



Clean Water for North Carolina

Clean Currents

Summer 2020

A newsletter of clean water and community environmental justice issues

United We Grow – Collaboration for Racial Justice & Environmental Justice

By Shelby Cline, Clean Water for NC's new Environmental Justice Organizer/Researcher

From the sharp rise in unemployment to the global pandemic impacting us all, tuning into the news this year often feels like opening Pandora's box. This summer, as NC and other states struggled to flatten the COVID-19 curve, calls for systemic social change gained traction. On Memorial Day, George Floyd, a Black man, died while under the knee of a white Minneapolis police officer. His cries of "I can't breathe" resonated with millions, catalyzing demonstrations throughout the country and world. Floyd's death, one among many cases of brutality against Black lives, heightened awareness of the longstanding racial injustices prevalent in the US. Confederate statues have been knocked down and police departments scrutinized for their use of deadly force. Yet, these changes alone are not enough to bring justice. Racism has a pervasive, systemic grip on our society, a fact made obvious not only by unjust killings, but through the ongoing environmental injustices faced by the low-income and minority communities that CWFNC aims to work with to protect their rights.

Spearheaded by people of color in the 1980s, the Environmental Justice (EJ) movement is often regarded as a response to white, mainstream and elite environmentalism. EJ activists continue to bring attention to the unequal distribution of pollution in the US. A prime example of this discrimination is the recently cancelled Atlantic Coast Pipeline, which was set to cross through many Black, Indigenous, and poor communities in West Virginia, Virginia, and nearly 190 miles of eastern North Carolina.

From the 1982 protests in Warren County, NC (see photo) to block a landfill in one of NC's poorest counties, with a supermajority of African-American residents, to dump toxic PCB-laced soil that had been removed from roadsides after illegal dumping; to the creation of toxic "sacrifice zones" like the area in western Northampton County where officials seek to attract toxic industries to increase

tax revenues at the expense of the health of communities with up to 80% people of color. The EJ movement is more needed than ever. Even last month, our state's Dept. of Environmental Quality was working to issue a permit for an experimental wood pellet manufacturer—a known source of air pollution—in Duplin County, already heavily impacted by hog operations, nearly 50% African

American and LatinX, with the highest rate of Covid-19 infection in the state!

Environmentalists who hold privilege are now shifting to reevaluate their perspectives and empower the voices of those most harmed. "Intersectional environmentalism" vows to promote social justice efforts by supporting activists, communities, and leaders of color. Climate change, a global issue by nature, threatens to increase the disproportionate environmental impacts on vulnerable communities. Groups within the climate justice movement recognize that those facing the brunt of global warming are not its biggest contributors. During this recent uprising against inequality, youth climate initiatives such as the Sunrise Movement and US Youth Climate Strike Coalition stepped forward to support actions for racial equity, too. Meanwhile,

organizations that focus on advocacy for people of color—like the NAACP—have been creating programs to fight climate change and environmental injustice for decades.

The acknowledgment that social justice is key to the environmental progress, and vice-versa, leads to breakthrough collaborations. On July 20th, a nationwide "Strike for Black Lives" was the combined effort of social justice, environmental, and labor groups. Although these organizations came to the table with different backgrounds and perspectives, they worked together to acknowledge their differences and organize events across the country. When we support each other, we form an alliance of likeminded folks who recognize and challenge today's most critical issues. United, these movements have the power to build a healthier, more just planet for us all.



1982, Warren County residents protested a planned toxic landfill in their mostly African American community, considered to be the first "spark" of the national Environmental Justice Movement. (AP Photo/Steve Helber)

WHO WE ARE

Clean Water for North Carolina

Clean Water for North Carolina is a private, non-profit organization based in Asheville, NC. CWFNC works to ensure that all people have a right to live, work, and play in clean and safe communities. Together, we have the power and responsibility to work for a healthy and sustainable environment. Our staff works with an active and diverse board of directors, as well as members, to increase grassroots involvement in environmental decisions.

CWFNC spearheads action statewide and helps grassroots and environmental groups, individuals, and local governments develop strategies to address threats to the environment.

Our Mission

CWFNC promotes clean, safe water and environments and empowered, just communities for all North Carolinians through organizing, education, advocacy, and technical assistance.

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Hearty Thanks to Nydia for Years of Leadership!



Nydia Morales was elected to join Clean Water for North Carolina's Board of Directors in 2014, after several years of working closely with our Water Justice program to strengthen the ability of customers of private, for-profit water utilities such as Aqua NC, to fight against high rates, poor service and water quality. Even after Nydia and her husband moved away from the neighborhood where Aqua NC was the water provider, to Matthews, where her home is now on a publicly owned and operated water system, she

continued her advocacy and guidance to CWFNC's staff working to protect the rights of customers of private water and wastewater systems.

In late 2017, she was elected to Chair our Board. In that role, with a strong scientific background and experience in advocacy and personnel management, Nydia was a valuable resource to our staff and guided the Board through a variety of challenges. She let us know last year that she would need to resign soon in order to take care of family health needs, but continued to serve until we could elect a new Board Chair in June of 2020.

We are deeply grateful to Nydia for her generous spirit, leadership, collaboration on Water Justice program efforts, and wise guidance on important personnel policy and management issues. We will miss her, and we know that she is staying very busy and active in caring for her grandchildren, exercise programs and remains steadfast in her support of Clean Water for NC!

We're grateful to our special donors during the time of the Covid-19 Pandemic!

As the Covid1-19 pandemic took hold across NC in March, our staff began to work from home, staying in touch with allies and communities via email and phone, and continuing our advocacy through weekly and monthly e-newsletters, conference calls and Zoom meetings, as well as phone outreach to check in with our members. We worked with state and national coalitions to get moratoria on water, gas and electric utility disconnections, and encouraged our members and allies to contribute to organizations working hard to meet urgent needs in our communities, addressing disproportionate impacts to our African-American, LatinX, Native American, and poor and unemployed neighbors.

Clean Water for NC hasn't sent our usual spring fundraising letter, instead urging support for organizations meeting basic human needs, but many of you have donated generously to CWFNC during this period. We thank you from the bottom of our hearts.

Remember, an easy way to give to CWFNC on a continuing basis, is to visit our website, www.cwfn.org, click on the "Donate" button in the lower left corner, and then sign up to be a monthly donor. Thanks for all you do for your community!

Water Justice

My Water & Sewer System – Who Makes the Decisions?

Who decides what improvements are needed for my water and sewer system, and how much I pay for my water and sewer service? Who can I contact if I have questions about my water and sewer service? Navigating these questions can feel overwhelming, but understanding the fundamentals of your drinking water and wastewater systems is an important step to ensure you are receiving safe, fair service – and Clean Water for NC is here to help!

While over 3 million NC residents depend on private wells, most of us get water service from a “public water supply” (PWS), regulated by the federal Safe Drinking Water Act. It’s important to understand whether you are served by a publicly owned and operated drinking water system (such as a city, town or county utility), or by a private, investor-owned company. In NC, the two major investor-owned water and sewer corporations are Aqua NC and Carolina Water Service. Rather than being managed by elected local or state governments, these utility corporations are controlled by investors or shareholders. ***(Check your latest water/wastewater bill to find the name of your water utility!)***

Water and sewer rates of publicly owned systems are often set by a Water Board or other governing body, with a goal of developing a rate structure that produces enough revenue to operate the system in a safe, financially sustainable manner within the city or town’s budget. **For questions about your rates, a point of contact is listed on your bill, and you can contact your local Water Board or Town/City Manager or utilities department to find out about meetings to discuss rates.**

No matter whether your water is from a publicly owned system or a private for-profit one, if you have complaints about your water quality, it’s the NC Public Water Supply

Section you need to contact. Visit <https://www.ncwater.org/?page=125> to find the closest Regional Office, or contact info for the NC public water supply staff person assigned to your county.

Water and sewer rates for investor-owned utilities, are approved by the NC Utilities Commission, so they are not authorized to arbitrarily set rates. If you are served by Aqua NC or Carolina Water Service, you will receive a public notice with your bill of their intent to increase rates, notice of public comment opportunities, as well as information on hearing schedules to provide in-person testimony (or, during Covid 19, virtual testimony).

The Public Staff of the Utilities Commission, representing the interests of customers in rate matters, will analyze and weigh in on the company’s proposed rates. A variety of factors are considered when rates are set for a private, for-profit utility company. **If you are a customer of one of these utilities, and have questions about your rates, the Public Staff can help! (Call 919-733-9277)** If you have concerns about your drinking water or wastewater service, first contact your utility. If they don’t respond adequately, contact Attorney General Josh Stein’s Consumer Protection department at (919) 716-6000. They have intervened several times in rate hearings on behalf of customers.

Unfortunately, as federal support for water and sewer infrastructure has shrunk to almost nothing in the past two decades, the cost to customers of supplying water has more than doubled. CWFNC is advocating for increased federal funding for water and sewer systems as a critical public health and economic justice issue!

For more information on learning about your utility, including rates or water quality, please visit www.cwfnc.org or contact Rachel Velez at rachel@cwfnc.org!

Promoting Safe, Affordable Water for ALL! Volunteer Spotlight!

Under the Safe Drinking Water Act, water utilities serving a “large population” of non-English speaking households are required to provide translated Annual Water Quality reports. But what constitutes a “large population”, especially in NC, where public water utilities serve almost 1 million Hispanic customers?



Last summer, during our Mobile Home Park (MHP) drinking water canvass, we discovered many of these communities have predominantly Spanish-speaking residents who are not being provided important information and notices about their drinking water except in English.

CWFNC partnered with volunteer Leah Barnes, UNC Environmental Sciences major, to understand how other public water systems, not just MHPs, in areas with high Spanish speaking populations provide information to Hispanic households. The majority of town and city water systems we spoke with do provide translated materials to their customers, but not Aqua NC, the largest NC private for-profit utility, or smaller MHPs. We’ll discuss our findings with NC DEQ and provide recommendations on how our state agency can work with water utilities to ensure ALL North Carolinians understand potential health risks related to their drinking water. Watch for the final report on our website. Thank you SO much Leah for dedicating your time and expertise!



Animal Operation Impacts

Poultry Industry: An Unwelcome Neighbor

Imagine living in a place you have loved for your entire life. Your parents bought the land and raised you and your siblings there in a house they built. Summer vacations were spent playing in the backyard, listening to the cicadas and catching fireflies. Years later, when your own family is growing under that same roof, things change. The new neighbor arrives without any warning. A row of long, metal buildings are constructed along their property, looming from the hill behind your home.

You're told it's a chicken farm, and you didn't think much of it, at first, but its putrid smell becomes unavoidable. The ammonia in the air stings your lungs, triggering coughing fits. Despite keeping the windows closed, it drifts into every crack, along with a swarm of flies, and it becomes impossible to enjoy your property. At this point, you begin researching health implications of living near a poultry operation. You read about "blue baby syndrome" a life-threatening illness for infants whose bottled formula is made with well water contaminated with nitrates. In fact, you read about a host of health problems associated with poor air and water quality near these operations, including asthma and increased risk of pneumonia. You think about selling the only house you have known. But with this new neighbor causing so many problems, you wonder, who'd want to live next door to a factory farm?

This situation is the daily reality for many people in counties like Cleveland, Wilkes, Robeson and others. Concentrated animal feeding operations, known as CAFOs, dot the American landscape but NC is a hotspot for industrial agriculture. Hog operations are a well-known environmental justice (EJ) issue in the state, as they are most often located near communities of color and low-income areas. Since NC issued a moratorium on hog operations, the poultry industry has drastically expanded, creating yet another EJ threat. This increase is partially due to the fact that most poultry CAFOs are "deemed permitted" under current NC rules, with little to no regulations preventing their impacts on the environment and human health.

To make matters worse, other NC laws prioritize CAFOs above local residents. The state has "right-to-farm"

statutes that severely limit the nuisance claims nearby neighbors may file. NC's agricultural "gag" law prevents people from entering non-public areas and capturing footage; though much of this ag-gag law was recently declared unconstitutional by a federal judge. Violations of regulations that do exist, such as leaving manure piles uncovered for more than 15 days or not maintaining waste management records, are difficult to prove. Not only does the NC Dept. of Environmental Quality lack the capacity to enforce regulations, they lack basic info on where "deemed permitted" operations are located.

Despite similar challenges, communities in other states have managed to fight back against the poultry industry in different ways. In Millsboro, DE, a health impact assessment found that the proposed processing plant would add to pre-existing environmental pollutant levels, and successfully blocked its construction. A group in York County, PA organized against the expansion of a chicken CAFO by documenting its harm to local water quality. Residents in Maryland raised awareness of air pollution associated with industrial animal farms by lobbying for the Community Healthy Air Act. And in Leavenworth County,

KS, a proposed Tyson Foods poultry plant was heavily criticized, ultimately discouraging the company from continuing its plan to build its operation. In all of these cases, community efforts—organizing, petitions, news coverage, and more—created enough opposition to resist the pressure of a multi-billion dollar industry.

In NC, an effort to study dry litter poultry operations was shut down in the 2019 legislative session. It is up to communities to let their local governments, Representatives and Senators know this issue is important to them. We can also support local farmers through community shared agriculture (CSA) where available and encourage more sustainable forms of animal agriculture. Imagine a food system where the struggles of factory farms aren't necessary, where communities don't need to worry about their families getting sick and losing the livability of their homes because an unexpected new neighbor moves in with thousands of chickens in tow. Is that a future worth fighting for?



An 8-barn poultry operation in Cleveland County, NC. Each barn may hold up to 30,000 birds whose waste is shown in mounds at the end of each barn, despite NC regulations stating that such waste piles should be covered.



Communities Resist Environmental Justice Threats

Standing for Environmental and Climate Justice in Robeson County!

Active Energy LLC, a company based in the UK, is proposing to construct a “black” wood pellet facility in Lumberton – the first of its kind anywhere on the planet. The NC Dept. of Air Quality (DAQ) is weighing the request in the midst of COVID-19, when studies show black and brown people are disproportionately impacted by compounding factors, including working in essential jobs without adequate protection and poor air quality that can cause an increased risk of respiratory illness.

Robeson County, already overburdened by pipelines and polluting industries, is an area noted for having high rates of asthma, heart disease, stroke, and hospitalization compared to the state average.

Given that Active Energy’s plant would be the first to produce these black wood pellets used in burners designed for coal, no emissions testing or modeling exists to accurately estimate total air emissions, which would include unknown amounts of PM2.5, Sulfur Dioxide, Carbon Monoxide, and Nitrogen Oxides! While the permit would be for a facility to produce 40,000 tons of pellets, Active Energy’s website already projects increasing production to 400,000 tons in a year!

Over 140 impacted community members, ally organizations, local elected officials, and CWFNC staff spoke out against Active Energy during the June 22 virtual hearing, focusing on Environmental Justice and health impacts on the predominantly Black and Indigenous community of Lumberton.



Enviva Ahoskie's conventional wood pellet plant, a dirty operation, but a poor substitute for estimating emissions from Active Energy's proposed black wood pellet operation in Lumberton.

CWFNC stands with impacted communities and urges DAQ not to make any permitting decisions until community members can receive information and ask questions during an in-person meeting. We cannot allow Active Energy to use Robeson County as a sacrifice zone for a highly experimental product that will benefit international interests and produce unknown community and environmental health impacts!

Community Fights Unjust Air Permit for Bio-Gas Plant During COVID-19

RNG or “Renewable natural gas”, is one of the fossil fuel industry’s latest deceptive ploys to remain in business and trap communities into continued dependence on carbon-based fuels. Instead of clearing the way for cleaner, more just alternatives that don’t

threaten communities’ health, companies like Dominion Energy and Smithfield foods are trying to capitalize on this new industry catch-phrase, at the expense of NC’s most vulnerable, industry-burdened communities.

Align RNG is a joint venture by Dominion and Smithfield foods to construct and operate a biogas facility in Duplin County, using manure from hog farms throughout Duplin and Sampson counties. Emissions from the proposed facility, including carcinogenic particulate matter, will disproportionately impact these communities already overburdened by swine and poultry operations. Further, Duplin County has by far the highest number of COVID cases per 10,000 residents of all NC counties – a clear manifestation of the extreme health vulnerabilities for people in this county.

In line with our commitment to promoting Environmental Justice for all North Carolinians, Clean Water for NC has joined with the Lawyers Committee for Civil Rights Under the Law, the NC Environmental Justice Network and other organizations to call on DEQ NOT to issue the air permit for this biogas facility!



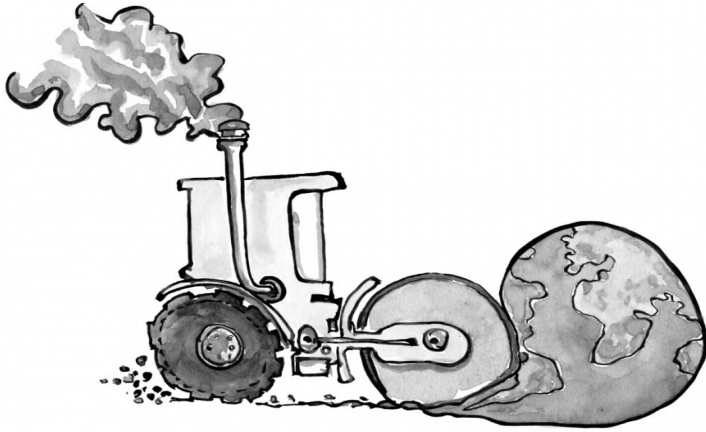
Hogwash! Calling biogas a clean energy source is deceptive and only encourages continued dependence on carbon-based fuels.



Polluter Accountability

Steamrolled: 100 Federal Environmental Rules

With at least 100 federal environmental policy rollbacks completed or in progress, it's difficult to keep up. These rules affect climate, air quality, water quality, biodiversity, and community health, and are intricately tied to environmental and social justice. We can't cover them all - where do we even begin?



Global Steamroller Illustration, by Frits Ahlefeldt
<https://fritsahlefeldt.com/> Reprinted with artist permission.

NEPA: The National Environmental Policy Act (NEPA) should help protect every community where a major project would be sited. Since 1970, NEPA required reviews for major roads, pipelines, power plants and more. The review process involves an outline of potential environmental consequences and allows for public input that could help prevent siting projects in culturally or environmentally sensitive areas or vulnerable communities.

Claiming to “streamline” and “modernize” the process, the Trump Administration’s recently finalized rule narrows the range of projects requiring assessment, shortens the time period for review, and entirely eliminates considerations for cumulative impacts to the environment and already overburdened communities. Furthermore, it shortens public comment periods and only accepts input on limited topics. Instead of valuing the community perspective, the rule demands data-supported evidence, and requires agencies to consider only technical evidence on a proposed project - predictably catastrophic results for Environmental Justice.

2020 Hurricane Season Could Deepen Environmental Injustices

The 2020 hurricane season is predicted to be a busy one--bad news for NC communities prone to flooding. Flood prone areas tend to have lower property values, and lower-income communities are likely to be targeted by polluting industries, creating multiple layers of environmental injustice. When hurricanes and historic rainfalls inundate an area, floodwaters mixed with toxic byproducts of industry can contaminate water sources and threaten human health. After Florence, two Duke Energy coal ash impoundments failed, 110 hog waste lagoons breached, and millions of animals from industrial operations drowned in the floodwaters, and thousands of homes were flooded. More affluent residents were able to relocate or secure federal emergency aid, while others remained trapped without access to assistance.

The COVID-19 pandemic will further complicate hurricane response. Communities most impacted by polluting industries are also more susceptible to COVID infection. The state is urging eastern NC residents to prepare for evacuation, but many lower-income families, already struggling from job loss and economic impacts, may not have the means. As the state is requiring shelters to provide 115 square feet per person during the pandemic, shelter capacity could be reduced by more than half. To assure adequate hurricane shelter capacity and supplies, we must advocate for increased assistance to eastern NC’s EJ communities.

Climate: It’s ironic that this administration is demanding scientific data from community members, as it largely ignores any science on climate change or health threats. Scientists have known for decades that greenhouse gasses impact the climate and warned of the need to reduce emissions. In response, the Trump administration abandoned the Clean Power Plan and the Paris Climate Accords, and proposed weakening standards for new power plants. Further, it has turned over authority to set carbon limits on existing coal- and gas-fired power plants to states. Methane is a greenhouse gas 86 times more powerful than CO₂, yet methane disclosure requirements for oil and gas companies have been eliminated, landfills have longer to develop methane reduction plans, and requirements to repair methane leaks at oil and gas facilities would be relaxed.

Coal Ash: Coal Combustion Residuals (CCR) can be radioactive, and are laden with toxic heavy metals. CCR contaminants have been shown to pollute groundwater at over 95% of unlined coal ash pits around the country. Yet proposed coal ash rollbacks would grant “permits for life” at new or existing dumps, whether lined or unlined. Regulators would issue “one size fits all” permits that would be approved with little or no review by the permitting agency or opportunity for public comment.

Mooresville, NC, with a concentration of large permitted coal ash fill sites and unknown numbers of small fill sites, is currently under investigation as a cancer hotspot. The Trump Administration has proposed that coal ash be used as a substitute for construction fill and agricultural soil amendment. Perhaps most irresponsibly, the EPA is proposing to authorize “temporary” storage of coal ash in open waste piles, with no limits on height or volume, no indication of how long ash could remain, and no requirements for controlling dust, or preventing groundwater contamination.

In essence, these federal policies and proposals are steamrolling the environment and communities, crushing our right to democratic decision-making, absolving polluters of accountability, and putting the interests of industry first.

Clean Water for North Carolina

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Steve Schewel and Lao Rubert

Indraneel "Neel" Dharwadkar, CWFNC's 2020 Duke Stanback Intern



Thanks to Neel, this summer CWFNC has been able to explore some of the details of economic vulnerability and energy burden (% of income is spent on energy) in key counties where CWFNC will be working on poultry operations, well contamination wood pellet plants and other Environmental Justice issues!

Using "Carto" software to map these areas, Neel is helping us prioritize areas of several counties for outreach, and provided new insights on areas most at risk. He's been involved in Duke University's Energy Access Project, and worked previously to analyze economic and energy vulnerabilities in San Diego's struggling Opportunity Zone. Originally from India, Neel is deeply committed to social justice and will finish his Master's Degree from Duke's Sanford School of Public Policy next year.

Join Clean Water for North Carolina (or renew your membership):

☐ \$25 ☐ \$50 ☐ \$100 ☐ Other ☐ I would like to volunteer ☐ I'll give online at www.cwfnc.org/donate-now



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Address: _____

City: _____ State: _____ Zip: _____

Email: _____ (email is a faster & cheaper way for us to reach you)

(Optional) my gift is in honor of: _____

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The Atlantic Coast Pipeline Bites the Dust—We Won!

As many of you have heard, the region's biggest proposed fracked gas pipeline, the ACP, has stopped efforts to resume building, as a result of continuing activism, landowner resistance and loss of 8 of the key permits that had been hastily granted by federal and state agencies. It's a terrible waste that it took over 5 years and thousands of people and organizations resisting, organizing and strategizing to finally convince Dominion Energy and Duke Energy that we weren't going away and it wasn't worth investing any more on the ACP. The mega-utilities wasted billions of dollars, caused damage to waters, woodlands and wildlife, and inflicted psychological and financial harm on thousands of landowners and residents. Even before the utilities had applied for a federal permit, many of us knew that the pipeline wasn't needed, that it could not bring significant economic development, and that the real reason for building the ACP was the profit to shareholders.

Thanks to all who did years of organizing, door to door outreach, "people's hearings", savvy legal action, marches along part or all of the proposed ACP route, a protest flotilla on the Tar River, and a "Tri-State Climate Emergency Rally" in Roanoke VA against the ACP and MVP. We're committed to monitoring the "unwinding" & cleanup of the physical and financial messes the ACP has made, and to working with allies to stop the Mountain Valley Pipeline, too.

When the People Stay United, We CAN WIN!

