years old and their safety problems continue to escalate, raising the pointed question: can we live another two decades with problem-plagued plants that pollute our River?

The NRC licenses new commercial power reactors for 40 years (the last nuclear power plant in the U.S. was built in 1973) and can renew licenses for an additional 20 years. So far, the NRC has granted license extensions for 44 reactors and is currently reviewing eight other applications, with approximately 30 more to be submitted in the next decade.

Contrary to what one would expect or hope, the focus of the license renewal process is extremely limited. Only two aspects are examined: environmental effects and physical plant safety.

The Generic Environmental Impact Statement for License Renewal of Nuclear Plants assesses the effects that an extended license would have on environmental concerns such as endangered species, the effects of cooling water systems on fish and ground water quality. The NRC also conducts a review of the environmental impacts a particular plant might have on its surrounding area if the

license were renewed.

The safety review requires that the plant identify all physical structures and systems whose aging could affect safety. It must demonstrate that the structures which are considered "passive and long-lived," such as the coolant system piping or steam generators, can be maintained safely for twenty more years. Because the effects of aging on "active" components, such as motors, diesel generators, and batteries is allayed through continuous surveillance and maintenance programs, these are not subject to review during the license renewal process.

The public can participate in the license renewal process. Once the NRC receives a renewal application, public hearings are held to inform the public and get its input. Public meeting notices are posted on the NRC's website (www.nrc.gov). The public may also petition the NRC to consider issues other than those within its narrow scope. When the review is completed, the NRC publishes its assessment and recommendation; the whole process takes about 30 months.

A Broader Scope is Needed

Given all we know now, would a new plant be approved at the Indian Point site today?

Before new power plants receive approval for their initial operating license, many factors are taken into consideration, including population density around the plant and

Regardless of one's stance on Indian Point, an aging nuclear power plant should receive a comprehensive, independent inspection before it's allowed to operate for another twenty more years. Indian Point is a unique case, as it operates in the most densely populated region of the country, has had numerous safety violations in the past, and continues to operate without a workable emergency evacuation plan.

the assurance that evacuation plans can be effectively implemented in the case of a radiological emergency. Yet, the NRC's review for relicensing process does not examine factors such as these which are critical to the public's safety.

On May 10, 2005, Westchester County Executive Andrew Spano petitioned the NRC (Petition 2.802) to amend the rules for license renewal of all nuclear power plants. The petition would mandate the NRC to only relicense plants that meet all the requirements they would have to meet if they were applying for their initial operating license. It would also require that the relicensing evaluate factors such as demographics, emergency evacuation, and site security. The petition contends that because of Indian Point's "proximity to major population centers, because of periodic leaks of radioactive material, because of difficult (if not impossible) evacuation issues, and because of its proximity to the World Trade Center," the NRC's license renewal review should be both broader in scope and site-specific. Criteria should take into consideration conditions that have changed since the building of the plant, as well as worst case scenarios. Spano's petition is currently being reviewed by NRC staff and a decision will probably not be issued before January 2007.

Congresswoman Nita Lowey (D-NY) and Congressman

Maurice Hinchey (D-NY) introduced legislation in June 2005 to reform the NRC's relicensing process. Called the Nuclear Power Licensing Reform Act of 2005, it would require the NRC to consider security vulnerabilities as well as the viability of evacuation plans for the population living within 50 miles of a nuclear power plant. It would also require that any license renewal meet the same criteria an initial application would have to meet. Lowey's legislation has remained stalled in the Subcommittee on Energy and Air Quality since July 2005.

Assessing the Safety of Indian Point

In order to pressure the NRC to take a harder look at the appropriateness of renewing Indian Point's operating license, a bi-partisan coalition of Congressional members introduced legislation last spring that would require the NRC to conduct an Independent Safety Assessment (ISA) of Indian Point. Introduced in the House by Representatives Hinchey (D-NY), Shays (R-CT), Lowey (D-NY), Engel (D-NY) and Kelly (R-NY), the ISA legislation (HR 4891) would require an in-depth, independent investigation into the "design, construction, maintenance and operational safety performance" of Indian Point Reactors 2 and 3; evaluate the radiological emergency plan including an explanation of why the NRC and Federal

Emergency Management Agency (FEMA) approved the emergency plans; and respond to the criticisms of the emergency plan raised in the review of the plans done by former FEMA head James Lee Witt in January 2003. Senator Clinton (D-NY) has introduced the same legislation in the Senate (S. 2488). In March, the House bill was referred to the Energy and Commerce Subcommittee on Energy and Air Quality and remains stalled.

In April, NYS Comptroller Alan Hevesi issued a letter to Entergy's Chairman of the Board Robert Luft requesting that Entergy submit to the Independent Safety Assessment, as described in the U.S. House and Senate bills. The New York State Common Retirement Fund, which the Comptroller oversees, holds approximately \$58 million in Entergy shares. Comptroller Hevesi also issued a letter to the NRC, urging that the federal agency conduct an Independent Safety Assessment as outlined in the federal legislation.

NYS Attorney General Eliot Spitzer and Connecticut Attorney General Richard Blumenthal also support the legislation.

In an effort to show community support for the ISA, The Indian Point Safe Energy Coalition (IPSEC) gathered more than 5,500 signatures in support of the legislation and delivered them to Congresswoman Sue Kelly's office at the end of June.

In July, Representatives

Hinchey, Lowey, Kelly, Engel and Shays wrote a letter to Chairman Ralph M. Hall of the Energy and Air Quality Subcommittee urging him to take action on the bill and move it to the floor for consideration by the House before the 109th Congress is dismissed in October 2006. At press time, the bill still remains in committee.

Regardless of one's stance on Indian Point, an aging nuclear power plant should receive a comprehensive, independent inspection before it's allowed to operate for another twenty more years. Indian Point is a unique case, as it operates in the most densely populated region in the country, has had numerous safety violations in the past, and continues to operate without a workable emergency evacuation plan.

If Entergy and the NRC have nothing to hide from the public and our elected officials, they should welcome an Independent Safety Assessment. Entergy has denied the need for an ISA, even though the plant continues to have serious mechanical and safety problems.

Join us in our efforts to prevent another 20 years of Indian Point. Sign our petition opposing relicensing at www.riverkeeper.org. Call and write your Congressional representatives to let them know that you support the ISA legislation. To contact your representatives, visit <http://www.visi.com/juan/congress/index.html> ■

WHERE'S THE EPA?

Riverkeeper Puts Entergy and EPA on notice regarding Radioactive Leaks at Indian Point

BY PHILLIP MUSEGAAS

On April 18, 2006, Riverkeeper announced its intent to sue Entergy Nuclear Northeast for violations of the Resource Conservation and Recovery Act (RCRA) arising from the leaks of radioactive water at Indian Point. The leaks were first discovered nearly a year ago, and have since polluted the groundwater at the plant and are leaching into the Hudson River. RCRA is a federal statute that addresses the storage and treatment of hazardous waste, including radioactive materials stored in underground storage tanks, such as the spent fuel pools at a nuclear power plant. The law requires operators of facilities with such tanks to notify the Environmental Protection Agency (EPA) when they discover a leak of hazardous substances, such as radioactive isotopes, from their facility. After notification, the facility owner must stop the leak, determine the level of environmental contamination, and make plans to remediate the pollution in a timely manner. Entergy Nuclear failed to notify EPA when they discovered the leak of contaminated water from the Indian Point 2 spent fuel pool, thereby avoiding the involvement of EPA in the leak investigation and remediation process. Under

RCRA regulations, EPA retains regulatory authority over waste storage tanks containing radioactive materials, despite the nearly exclusive jurisdiction of the Nuclear Regulatory Commission regarding the operation of U.S. nuclear power plants.

Riverkeeper filed the notice letter under the "citizen suit" provisions of RCRA, which mandates a sixty-day waiting period before the lawsuit is filed. We were joined by two local residents who have lived near the Hudson and recreated on the river for many years, and are concerned about the long-term threat to their health and the environment posed by this ongoing pollution.

The filing of this letter follows a strong response by a group of New York Congressional leaders in March, 2006. Congressmen Eliot Engel (D-NY) and Maurice Hinchey (D-NY), joined by Congresswoman Nita Lowey (D-NY) sent a letter to EPA Administrator Stephen L. Johnson on March 3, decrying the leaks as the latest "environmental assault" on the region caused by Indian Point, and demanding that the agency initiate its own investigation. Congresswoman Sue Kelly (R-NY) sent her own letter to EPA the same day that mirrored the demands made by her colleagues.

The agency responded in April with a letter from Alan J. Steinberg, the Regional Administrator for EPA Region 2, which includes New York. In this letter, Steinberg dismisses the Congressionals' call for an EPA investigation, citing the agency's confidence that "the Agencies responsible for handling this matter are capable of doing the job well and are proceeding appropriately." He bases his decision on the assertion that the agency has "limited authority to regulate radionuclide emissions or discharges from nuclear power plants during their routine operations." It is clear that the leaks from the spent fuel pool are not "routine operations." It is also abundantly clear that Mr. Steinberg's assertions are flatly contradicted by the EPA's own regulations implementing RCRA, which describe a narrow area of nuclear power plant operations which fall under the agency's jurisdiction. Entergy Corporation responded to Riverkeeper by letter in late June, disputing our claims and threatening to sue Riverkeeper and our co-plaintiffs for filing a "meritless action."

Riverkeeper is continuing to assess EPA's failure to respond in this case and will continue to press the agency to enforce the law and protect our environment.

Riverkeeper also responded on a national level to the growing problem of groundwater contamination at a number of nuclear power plants around the country by joining the Union of Concerned Scientists (UCS) in formally petitioning the NRC to require all owners of operating nuclear plants to disclose information on tritium leaks at their facilities. The petition was filed in January 2006 by UCS, supported by Riverkeeper and over twenty other environmental and advocacy groups. As expected, the NRC staff issued a Draft Directors' Decision in June, denying the UCS petition. The agency maintained that the goals of the petition were met by the establishment of the task force, and the industry's voluntary initiative. In a strongly worded response to the Draft Decision, UCS rebuked the agency for failing to properly enforce its own regulations, thereby allowing the industry to set its own standards for dealing with this widespread, long-term environmental problem. Riverkeeper and UCS are awaiting the Final Directors' Decision from the NRC, which is expected to be announced in fall 2006. We will continue to join local and national groups in challenging the NRC's continuing lax oversight of the nuclear industry. ■

GET ON BOARD

Conservation Advisory Councils Part II: Recognizing Their Potential

BY ASYA MAGAZINNIK

When environmental protection comes into conflict with short-term human interests, our natural resources suffer and cannot defend themselves. That's why we need dedicated community members who see beyond today's economic benefits to tomorrow's environmental costs.

Right here on the Hudson River, an increase in unsustainable waterfront development is the latest example of self-interest taking precedence over our natural resources. Realizing the need for increased vigilance, residents of towns and villages from Ardsley to Yorktown have been coming together to form Conservation Advisory Councils.

A Conservation Advisory Council (CAC), also called a Conservation Board or Committee, is a group of citizens appointed by the town board to assist local officials with decisions that impact the environment. Some of the issues that CAC members regularly address are development, agriculture, protection of natural resources, and public access.

As CACs become more established in their communities, they are able to move beyond their basic role of advising government officials; they can develop and implement their own local initiatives. For instance, the CACs at Croton-on-Hudson and Cortlandt have been overseeing volunteer cleanup events in honor of Earth Day for the past several years. The Conservation Board at the Town of

Bedford has recently undertaken an environmental education project, publishing "white papers" on issues of interest to the local government and residents. So far, they have completed two papers: one about Lyme disease, and another about wildlife conservation. At the Town of LaGrange, the CAC has been working for over a decade to preserve the bank of Wappinger Creek as a publicly accessible nature trail. The council enlisted the help of local landowners, Boy Scout troops, the Town Board, and the Departments of Parks and Recreation, Transportation, and Planning to clean up garbage, construct the trail, and push for legal protection.

Initiatives such as the one at LaGrange teach us an important lesson: protecting the environment is important for its own sake, but also provides a wide range of secondary benefits. A scenic trail at Wappinger Creek is attractive to visitors, and can boost tourism revenues for the whole town. As CACs consider new projects to take on, they should follow this example. For instance, a council may organize a community-wide clean-up or planting event. Not only does this beautify the area at no cost, it helps people form new friendships and feel connected to their neighbors. Another possibility is to draft a concrete set of guidelines for new development, containing a minimum environmental standard that every proposal must meet. When only the highest quality of construction is permitted, the entire town remains beautiful and everyone's property values rise.

But CACs still have a long way to go before their full potential is realized. While certain councils have established themselves as highly respected, powerful forces in their communities, others have stagnated or disappeared over time. Our research this summer found that while there are over 40 CAC's listed as active in the Hudson Valley region, many are not seen as a resource because they are not active. For instance, the municipal office of a town in Dutchess County had no idea what a Conservation Advisory Council was, even though theirs is a member of the New York State Association of Conservation Commissions. The same was true of a village in Westchester County – and the person who was listed as the chair was no longer active. Another CAC in Dutchess County was intentionally phased out by local officials for disagreeing with certain policies. Village officials initially hoped to disband the council, but ended up terminating the tenure of several key members and never appointing new ones.

Ultimately, it is up to you, the town and village residents, to help your local advisory councils get off the ground and remain an active force. To find out if your region has a Conservation Advisory Council or how you can create one, e-mail Sabrina Wells, Watchdog Program Coordinator at swells@riverkeeper.org, or call us at 800-21-RIVER ext 242. ■

Asya Magazinnik, who was an intern at Riverkeeper, is currently a sophomore at Vassar college. During her internship with Riverkeeper, she worked with Chief Investigator Basil Seggos and Watchdog Coordinator Sabrina Wells.

PATROL BOAT LOG

BY JOHN LIPSCOMB



1 May 2006
Sewage, oil and trash sludge on Newtown Creek.

2 May 2006
Illegal dredging at the Englewood Boat Basin by Palisades Interstate Park. BUSTED!

3 June 28, 2006
We partnered with volunteers from “Keep Rockland Beautiful” to clean up three small beaches between Nyack and Haverstraw which are reachable only on foot or by boat. We collected

about 10 cubic yards of trash – mostly plastic drink bottles, plastic dock foam and tires with rims still attached.

4 June 28, 2006
Small camps like this one are springing up all over the upper part of the estuary – where the “wild” shoreline is. This one is new; I first saw it today. It’s located on land owned by CSX railroad just north of Mill Creek in Stuyvesant. It’s prime habitat right next to the Mill Creek parcel owned by The Nature



Conservancy. Squatter camps like this are fragmenting some of the best habitat that remains. Riverkeeper will notify CSX and The Nature Conservancy.

5 June 28, 2006
Public swimming beach at Kingston Point just north of Rondout Creek. The area has had record rains the last three days which cause many sewage plants to overflow into the Hudson. Yet here we see people swimming. Riverkeeper contacted the Ulster County Health Department and asked if water quality was routinely tested after wet weather events to check for sewage-related contam-



ination at this public beach. The department responded “no;” testing is done only three times a year: on 7/13, 8/3 and 8/17. With all the talk of opening additional swimming beaches on the Hudson, shouldn’t testing be more thorough and shouldn’t testing be done after storms as a matter of course?

6 June 29, 2006

Raw sewage and rainwater discharging into the Hudson at Troy after heavy rains. The green sign above the discharge is a NY State Department of Environmental Protection (DEP) PERMIT sign. I’ve been told that there are around 60,000 DEC pollution permits in New York State. These permits make



it more difficult for Riverkeeper to challenge polluters – but not impossible.

7 July 7, 2006

A “bouquet” of discharge pipes midway up Newtown Creek at the Exxon spill. The only active discharge today is Exxon’s. The DEC has given Exxon A PERMIT to discharge ground water tainted with petrochemicals – it runs 24/7.

8 July 13, 2006

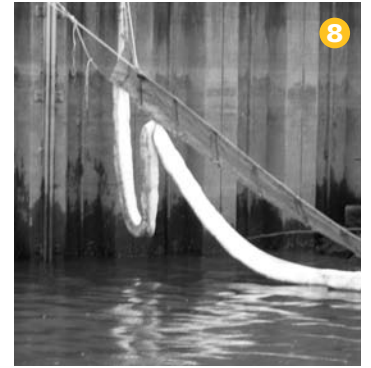
A discharge at the Mobil terminal at Albany where there is a permanently rigged oil boom – they must have a leak problem. Recently a new boom and oil absorb were deployed. but it looks like someone forgot that there is a tide. We often see this – a boom



is rigged which doesn’t stand a chance of doing any good. Riverkeeper is contacting the terminal.

9 July 26, 2006

This is a church-owned property on the Harlem River at Highbridge. We’re told it’s used as a kennel for exotic hunting dogs and as a homeless shelter. Whatever the purpose – they’re using the Harlem River as a dumpster. Police, DEC and DEP boats go by this site frequently. New material is being dumped all the time. Riverkeeper has contacted the church.



Victory in the Meadows Case!

BY CHRISTOPHER WILDE

Riverkeeper and other environmental and community groups achieved a significant victory in late summer when a state appellate court issued a decision requiring preparation of a supplemental environmental impact statement (EIS) for the Meadows at Deans Corners subdivision project proposed by the Town of Southeast, reversing a lower court decision. The appellate court found the lead agency had not adequately considered a variety of changes since the last EIS was finalized well over a decade ago. This is a momentous decision in New York State environmental law, and significant for all those fighting for the protection of the Croton Watershed and quality of life in Putnam County.

Our longstanding battle against the Meadows project

was focused on the Planning Board's continuing failure to undertake sufficient public review of project alterations, regulatory changes, and site modifications that have taken place since the FEIS was completed in 1991. As the appellate court found, this is precisely the situation where a supplemental EIS is necessary. The court also held that the Planning Board as lead agency had failed to adequately coordinate its review with other involved agencies in the process.

Following this victory, Riverkeeper will continue its advocacy on whatever front necessary, either through defending this decision in any future appeal to the state's highest court, or through the supplemental review process mandated by the appellate decision.

In its current incarnation, the proposed Meadows at Deans

Corners subdivision consists of 104 homes to be built on 309 acres in Southeast, and located in the heart of the New York City watershed. The two parcels that make up the 309-acre project area contain both wetland areas and watercourses, as well as Holly Stream. Riverkeeper's chief continuing concern is that the development may impact those surface waters and ultimately the drinking water source reservoirs to which they flow.



HOTLINE CALLS

Each month Riverkeeper receives dozens of reports of possible environmental violations. Sabrina Wells, Riverkeeper's Watchdog Program Coordinator, assists the Hudson River Team by determining whether the matter should be dispatched to one of our Watchdogs for further investigation, referred to federal, state or local authorities, or become the subject of citizen enforcement action by Riverkeeper. Sabrina can be reached at 914-478-4501 ext 242 or 800-21-RIVER or by sending an email to watchdog@riverkeeper.org. The following are samples of reports received by our pollution hotline:

- **Croton on Hudson:** A tip came in that oil was seeping into the Hudson River near a Metro North train station. Riverkeeper investigated the site, found an oily substance bubbling to the surface inside a boom, and has met with MTA to determine the scope of the problem and solutions. We continue to closely monitor the site and address the issue with the MTA.
- **Irvington:** A Watchdog reported a milky substance in an unnamed stream. Riverkeeper immediately alerted the Westchester County Police, Environmental Dept. The Watchdog reported the situation to the Building Dept. in Irvington. The source of the substance was a house painter dumping paint into the stream. The owner was fined by the Building Dept. and the painter received a citation from the County Police.
- **Dobbs Ferry:** Riverkeeper was alerted to an unsustainable development proposal adjacent to the Hudson River that could lead to heavy erosion due to slope and fill issues. Riverkeeper submitted comments to the Planning Board who have determined that an Environmental Impact Statement will be required.

Riverkeeper will monitor the scoping process and will continue to work with the homeowner's association to address the various issues.

- **Fort Montgomery:** A Watchdog reported a SPDES permitted outfall from a private sewage treatment plant that is possibly discharging beyond its permitted allowances. We investigated the site with the Watchdog and requested discharge monitoring reports and violations from the DEC. At this time the outfall is not discharging due to inactivity at the site. Riverkeeper will reinvestigate once activities recommence.
- **Woodbury:** A community member reported that a private sewage treatment from a subdivision was discharging abnormal levels of sewage into a tributary that leads to a trout spawning stream. Riverkeeper investigated the site; we found significant physical evidence of unhealthy levels of treated sewage discharge and reported the issue to the DEC. The DEC issued citations and is now working with the plant on a consent order. Riverkeeper has requested a copy of the finalized consent order and will submit comments as needed.

NEW CASES



Alpine and Englewood Boat Basins (Englewood Cliffs, NJ) Based on observations from our Patrol Boat, Riverkeeper was instrumental in getting the Army Corps of Engineers to issue a cease and desist order regarding unpermitted dredging at Englewood Boat Basin. This dredging violated the Clean Water Act and occurred during the spring spawning season. Riverkeeper continues to monitor dredging operations at both of these boat basins.



CSX Railroad Ties (Highland, NY) Riverkeeper was successful in getting CSX Railroad to clean up approximately 100 railroad ties discarded in a marsh west of the CSX rail tracks in Highland, NY. This marsh is used by kayakers and is prime habitat for fish and birds.

Callanan Quarry (Kingston, NY) Riverkeeper is in discussions with Callanan Industries regarding the operation of their quarry on Rondout Creek in Kingston, NY. The quarry is depositing crushed stone on the banks and in Rondout Creek causing erosion of the banks and filling of the creek. Riverkeeper hopes to work with Callanan to find a successful remedy to this situation.

UPDATED CASES



Hudson River PCB Superfund Site (Ft Edward, NY) The Town of Fort Edward intervened in the proceeding brought by the EPA to approve their Consent Decree with General Electric Company requesting that the federal court allow the Town to regulate the proposed dewatering facility to be constructed under the agreement to commence dredging the Hudson River. This matter was heard by federal Judge David N. Hurd in Utica, NY, on August 2, 2006. The EPA also announced that dredging would be delayed once again, not to begin until the spring of 2008. GE began a dispute resolution proceeding to contest EPA's interpretation of the Consent Decree regarding the replacement bathymetry of the shoreline after dredging and GE's responsibility to ensure that communities using River water have access to uncontaminated sources of drinking water during the cleanup.



Danskammer Power Plant (Newburgh, NY) On July 24, 2006, the Pace Environmental Litigation Clinic filed a lawsuit on behalf of Riverkeeper challenging the Department of Environmental Conservation (DEC) decision to renew the 19-year-old Clean Water Act permit for the Danskammer Generating Facility. The lawsuit, filed in Supreme Court of New York State, alleges that the DEC ignored a federal and state mandate to use the "best technology available" to avoid environmental damage caused by power plants using river water for their cooling water systems.

The plant, operated by Dynegy Northeast Generation, Inc. is located on the western shore of the Hudson River in the Town of Newburgh, Orange County, New York. Currently, the Danskammer Generating Station uses a once-through cooling system that the EPA's own scientists predict yields a zero survival rate for fish in all life stages that are drawn through the system. Technology is available, known as closed-cycle cooling, that uses 96% less water and substantially reduces fish mortality. The recent DEC decision failed to require the Danskammer facility to upgrade to this technology. Additionally, the DEC decision allows the facility to report fish mortality based on an incorrect baseline, resulting in the reporting of deceptively low fish mortality levels.



Catskill Mountains Chapter, Trout Unlimited v. City of New York In a stunning victory for Riverkeeper, fishermen and environmentalists, the U.S. Court of Appeals for the Second Circuit ruled that New York City has polluted Esopus Creek in violation of the Clean Water Act. In the Second Circuit, the City unsuccessfully argued that Schoharie Reservoir and Esopus Creek were essentially the same water body because both are part of the City's water supply system. The court's decision makes it clear that Schoharie Reservoir and Esopus Creek are separate bodies of water. Therefore, the discharges from Shandaken Tunnel are an addition and require a Clean Water Act permit. The City currently has no such permit. The case has now been remanded back to the District Court.



News about Riverkeeper events, volunteers, staff and donors

Matthew Bennett, a second-year student at Fordham University School of Law, interned with the Hudson River Program. He worked with fellow intern Jay Simpson on Hudson River pollution complaints, many of them forwarded by Riverkeeper's patrol boat captain. He also researched various points of law for Riverkeeper's senior attorney, including questions relating to the General Electric PCB cleanup; advised staffers on local land use law and the State Environmental Quality Review Act (SEQR); and prepared a manual for those producing comments on environmental impact statements for proposed developments.

Nikola Berger is majoring in environmental studies and political science at the City University of New York. She worked for the Hudson River Program, gathering research on the technology and cost of power plant cooling systems across the country and past retrofits of such systems. Her work will support Riverkeeper's campaign to force power plants on the Hudson River to install modern cooling systems that will dramatically reduce fish kills.

Lissa Casey, a second-year law student at the University of Oregon, interned with the Indian Point Campaign. She researched the re-licensing process for nuclear power plants in the U.S. and prepared memoranda about future strategies for the Indian Point campaign. She also helped the Hudson River Program by working on litigation.



Emilee Drobbin, a second-year student at Vermont Law School and a graduate of their Masters of Studies in Environmental Law program, interned with the Hudson River Program. She worked on litigation concerning the New York State permits for four power plants on the Hudson River whose outdated cooling systems are killing massive numbers of fish and other aquatic life.

Robert Friedman, a senior at Hastings High School, helped to research and draft solutions to sprawl-style development for the Watershed Program's upcoming report for watershed citizens, elected officials, businesspeople, and other stakeholders. He also compiled a matrix of natural resource protection ordinances in municipalities in the Croton portion of the watershed.

Daniel Lebest, a sophomore at McDaniel College, and **Brad Cantor**, a junior at Colby College, worked with film producer and Director Tom Weidlinger to promote and coordinate a tour for his recent documentary, "Swim for the River." The film focuses on Christopher Swain, who swam the length of the Hudson to raise environmental awareness.

The outreach tour they coordinated was geared toward high schools, colleges and environmental organizations along the Hudson. Additionally, Dan and Brad provided research on a variety of environmental topics (many relevant to Riverkeeper) to create a teacher's guide, which will be provided with the film's DVD.

Jonathan Lew, a student at Roger Williams University School of Law, performed legal research for the Watershed Program on issues that affect New York City's drinking water quality. He also created a document for the "citizen toolbox" section of Riverkeeper's web site that will inform the public about current regulations governing drinking water quality.

Laurence Luo, an environmental attorney from Beijing, China, began a four-month internship with Riverkeeper and our international umbrella organization, the Waterkeeper Alliance, over the summer. Laurence is observing how Riverkeeper is structured and the methods we employ to fulfill our mission to protect the Hudson River and its tributaries. Laurence has been translating New York State's fish

consumption advisories into his native language in an effort to benefit Chinese subsistence anglers in New York City and along the Hudson River. He and the Alliance are working to start Keeper programs in China.

Asya Magazinnik, a sophomore at Vassar College, worked with Chief Investigator Basil Seggos on a report detailing the public health, environmental, and economic impacts of combined sewer overflows in New York City. She also assisted Watchdog Program Coordinator Sabrina Wells in following up on incoming reports of pollution and development along the river, and began organizing and designing a new Hudson River Program newsletter.

Emily Nicolosi, a junior at the University of Vermont majoring in Anthropology and Studio Art, did research for the Indian Point Campaign on renewable energy and the effects of uranium mining on indigenous peoples.

Michael O'Keefe, a student at Tufts University, participated in an investigation of contaminants in New York City's drinking water, and assisted the Watershed Program with an upcoming report on solutions to sprawl-style development.

Michael Plumb, a second-year student at Columbia University School of Law, interned with the Hudson River Program. He assisted in writing a report detailing the economic benefits of using low impact development to help eliminate overflows of sewage into New York City waterways.

Jay Simpson, an attorney pursuing an LL.M. in Environmental Law from Pace University School of Law, interned with the Hudson River Program. He followed up on pollution cases first identified by Riverkeeper's patrol boat captain and also assisted with Hudson River development issues. Jay helped to stop illegal dredging at a boat basin in the Palisades Interstate Park during his internship.

Maura Yates, a sophomore at Arizona State University, worked with the Hudson River Program to initiate a sustainable development program along the waterfront. She collaborated with Columbia University's Graduate School of Architecture, Planning and Preservation to help outline their fall 2006 design studio that will address development issues along the Yonkers waterfront. Maura also compiled a database of the developments along the river and began identifying a set of criteria for developers to abide by in order to assure sustainable, environmentally responsible development.

Jonathan Zellner, a junior concentrating in Government at Hamilton College, worked with the Indian Point team and Riverkeeper President Alex Matthiessen to construct a comprehensive timeline of the Indian Point Campaign. He also provided research on the historical relationship between the Nuclear Regulatory Commission and the nuclear power industry.

Riverkeeper, EILEEN FISHER and Irvington-area Residents Unite for Earth Day Clean-up

Riverkeeper joined with EILEEN FISHER company employees and Westchester County residents on Earth Day 2006 for a morning clean-up of Scenic Hudson Park in Irvington. EILEEN FISHER staff initiated the event as a way to engage company employees in a hands-on environmental activity and to connect with the local community. Riverkeeper invited our members in the Westchester area to participate.

More than 40 local residents and staff of Riverkeeper and EILEEN FISHER collected garbage and debris along the west and south ends of the park where it meets the Hudson River. Participants included members of Hastings High School's environmental club.

EILEEN FISHER is a valued supporter of Riverkeeper. The company's most recent grant will allow Riverkeeper to hire a woman intern to assist our Hudson River Program staff with legal reports, litigation, advocacy, and outreach.



The 17th Annual Shad Fest Was a Hit Rain & Shine



ROBERT KENNEDY, JR., MARY RICHARDSON KENNEDY AND RIVERKEEPER ALEX MATTHIESSEN WELCOME RIVERKEEPER'S NEWEST BOARD MEMBER MIKE RICHTER



COLD SPRING PIPES & DRUMS



RIVERKEEPER CHIEF INVESTIGATOR BASIL SEGGOS AND 2006 SHAD FEST HONOREE IRENE KLEMENTOWICZ



CHILD ENJOYS SAV-A-TREE'S TREE CLIMBING ACTIVITIES

PHOTOS COURTESY OF MARNI HOROWITZ

Riverkeeper, Mary Richardson Kennedy and Robert F. Kennedy, Jr. hosted this year's 17th Annual Shad Fest and Hudson River Celebration on May 21st at Boscobel Restoration in Garrison, NY. Marking Riverkeeper's 40th Anniversary with less than picture-perfect weather, the day was dampened by rain but definitely not in spirit. We had a record breaking year in ticket sales and guests thoroughly enjoyed all of the wonders that the Shad Fest and its participants bring.

Children enjoyed Shad Fest favorites such as tree climbing activities sponsored by Sav-A-Tree, pony rides, face painting, dancing puppeteers, storytelling and the creative activities under the Whole Food Kids Tent, where children and parents were delighted by the Whole Foods volunteers and the environmentally educational and fun projects that they provided.

Adults also enjoyed helping us celebrate Riverkeeper's unprecedented environmental successes on the Hudson River and in Hudson Valley communities. Local Hudson Valley wine and beer and the delicious gourmet food of Mt. Kisco Seafood were special treats, and everyone enjoyed the talents of our musical guests, local favorites Uncle Wade and Dar Williams, and the rocking Irish tunes of Black 47.

Despite the downpour, loyal Riverkeeper members, guests and sponsors persevered and were awarded with a gorgeous sunny ending to the afternoon.

Riverkeeper would like to thank everyone who came out to support the Shad Fest – the community event that is so very dear to our hearts. This year's celebration is a true testament to how much people love Riverkeeper and the Shad Fest.

Very special thanks to our event product sponsors: Whole Foods Market, Mt. Kisco Seafood & The Fish Cellar Restaurant, Robert's American Gourmet, Prospero Wines, Ben & Jerry's of Mt. Kisco, Clif Bar, Annie's Homegrown, Hain Celestial Foods, Hyde Park Brewing, Captain Lawrence Brewing, Sunshine Burgers, Omaha Steaks, Newman's Own, Barbara's Bakery, IZZE Beverages, Ramapo Valley Brewery and Keeper Springs, and of course, thank you to our many hard-working volunteers.

New Riverkeeper Board Members

Bill Abranowicz,

a professional photographer, has been a stellar Riverkeeper volunteer, supporter, and a local environmental activist for many years. In 2002, along with his equally dedicated wife, Andrea Raisfeld, Bill inaugurated *Reflected Light*, Riverkeeper's photography auction fundraiser. He has since led the successful biennial event and secured photographs from leading artists for the auction. This year Bill, with gallery owner Peter MacGill, has expanded the scope of the auction to include photographic work and other media.

Bill is a contributing photographer to *Condé Nast Traveler* and *House & Garden*. His work has been featured in *Vogue*, *The New York Times Magazine*, *Martha Stewart Living*, and other leading publications throughout the world.

Bill's photographs are included in the permanent collections of the Smithsonian Museum in Washington, D.C.; The Getty Museum in Los Angeles; The Menil Collection Library in



Houston, TX; the Bibliothèque Nationale in Paris; the International Center of Photography in New York; and the Thessaloniki Museum of Photography and the Goulandris Museum in Greece. He is the author of *The Greek File: Images from a Mythic Land* (Rizzoli).

Bill is a volunteer firefighter in Bedford, New York, where he resides with Andrea and their three children, all Riverkeeper volunteers.

Binta Niambi

Brown is an attorney at Cravath, Swaine & Moore LLP, where her practice includes corporate finance, corporate governance and general corporate representation.

Binta serves on the boards of the Eleanor Roosevelt Legacy Committee and Opus 118-Harlem School of Music. She is a member of the Chairman's Board of New Jobs for New York, Network 20/20, the New York Philharmonic's Young New Yorker Patrons Program and the Metropolitan Opera's Young Associate program. She



previously served on several committees of the Association of the Bar of the City of New York as a member and officer. Binta has volunteered with the Business Council for Peace which assists women in war-ravaged countries through the development of micro-enterprises; and Prep for Prep, where she taught Aspects of Leadership.

Binta holds a BA (with honors) from Barnard College and a JD from Columbia Law School. From 2003 to 2004, she was a fellow in the Coro Foundation's Leadership New York program, which brings together professionals from the private and public sectors to explore major policy issues facing New York City.

Amanda Hearst,

an art history major at Fordham University, helped to establish and is working to build Riverkeeper's new junior committee of the Board. She serves as that committee's chair.

As an Elite model, Amanda has appeared on the covers of *Town & Country*, *International*



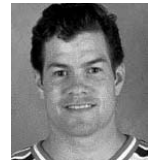
Harper's Bazaar, *Cosmopolitan*, and other major magazines, and has been featured in *Vanity Fair*. She also writes a monthly column for *Hamptons* and *Gotham* magazines.

Amanda designated Riverkeeper a beneficiary of Polo Jeans Co.'s 2005 G.I.V.E. Campaign and generously donated her modeling fee from the campaign to Riverkeeper. In addition, along with her mother, Riverkeeper board member Anne Hearst, Amanda co-hosted a successful fundraiser for Riverkeeper in the Hamptons in 2005.

Mike Richter

is the former New York Rangers goalie who helped lead the team to the 1994 Stanley Cup championship. Mike is finishing a degree in Ethics, Politics, and Economics with a concentration in Environmental Policy at Yale University.

Mike worked with a number of non-profit children's charities during his time in New York such as A Wish and a



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Departing Board Members

Riverkeeper thanks retiring board members Dick Knabel and Sy Schwartz for their energy, enthusiasm, wisdom and generosity over the years.

Dick joined the Hudson River Fishermen's Association, Riverkeeper's predecessor organization, in 1970, and is a founding member of Riverkeeper. He served as Chairman of the board from 2000-2005, a period during which we doubled our staff and expanded our programs.

Dick also served on the board and as vice president of Hudson River Sloop Clearwater in the early 1970s, and was a 25-year member and officer of Federated Conservationists of Westchester County. He recently retired after 18 years as a trustee of the Hudson River Improvement Fund, a grant program of the Hudson River Foundation that supports projects that promote public use and enjoyment of the river.

Dick is an Emeritus Professor

of Physical Science at SUNY, Westchester Community College, where he began teaching in 1980. He specialized in both energy and environmental problems as they relate to contemporary society. For the past 35 years he has been concerned about drinking water protection, and helped launch Riverkeeper's campaign to protect the New York City watersheds.

Sy Schwartz is one of the original funders of Riverkeeper's Watershed Program. For 40

years he was a developer in the Greenwich, Connecticut area where he emphasized green development and the practice of retaining as much natural habitat as possible. In the 1970s, Sy took up the cause of alternative energy and energy efficiency. He designed and built a demonstration solar and energy efficient home in Greenwich which attracted a great deal of media attention and more than 5,000 visitors over three years.

(continued on page 28)

NEW BOARD MEMBERS
continued from page 27

Smile and Touch The Future, and supports numerous environmental groups.

During his career with the Rangers, Mike became the first member of the team to post 300 wins. He was a three-time National Hockey League All-Star and received the Most Valuable Player award at the 1994 All-Star Game. The Rangers retired his number (#35) in 2004. Mike also represented the United States on the 1988, 1998, and 2002 Olympic teams. He was the top goalie for the 2002 team, which won the silver medal.

Mike and his wife Veronica live in Connecticut with their three sons.

DEPARTING MEMBERS
continued from page 27

Sy has been a remarkably generous and enthusiastic supporter of Riverkeeper's Watershed Program. His multi-year grants have helped us to sustain vigorous campaigns against sprawl-styled development and lackluster enforcement in the watersheds, and to educate and empower watershed residents to advocate for sustainable development. Sy's most recent contribution, a three-year grant of \$150,000, will enable Riverkeeper to intensify our work in the critical Catskill and Delaware watersheds, which provide 90 percent of New York City's drinking water.

**New Documentary on the Hudson River:
*Swim for the River***

BY DANIEL LEBOST

In the new documentary *Swim for the River*, Christopher Swain shows true courage as he swims 315 miles down the Hudson River to raise environmental awareness in communities along the way. Swain's motive is his mission to bring people together to further protect the Hudson River's natural resources, if for no other reason than so people can swim in it. The film is produced by prestigious industry and



PHOTO COURTESY OF BASIL CHILDERS

festival awards-winner Tom Weidlinger who has produced documentary films for the past twenty-eight years. The film captures the natural beauty of the Hudson River today as well as the destructive power of human interactions from the past to the present.

Swain begins his journey at the source of the Hudson River at Lake Tear of the Clouds in Adirondack Park, New York. His journey is long and takes nearly two months to complete. Several stops are made at adjacent towns along the way where Swain encourages discussion about the Hudson River and informs communities about his mission.

Tom Weidlinger is the voice of the past, speaking of the history of the paper mills in New York, The Finch Pryn Company, PCBs, Newtown Creek, the clear water project, the environmental group Riverkeeper and more.

The one-hour documentary moves at a flowing pace, highlighting key issues, elucidating important points, sometimes using humor as a guide and other times solemnly serious. Perhaps the most compelling aspect of the film, however, is the real-life portrayal of a new generation of people gathering together to save the Hudson River from ever undergoing harm again.

The film also includes an educational Viewer's Guide, well-suited for educators teaching students about the history of the Hudson River, the impact industry has had on our natural environs, and the important role citizens play in our civic society.

Riverkeeper staff, along with Swain and Weidlinger, will embark on a film tour of *Swim for the River* this fall. The documentary will also be available to the public. For more information, visit <http://www.boyswillbemen.com/SWIM/index.html>.

Remembering Tucker Crawford

BY ALLISON CHAMBERLAIN

Thomas "Tucker" Crawford, a long-time Hudson River fisherman with such nicknames as the "Sturgeon General" and "King Crabber," passed away in July at the age of 80.

Tucker, who was born Jan. 6, 1926, had sustained his family during the Great Depression by catching fish through holes he would cut in the frozen surface of the river.

He became somewhat of a local legend over the years, and spent most of his life on the mighty Hudson.

In the 1992 documentary "The Last Rivermen," produced by Riverkeeper, Tucker was featured among a group of fishermen asked to share their experiences during the decline of the commercial fishing industry along the Hudson.

According to Robert F. Kennedy, Jr., Riverkeeper's Chief Prosecuting Attorney, Tucker was a "champion of the river and an icon of the commercial fishing industry." Kennedy also praised him as "an encyclopedia of knowledge about commercial fishing on the Hudson," remarking that he "knew more about the

Hudson River than any scientist in the state."

Tucker will be remembered for his devotion and dedication to the Hudson River. He will be sorely missed.



2006 Dinner Dance Honors Veronique & Bob Pittman & Steelcase

Riverkeeper's Annual Benefit was held on April 19th, 2006 at Pier Sixty, Chelsea Piers in New York City. The evening was dedicated to honoring Veronique and Bob Pittman and Steelcase. The event raised nearly \$2 million for Riverkeeper and our programs.

Over 700 guests enjoyed the hilarious Darrell Hammond from Saturday Night Live, who hosted the event, as well as the beautiful melodies of Carly Simon, who made a rare public appearance. Carly was also joined on stage by her two incredibly talented children Ben and Sally Taylor. Together they gave an intimate rendition of "You Can Close Your Eyes."

Other notable attendees who came out to support Riverkeeper included Michael Douglas, Dan Aykroyd, William Baldwin, Edie Falco, Richard Belzer, Susie Essman, Moby, Mike Richter, Paul Shaffer, Joy Behar, Annie Leibovitz, Ellen Barkin, Andre Balazs and Anne Hearst.

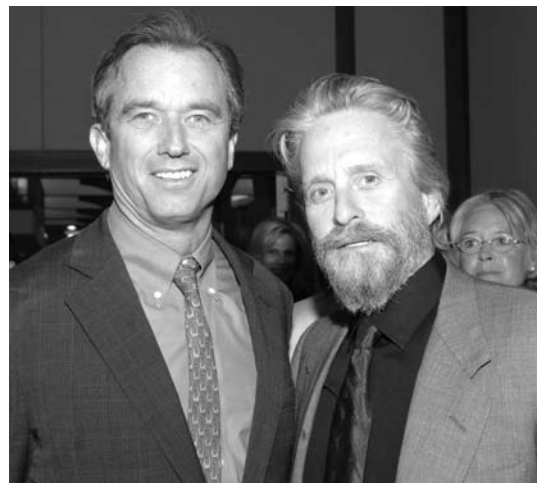
Newly appointed Board President George Hornig presented Robert Pew of Steelcase with one of the 2006 honoree awards for Steelcase's continued environmentally sustainable industry practices. And Robert F. Kennedy, Jr. presented Veronique and Bob Pittman with an award for their commitment to philanthropic work and dedication to raising awareness and funds for myriad social causes—most importantly, those involving our environment.

The evening also featured a live auction to raise money for costs associated with securing expert testimony for several Riverkeeper legal cases against corporate Goliaths. Catherine Crier of Court TV helped to motivate the audience and raised an additional \$150,000!

Please join us for another star-studded benefit next spring to raise funds for Riverkeeper's important work.



ROBERT F. KENNEDY, JR. PRESENTING AN AWARD TO VERONIQUE AND BOB PITTMAN FOR THEIR COMMITMENT TO PHILANTHROPIC WORK AND DEDICATION TO RAISING AWARENESS AND FUNDS FOR MYRIAD CAUSES.



ROBERT F. KENNEDY, JR. AND MICHAEL DOUGLAS.



MRS. ROBERT F. KENNEDY WITH RIVERKEEPER ALEX MATTHIESSEN.



CARLY SIMON AND HER CHILDREN, MUSICIANS SALLY TAYLOR AND BEN TAYLOR.

PHOTOS COURTESY OF ANN BILLINGSLEY

UNSUNG JUDITH ENCK HEROES

BY ROBERT GOLDSTEIN

This edition's unsung hero is Judith Enck. As environmental policy advisor in the New York State Attorney General's office, Judith has proven herself time and time again to be one of government's true environmental visionaries and strategists. She has amassed a record of accomplishments matched only by her always positive and upbeat approach to the challenges we all face when campaigning for environmental issues.

But this is not news. Judith has been taking-on environmental problems for 25 years in a career that includes service as Executive Director of both Environmental Advocates and the Non-Profit Resource Center, and as Senior Environmental Advisor to New York Public Interest Group (NYPIRG).

In fact, Judith's record as an environmental activist is a who's-who and what's-what of environmental causes and organizations throughout the Hudson Valley and the state of New York. She was President of the Board of Directors of the Hudson River Sloop Clearwater, and a co-founder of Rensselaer County Environmental Action. She led the campaign to save the 100-foot Barberville Waterfall from a damaging hydroelectric project and designed and implemented one of the first mandatory recycling programs in upstate New York.

She has won acclaim for that work, including Outstanding Achievement awards from Sierra Club; the Annual Social Justice Award from the Social Justice Center of Albany; and among others, the Local Hero Award from *Capitol Magazine*. Judith has been appointed by state legislators and the governor to serve on a number of advisory boards including: the State Superfund Management Board, the State Solid Waste Management Board, the Coalition of Northeast Governor's



Although the substance of her work, fighting the good fight, has remained true to all her past efforts, it is in the context in which she now continues to accomplish environmental goals that we applaud her.

Source Reduction Council and the NYS Temporary Commission on Returnable Beverage Containers.

Each of those positions, campaigns and awards, along with many aspects of her remarkable career could be the basis for mention in this column. Although the substance of her work, fighting the good fight, has remained true to all her past efforts, it is in the context in which she now continues to accomplish environmental goals that we applaud her.

That context, environmental policy advisor in a high-profile government agency, makes accomplishments all the greater, while the necessary anonymity inherent in such a position requires that her work remains largely unsung.

Bureaucracy has a way of enfolding enthusiastic advocates, and blending them into the amalgam of an agency by restricting their view of the big picture. Enticed by relationships with the very industries that they regulate, cut-off from the advocacy groups that once fueled their fervor, and mandated to function using tunnel-

vision they can become complacent, apathetic, even captured. But Judith is a glorious exception.

"Judith is a special individual who engenders respect and affection and who has been at the heart of the entire environmental agenda we've crafted over the last eight years," said her boss, Attorney General Elliot Spitzer. "From the global warming initiative to improving air quality along the eastern seaboard by cracking down on dirty power plants to protecting local communities, Judith has been at the center of every issue we've worked on and has been a vital presence and voice of clarity. She is a joy to work with and a spectacular advocate for the environment in every instance." At the AG's office, Judith has been a clear voice for cleanup of PCBs by the General Electric Company in the Hudson, for smart development on the waterfront, and for punishing polluters.

Now let's be clear, environmental policy from a governmental point of view is not a simple thing to formulate. Compromise is usually the order of the day, and double-speak rhetoric often allows for duplicitous decision-making. That is the context we're talking about. For someone to thrive in that setting they must have a clear understanding of the implications of any decision, and the will to translate that understanding into policy. Judith is conversant in all the issues that matter most to Riverkeeper and the environmental community. While realistic, she transmits the optimism necessary to maintain the good-fight and point to alternatives when our tactics are temporarily derailed.

For these, and a lifetime of accomplishments (sung and unsung), Judith Enck is our hero, and one whom we can continue to rely on for her wise environmental thinking for years to come. ■

Children Making A Difference

BY ALLISON CHAMBERLAIN

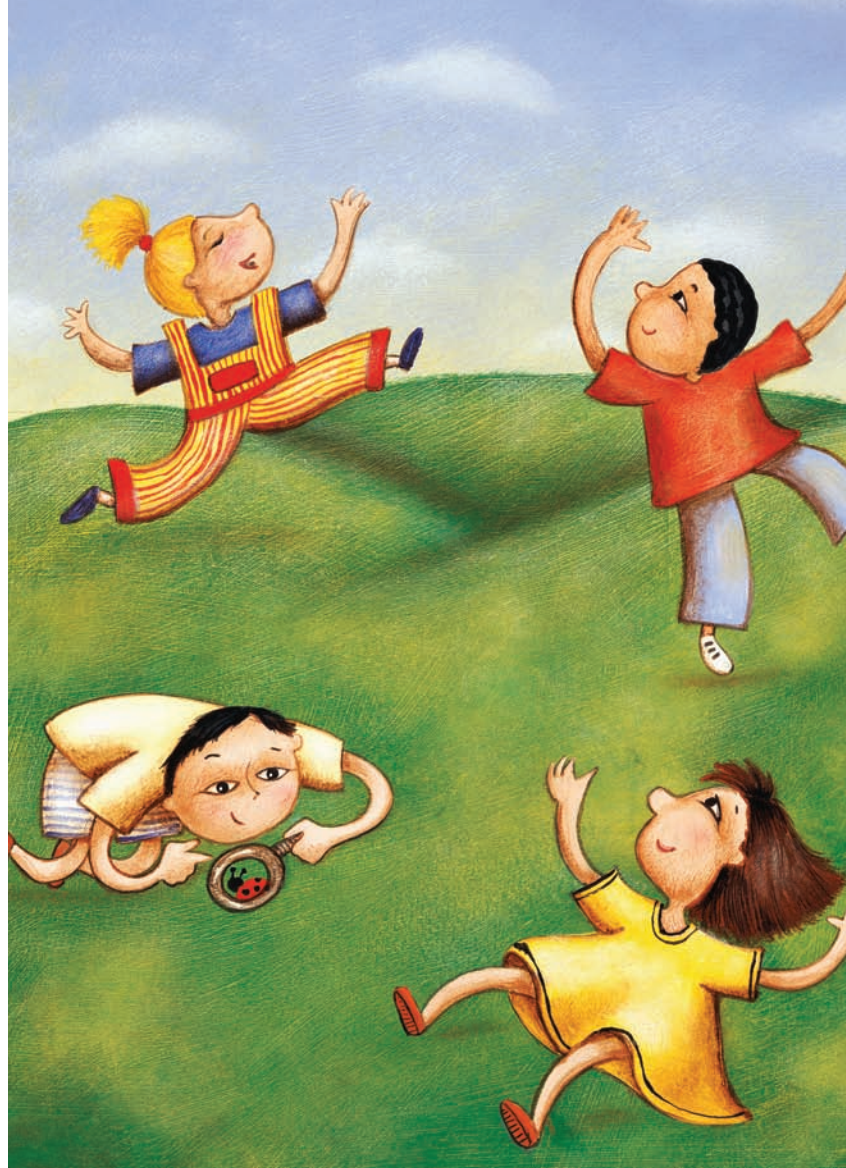
To many people, the fondest memories of childhood involve tearing open the colorful ribboned gifts received during birthdays or holidays and reveling at being the first kid in the neighborhood to have the latest toy.

These gifts are often a measure of the child's status among his or her siblings and peers. Many children live from one holiday to the next awaiting the payload of new gadgets that they have been hinting at for months, even though they may already have all the latest gear.

Fortunately, there are still some children willing to discard their IPODs in order to help make the world a better place to live. This selfless heroism has recently been demonstrated by two commendable youths.

Harry Adler recently had his Bar Mitzvah and decided that instead of receiving gifts, he wanted to donate the money he received to Riverkeeper. Harry is a native Rocklander and the Hudson River has always been a part of his life. Many of his weekends are filled by enjoying the river and its vast and majestic beauty. When I asked what specifically made him choose Riverkeeper as the recipient of such a wonderful and thoughtful gift, the decision was based on the fact that he felt he could actually make a difference by

supporting and becoming a part of Riverkeeper. Riverkeeper is one of the few organizations where the citizens are as much of an integral part of the mission as the employees. Citizens are able to become involved with the organization by keeping vigil over the river, from reporting pollution to helping clean it up. Harry found it interesting and was excited that citizens could actually take part in the fight to save the river. At the end of his party, each guest was given a Riverkeeper mug as a present. The adults who attended the party walked away with a little piece of the river, but more importantly, they learned about the organization and the mission of Riverkeeper was brought home to his guests. What a wonderful way to celebrate such a joyous occasion.



For the last two years, Victoria Groner has selflessly asked that instead of receiving gifts for her birthday, her parents and friends make a donation to an organization of her choice.

This year, Riverkeeper was the fortunate recipient of this generous act. Victoria chose Riverkeeper because she has become interested in the environment and would like to become one of the many citizens who are fighting to protect it. The Hudson River has always been a part of her life, and always will be, so she decided that she wanted to give her birthday presents to an organization that is preserving and defending her proverbial

backyard. The fact that citizens can become involved and play a hands-on role in protecting the river intrigued her. She presented a check to Alex Matthiessen, Hudson Riverkeeper and President, at this year's Shad Festival.

It is so important that children are becoming involved in organizations that will protect, preserve, and defend the Hudson Valley's most precious gift, the Hudson River. By educating children on issues such as pollution, clean drinking water, and the importance of protecting the environment, we are helping to ensure that our mighty Hudson will be protected, preserved, and cherished for generations to come. ■



Getting in touch with Riverkeeper . . .

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