

# NewsStreams

A publication of Kentucky Waterways Alliance: Working to protect and restore Kentucky's waterways.

## Thank You for a great 2011!

All of us at Kentucky Waterways Alliance would like to extend a big, heartfelt **"Thank you!"** to each of you who helped make our end of year Annual Fund campaign a success in 2011! While the economy might be seeing a slow rebound, non-profits across the board are still feeling the pinch, and your support is more important now than ever before.

Mediocre returns on foundation investments and shrinking government spending have caused a number of smaller (and a few large!) non-profits to close their doors for good. But, our members stepped forward in droves this past December to prove their dedication to our cause, and we want you all to know how grateful we are for your support! 2012 won't be an easy year, but we here at KWA are working harder than ever to make sure we can continue our vital work for years to come.

If you're interested in learning more about how you can help us continue our progress or just want to find out more about what we've been up to, please join us at an upcoming "KWA 101" event. These events will be held twice a month throughout the upcoming year, and we hope to hold them in a number of locations around the state. We'll serve up light refreshments and have a short, one hour conversation about our work. Contact Angela at (502) 589-8008 or [Angela@KWAlliance.org](mailto:Angela@KWAlliance.org) for more details.



Photograph by Marc Hult

## With your help we were able to....

- Reach out to communities surrounding the Red River Gorge to address their concerns and put together a comprehensive plan to protect the Red River and lay the groundwork to correct past abuses.
- Host cleanups across the state when we brought together 200 concerned citizens and removed over 25 tons of trash from stretches of the Green & Cumberland Rivers.
- Restore Town Branch Creek in Winchester, partnering with federal, state, and local agencies.
- Conserve land and species and enhancing the quality of life surrounding the Rockcastle River through the Rockcastle River Conservation Program.
- Working with agencies and communities, lay the groundwork for a comprehensive ecological restoration plan for the Red Bird River watershed in eastern Kentucky.
- Help farmers make positive changes that will combat pollution entering Bacon Creek with guidance from our newly-hired agricultural coordinator.
- Form the Beargrass Creek Alliance, a grassroots, action-oriented group dedicated to bringing the creek back to life.
- Save our vanishing wetlands in Kentucky and working to decrease the Dead Zone in the Gulf of Mexico through our work with the Mississippi River Collaborative.
- Advocate against a new waiver that industries can use to get around rules created to keep increasing amounts of mercury out of our waters generating over 12,000 comments directed to ORSANCO.

## The CWA 40 Years Later

### Message From the President

This year is the 40th anniversary of the Clean Water Act (CWA), an historic accomplishment that reversed the systematic abuse of our water resources in this country. I was just getting my engineering degrees and starting my career when the CWA was enacted. It would become a focal point of my life's work and interest.

Today the CWA is threatened by political pandering to conservative causes that are funded by exploitive industries (including our home grown coal industry). There are many who suggest returning environmental regulation to the states is the answer. Wrong. The reason we have the CWA in the first place is because states were not protecting our waters. How bad was it in Kentucky those years before the CWA?

In 1971. Louisville and many other cities were only providing primary treatment of the sewage removing at best 60% of the pollutants and discharging the rest to our streams and rivers. Poorly performing "package " sewer plants were a problem across the state and failing inadequately designed and maintained septic systems were a major public health problem in Lexington and other cities. Strip mining was out of control and our mountains were being destroyed (sound familiar?).

Some of our elected officials seem to be leading us back to those days of yesteryear. And how are we doing 40 years later? Can our state handle the problems? Is it doing a good job now?

We have an Energy and Environment Cabinet where environmental advocacy and representation is virtually absent and very unwelcome. How are we doing with our water resources?

- Division of Water budget state contribution has been reduced from 53% to 41% in recent years.
- From 2004 - 2005, authorized positions have dropped steadily from 292 to 250 and the most recent budget seems to indicate more cuts are coming. More than 10% of the public drinking water systems in Kentucky have violations and compliance problems.
- Of the 11% of Kentucky's stream miles that are actually assessed almost 50% are not safe for swimming, fishing, and water life.
- Major causes of pollution are almost all caused by human activities and inadequate compliance with permits and water quality standards.

We need to support and encourage the Division of Water in their efforts to do their job with diminished resources. But we must also continue to point out the problems and the need for more to be done to see that the promises laid out in the CWA are not forgotten. We must support others and resist the efforts of some in Congress to turn back the clock and give polluters a free hand to abuse the environment and the quality of life we have worked so hard to get back since 1972.

On behalf of a healthier Kentucky,

*Gordon Garner*



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**Want to be in the know about water-related happenings?**  
Visit our website at  
**[WWW.KWALLIANCE.ORG](http://WWW.KWALLIANCE.ORG)**  
**to check out upcoming events in Kentucky!**

KWA is a 501(c)3 nonprofit corporation. Articles express the opinions of their authors and not necessarily represent the views of KWA or its officers.

## Watershed Round Up

By Tessa Edelen

The health of our streams and rivers is a concern for communities all over Kentucky. It can be difficult to get started on protecting and improving your local waterway, but we're here to help. At KWA, watershed planning is a collaborative process that necessarily involves local communities and stakeholders, not just experts and data.

Currently, we are working on four dynamic watershed planning projects around the state, each unique in its own way.

### Bacon Creek Watershed Council

The Bacon Creek Watershed Council is making great progress on revising their watershed-based plan and implementing best management practices. The project entails reducing the amount of bacteria in the creek by addressing agricultural and septic issues that may be contributing. One way we're doing this is by offering two programs that will help both farmers and homeowners living in the Honey Run watershed in Bonnieville, Kentucky implement practices that will be a win-win for both them and the creek. The programs involve making it more cost effective for families and farmers to make changes that promote better water quality (see box). In addition, water quality data sampling will begin this spring to give us an even better idea of what's going on in the creek. To find out when our next community meeting is taking place or for more information visit: [www.kwalliance.org/baconcreek](http://www.kwalliance.org/baconcreek).

**Are you a farmer or a homeowner living in the the Bacon Creek Watershed who wants to do your part in combating pollution and help restore Bacon Creek?**

**Find out more about the Bacon Creek Cost-Share Program by visiting [www.KWAlliance.org/baconcreekcostshareprogram](http://www.KWAlliance.org/baconcreekcostshareprogram).**

### Beargrass Creek Alliance

The Neighborhood Creek Project is moving along! With this innovative project, we are reaching out to our watershed to get people involved, neighborhood by neighborhood. The Neighborhood Creek Project involves asking residents to "Take the Pledge!" The Pledge is a tiered approach to taking simple steps from not running your washing machine on a rainy day to planting a rain garden with your neighbor. To spread the message, we are planning to present to area neighborhood associations and other community groups throughout the year, and it's not too late to get involved. We need all kinds of people with different talents from planning clean-ups to talking to community groups about stormwater pollution to social media experts. Our meetings are the third Monday of each month in Louisville, please join us! For more information visit: [www.BeargrassCreek.org](http://www.BeargrassCreek.org).

**"The participation of local folks in the watershed planning process is important. Without community support, there are no guarantees that the effort can truly be sustainable - and that is our ultimate goal - to be able to keep this special place protected now and in the future."**

**Lynn Garrison,  
Red Bird River Facilitator**

### Red Bird River Restoration Project

In an exciting partnership with the Daniel Boone National Forest, Eastern KY PRIDE, local governments, area nonprofit groups, and community members, we are working on a watershed plan and restoration project for the Red Bird River Watershed. The Red Bird is a beautiful river in the Kentucky River basin that flows through Bell, Clay, and Leslie counties. Much of the land is rich with diverse forests and cultural resources. In order for this project to be successful, we need local community support! If you live in the Red Bird River watershed, we need to hear from you. We recently held our first watershed planning meeting on January 17




*Pictured is the Right Fork of Elisha Creek located in the Red Bird River watershed. Photo by John C. Garrison*

at Big Creek Elementary. Please consider participating if you live in the area – we need your expertise! For more information about the project and upcoming meetings visit: [www.kwalliance.org/redbirdriver](http://www.kwalliance.org/redbirdriver).

### Red River Gorge Watershed Team

The Red River Gorge Restoration and Watershed Plan project encompasses a big area so our last meeting was in Frenchburg, KY in an effort to get more people involved. We need people who live around the Gorge to help us write a watershed plan that will address overuse issues in the area. We've been working on Chapters 1 and 2 of the watershed plan. They are now available on our website at [www.kwalliance.org/redrivergorge](http://www.kwalliance.org/redrivergorge). Check them out and let us know what you think! Your feedback is much appreciated. Or better yet, join us at our next watershed team meeting. Keep checking the website to find out when the next meeting will be held.

For more information about any of our watershed planning projects contact Tessa Edelen at [Tessa@KWAlliance.org](mailto:Tessa@KWAlliance.org) or (502) 589-8008 



SYRCL

## WILD & SCENIC<sup>®</sup> FILM FESTIVAL

where activism gets inspired

### KWA is Celebrating the 40th Anniversary of the Clean Water Act!

We are excited to announce the return of the Wild & Scenic Film Festival to Louisville for a 4th year on Saturday, March 3, 2012. The Wild & Scenic Film Festival is the largest environmental film festival in North America!

In the last three years, we've been able to bring nearly 1,000 people and over 65 organizations together for a fantastic experience, and we're expecting our fourth year to be our biggest yet.

This year we are celebrating the **40th Anniversary of the Clean Water Act!**



Come to the film festival for a chance to win a Perception Tribute kayak valued at \$649. Tickets are \$5/one or \$10/for three!

The CWA is the key piece of legislation that drives our work for clean water and healthy communities. We hope you'll join us as we commemorate the birth of this landmark legislation and to talk about the new actions we must take to preserve and extend its purpose for the next 40 years.

We'll be offering a VIP Opening Reception at 7 p.m. with appetizers provided by Wiltshire Pantry for a third year, wine courtesy of The Little Kentucky River Winery, and beer sponsored by Kentucky Ale and Sierra Nevada.

Tickets this year are \$15 and if you're not currently a member, join at the door for only \$10 more. You'll not only gain access to the VIP room, but to all the benefits that come from being a member of KWA: a subscription to our quarterly newsletter, up-to-the minute e-alerts and announcements and the knowledge that you are supporting the only organization in Kentucky working full-time on behalf of the health of our waterways.

You can also be part of the **Clean Water Act Giving Circle** by making a contribution of \$40 which comes with all those benefits plus a KWA water bottle.



Ian Timothy, director of Beaver Creek, is shown hard at work on Twigs the Beaver with Drake the Duck watching on.

Films will begin at 8:30 and last until 11. We'll be welcoming two local filmmakers for a Q & A session - Ian Timothy, director of Beaver Creek and Ben Evans, director of YERT, Your Environmental Road Trip. And we'll be raffling off a kayak donated by River City Canoe & Kayak (see picture). John Gage of Kentucky Homefront will also be playing a few tunes for us during intermission.

To view the entire film line up visit [www.KWAlliance.org/2012wildandscenic](http://www.KWAlliance.org/2012wildandscenic) where you can also purchase tickets online. Tickets will also be available at the door. We can't wait to see you there!

## Consider Giving a Monthly Gift to KWA by Being a Water Enthusiast

If you're like me, December snuck up on you really fast this year and before you knew it, it was 2012. I planned all year to make a year-end donation to KWA, but by the time the end of the year rolled around, I'd spent so much money on Christmas presents for my growing family that it was a struggle to pull it together. I made my donation, but it wasn't as much as I'd hoped for, and it came in later than I would have liked. This year, that won't be a problem: I'm becoming a Water Enthusiast! **A Water Enthusiast is what we call our monthly donors, those who care enough for our waterways to make a monthly commitment to their protection (or those for whom, like me, a monthly donation just makes more sense).** All I had to do was click the donation button on KWA's homepage, and check the box to repeat the gift every month. I hardly notice the gift, but it really adds up for KWA over the course of a year! Why don't you join me today and become a Water Enthusiast? You'll never receive another membership reminder, saving time, money, and paper, and making your life just a little bit easier!



Learn more at [www.KWAlliance.org/waterenthusiast](http://www.KWAlliance.org/waterenthusiast)



## AVEDA EARTHMONTH2012

### KWA is once again the 2012 Earth Month Partner

KWA is proud to announce that we have been chosen as the Kentucky Aveda Earth Month partner for the third year in a row! Since 1999, Aveda salons and stores have been celebrating Earth Month, and have raised over \$22 million for environmental causes. Since concentrating on water related issues, the corporation has been able to devote over \$16 million to clean water initiatives!

Salons and stores across the state will once again raise funds and awareness for KWA during the month of April this year utilizing a variety of fundraisers. Past activities have included everything from a Walk for Water and "Appointments for the Earth," where salons donated proceeds from certain appointments, to bake sales and raffle ticket sales, to silent auctions and concerts.

Festivities will kick off again this year on March 31 with a fashion show conducted by Louisville area salons, with Angie Fenton of

"The Voice Tribune" acting as the Master of Ceremonies for the second year. The fashion show will feature a silent auction with items donated by a number of local businesses and artists. The main attraction will be the showcasing of fashion designs created by salons entirely of re-purposed or recycled materials with celebrity judges choosing a winning design.

Stay tuned to our website for more information about all of the ways you can get involved with these great opportunities! If you're in need of a haircut, manicure or massage and would like to find a salon who shares your values, please visit [www.aveda.com](http://www.aveda.com) and search for an "EM" (or Earth Month Leader) salon near you. While you're there, thank them for all they're doing to help protect and restore clean water in the state of Kentucky - and around the world!

### Art, Water, and Faith Flowing Together for Two Great Causes

In December, Kim Torres and Sandie Griffin of Lucent Dreams Photography along with Andy & Kelly Cook (KWA Membership Coordinator) curated a group art show that benefitted KWA and St. Andrews Community Fund. "Water is Life" brought in over 100 people and over 50 artists exhibited water themed work for the show. Some artists, like KWA members Alida Cornelius, Sandie Griffin, and Kim Torres generously donated artwork for the silent auction portion of the event. Between the commission (donated by the curators), the door sales, and auction items, the event gained over \$1200 for KWA and St. Andrews with 12 artists selling their artwork.



Photo Title: Sanctuary by Kim Torres of Lucent Dreams Photography

church and partners helped to make the event a success some of which include: Highland Meadows Bakery, The Fishery, Red Hot Roasters, Rooibee Red Tea, and Elk Creek Vineyards. Also, singer/songwriter Jonny Sands and local prog rock band Son of the Widow comprised of Andy Cook, Ray Wegimont, and KWA's Kelly Cook gave dynamic performances for the cause. Son of the Widow will be participating in an International Arts Festival in Estonia this year. Check out their website for upcoming shows: [www.snofthewidowmusic.com](http://www.snofthewidowmusic.com)

Along with the amazing artists that exhibited, many volunteers of the

KWA was honored to be selected as one of the beneficiaries of ongoing exhibits hosted by St. Andrews and Lucent Dreams Photography. Thanks to everyone who came out to support healthy waterways and communities!

### Congratulations to Gene Nettles, Lucky Winner in the Kindle Fire Giveaway!

If you became a member or made a donation to our Annual Appeal in December, you were entered into a drawing for a brand new Kindle Fire. On January 11, all of the names were compiled, and a name was chosen at random by a neutral party. Our congratulations go to Gene Nettles of Hickman, Kentucky! Gene is a long-time member, and says that while he didn't donate solely for the purpose of entering the drawing, he was excited to hear that he was our winner. **Congrats, Gene, and happy reading!**



Gene Nettles, pictured above, was the lucky winner of our Kindle Fire Giveaway. Congrats, Gene!

## KWA Works Everyday on Behalf of Our Families for Clean Water

### Find out what we are doing to protect water resources in the **POLICY ROUND-UP**

By Tim Joice

KWA is your voice in the fight for clean water in Kentucky! Find out what we've been doing lately on behalf of the health of our waterways and communities!

#### PPG Industries Variance Request

In December, KWA submitted comments to the Ohio River Valley Sanitation Commission (ORSANCO) regarding PPG Industries' request for variance from ORSANCO's mixing zone phase out for mercury, a known bioaccumulative chemical of concern (BCC). This is the first of what may be many requests for variance from the mixing zone phase out.

KWA's comments focused on PPG's hollow arguments and manipulation of data for their benefit. With PPG's third quarter profits alone topping \$300 million, they can certainly afford to update their facilities further and reduce their mercury discharge. In addition, clearly their discharge impacts downstream states—we all understand the concept that everything flows downstream. Lastly, KWA believes PPG manipulated their fish tissue sampling to benefit their argument, rather than use commonly accepted methods.

We posted an Action Alert for this variance request on our website, and over 120 folks took action. This fight isn't over though. A second public comment period should occur in the near future, after ORSANCO makes their determination. **We plan to continue to fight this request, and hope you will join us again, when the time comes, to voice your concern.**

#### The Farm Bill

If you'll recall, the debt reduction Super Committee was supposed to develop a plan for targeted cuts to federal spending programs by November 21, 2011. Of course, the Super Committee failed to do so. In the process, however, the Senate and House Agriculture Committee leaders had drafted substantial portions of what may have become the new Farm Bill. This draft document contained significant cuts and changes related to existing Farm Bill conservation programs. This document may provide a beginning point for discussions for a new Farm Bill.

At this point, it's unclear whether or if Congress will be able to pass a new Farm Bill by this summer. If not, it may wait until after the Presidential Election. KWA plans to stay in contact with partner organizations on further developments, and we will be sure to keep our members informed.

#### KDOW Recertification of NWP

The Division of Water is currently making their determination on the recertification of the Nationwide Permits (404s) through the state 401 General Water Quality Certification process. Since these are federal permits the state must certify that approving the permits will not result in the loss of uses of our waterways, like swimming, fishing or drinking water.

KWA submitted our requests to the DOW ahead of time, which we hope will result in greater consideration of our requests. The DOW is expected to put their draft recertification document out for public comment very soon. When the document does come out, we will give it a thorough read and provide additional input to the state. We'll be sure to alert you as well to help you provide comments.

#### 404/401 Commenting

As always, KWA has continued to fight for the health of our state waterways through the 404 and 401 permit public notice and commenting process. Through the last few months, we have taken the following actions on several Corps of Engineers 404 permit applications:

- Signed on to comments submitted by Appalachian Mountain Advocates regarding very significant stream and wetland impacts by a handful of proposed surface coal mining projects in southeastern Kentucky.
- Submitted comments regarding wetland and stream impacts by the LG&E Trimble Station's proposed coal combustion residuals (CCR) landfill, including direct impacts to a ravine that includes a stream that is potentially an Outstanding State Resource Water, and potential indirect impacts to an



adjoining ravine that does include Outstanding State Resource Water

- Submitted comments regarding wetland and stream impacts by Louisville Renaissance Zone Corporation's proposed development adjacent to the UPS distribution facilities by the Outer Loop and I-65.
- Submitted comments regarding wetland and stream impacts by Flynn Brothers Contracting, Inc's proposed Bullitt County Industrial Park and warehouse distribution facilities.

#### Compliance

KWA is making efforts to ensure that all Water Quality Certifications with wetland and stream impacts follow through with the mitigation and monitoring requirements of their permits. This includes recent and past permitted actions. We recently met with several DOW Compliance and Water Quality Certification folks to discuss our concerns, and we are looking forward to developing a better relationship with those folks over the coming months.

#### Take Action!

Keep tabs on the various policy issues by checking our website. You can sign up for action alerts so you'll be the first to get up-to-the minute notifications on when you should take action for clean water at [www.KWAlliance.org/take-action](http://www.KWAlliance.org/take-action).

For more information about our water policy program contact Tim Joice at [Tim@KWAlliance.org](mailto:Tim@KWAlliance.org) or (502) 589-8008.

## Town Branch Creek in Winchester, Kentucky Coming Alive Again

### Partners working together to restore a neglected stream



Town Branch Creek in Winchester, KY is coming back to life thanks to an innovative partnership between several groups and agencies including KWA.

By Tim Joice

The Town Branch Restoration Project just north of Winchester is a great example of the possibilities for collaborative efforts to make a positive difference in restoring our rivers, lakes, and streams.


Now in its final stages, the project began a little over a year ago. The restoration of Town Branch is focused on a 7,000 linear feet reach of the creek, just downstream from existing industrial parks, and adjacent to a railroad. The reach had been straightened and degraded over the years to facilitate agriculture and cattle.

The restoration is taking place to improve in-stream habitat, to increase the number and diversity of species of fish and macroinvertebrates, and establish a forested riparian buffer. Typical stream restorations apply bioengineering techniques to slow down water and reduce erosion. Using innovative technology, the Town Branch

**"It's exciting to see this stream come back to life. Our mission is to protect and restore Kentucky's waterways. Working with all these partners to see Town Branch restored has been very rewarding."**

**Judy Petersen,  
KWA Executive Director**

project will actually install living structures in the stream and create a hyporheic zone – the region beneath and next to a stream bed where there is mixing of shallow groundwater and surface water.

Ridgewater, LLC and Ecogro,  inc. have teamed up to design and perform this innovative work. By building the hyporheic zone and numerous riffle-pool sequences,

the project designers have created a much better habitat and variety of food sources for aquatic organisms that will soon call Town Branch home. Additional partners in the project include Kentucky Waterways Alliance, Kentucky Transportation Cabinet, Strodes Creek Conservancy, Southern Conservation Corp., U.S. Fish and Wildlife Service - Kentucky Field Office, and the City of Winchester.

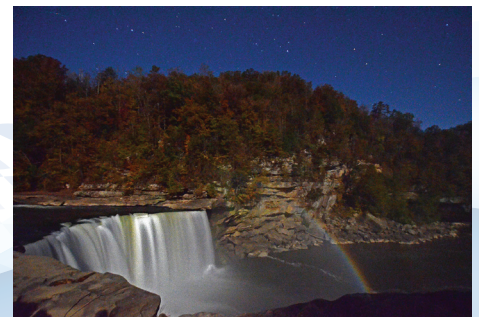
The meandering stream is now able to reach its floodplains, and it is full of pools, riffles, off-channel wetlands, back-water pools, woody fish habitat, and even off-channel aquifers for nitrate removal. Riparian buffer tree and shrub planting, the only project component left, will be completed in early spring 2012.

For more information about the project, visit [www.kwalliance.org/town-branch-restoration-project](http://www.kwalliance.org/town-branch-restoration-project).

## KWA Annual Meeting at Cumberland Falls was one to Remember!

The 2011 Annual Meeting at Cumberland Falls State Resort Park was a seriously good time! KWA staff, board, and about 100 members celebrated another year of victories and got to know each other a little better during a weekend retreat. We enjoyed hiking, late night storytelling, and even got a glimpse of the moonbow captured by Marc Hult in the picture to the right.

Thanks to everyone who made this event possible. And please make plans to join us at the **2012 Annual Meeting at General Butler State Park** on October 26 & 27.

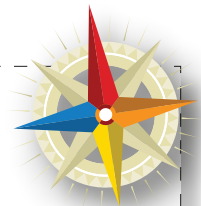


Photograph by Marc Hult



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**Yes, I support the mission and goals of Kentucky Waterways Alliance.**

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- \$ 35 Family
- \$ 50 Supporter
- \$ 100 Watershed Guardian
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**Did you know you can become a member of KWA for only \$ 25 a year?  
Visit [WWW.KWALLIANCE.ORG](http://WWW.KWALLIANCE.ORG) to join us in the pursuit of healthy waterways today.**