



Clean Water for North Carolina

Clean Currents

Spring 2017

A newsletter of clean water and community environmental justice issues

Eastern NC Communities Speak Out About Atlantic Coast Pipeline!

On Feb. 13-15, the Federal Energy Regulatory Commission (FERC) held “listening sessions” to get comments on the Atlantic Coast Pipeline Draft Environmental Impact Statement (DEIS) in Fayetteville, Wilson and Roanoke Rapids. Clean Water for NC and local and statewide allies knew that having commenters give 3-minute oral comments privately to FERC would deprive the public of the opportunity to learn from each other’s concerns about the pipeline, and restrict media access as well.

Allies from the new Alliance to Protect the People and Places We Live (APPPL), FrackFreeNC, and independent groups spoke out at “People’s Hearings” hosted near the sites of the FERC sessions, organized to bring together concerned residents and impacted landowners to share comments and strategies.

In Fayetteville, the People’s Hearing drew about 60 participants, many of whom also commented at the FERC sessions. Residents said they felt disempowered and isolated in one-on-one sessions with a FERC employee, with access problems for disabled residents. At the People’s Hearing, many spoke about fears for their land, communities, safety and health, and the utilities’ plans to run the pipeline through wetlands, burial sites and ancestral lands.

In Fayetteville and Wilson, the media was denied entry to the FERC comment sessions, as we predicted. Lisa Sorg, a reporter with NC Policy Watch, had to attend the informal People’s Hearing in Wilson to get interviews with local impacted residents. Local Blue Ridge Environmental Defense League chapters from Nash, Wilson and Johnston Counties came, and many spoke to the media.

In Roanoke Rapids, the People’s Hearing started with a press conference featuring CWFNC organizer Belinda Joyner, Halifax and Northampton County

NAACP Chapter Presidents, and Valerie Williams of the Concerned Stewards of Halifax County. They emphasized that the ACP would disproportionately affect people of color and the poor, and busted myths about the jobs and economic development pipeline builders Dominion and Duke Energy have touted. Predatory land acquisition practices especially impact

vulnerable elderly residents, and strip away control of legacy property, the only thing that many African-American landowners and poor residents have to pass on to their descendants.

Public Comments on the DEIS are Needed!

A team of dedicated volunteers from the FrackFreeNC and APPPL Alliances has been reviewing the lengthy DEIS, which fails to include massive amounts of crucial information and takes several of Dominion’s wildly optimistic projections as fact. Some key problems for the public to comment on:

- The lack of information about stream crossings, wetland impacts, sedimentation and erosion from construction, and how Dominion and contractors will be held accountable for damage.
- Statements that there are no significant impacts on environmental justice populations, based on a deeply flawed analysis ignoring the pipeline’s route through several of the state’s poorest counties, with high populations of African Americans and Native Americans.
- The DEIS fails to assess serious potential impacts to air quality and groundwater, and doesn’t call for adequate protections for nearby communities.
- Statements that all pipelines built to DOT standards are safe and the public doesn’t need to worry. Those standards haven’t prevented a huge increase in pipeline incidents in the past 6 years, during the “rush to build” pipelines for profit.

To find more “talking points” about problems with the DEIS, and find out how to submit comments, please visit FrackFreeNC.org or APPPL.org.



The Alliance to Protect the People and Places We Live (APPPL) and FrackFreeNC Alliance shown working together at the informal “people’s hearing” at the Fayetteville FERC comment session. Photo by Caroline Hansley, Sierra Club

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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Please Contact Us

Asheville

828-251-1291 • 1-800-929-4480

Katie Hicks, Associate Director

katie@cwfn.org

Xavier Boatright, EJ Organizer &
Researcher xavier@cwfn.org

Durham - 919-401-9600

Hope Taylor, Executive Director

hope@cwfn.org

Ericka Faircloth, Water & Energy Justice
Organizer, ericka@cwfn.org

Garysburg

252-537-1078

Belinda Joyner, Northeast Organizer

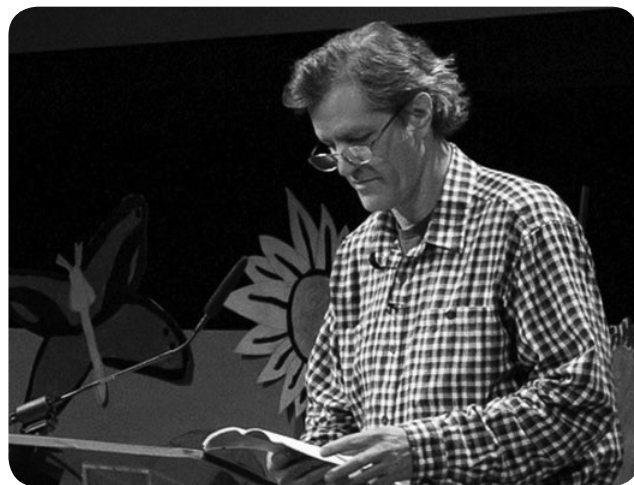
A Tribute to Wonderful Friend and “People’s Professor,” Steve Wing

Steve Wing was a lively and inspiring epidemiology professor at the UNC School of Public Health when I met him over 25 years ago. Hundreds of graduate students, including me, have learned about the environmental health impacts of toxic industries, inadequate water and wastewater infrastructure and the spread of disease from Steve—a researcher deeply involved in community health and rigorous scientific research. Since the 90s, Steve has been a key leader in the developing Environmental Justice Network, and a pioneer in the area of Community Based Participatory Research. His collaborations with Concerned Citizens of Tillery and communities worldwide, researching industrial livestock operations, uranium mining and many other issues, have given us a legacy of published research and knowledge to strengthened communities’ ability to advocate for stronger environmental health protections.

As a community collaborator, joyous jazz musician and organizer of remarkable academic and activist meetings, Steve brought pleasure, inspiration and important challenges to a widespread community, but he was most appreciated right here in North Carolina. Naeema

Muhammed, long-time organizer and co-director for the NC Environmental Justice Network, says, “Steve helped communities confidently speak out about issues and what the impact could possibly be on their health and the environment. He was truly ‘the people’s professor.’”

Diagnosed with cancer in early 2015, Steve continued to work whenever he could up until his death last November 9th. Because of Steve’s commitment and passion for both communities and science, his legacy includes the dozens of graduate students he mentored over the years. They’re now working on key public health research in NC and around the US. Each time we convene the NC EJ Summit, each time a community meets on EJ issues, empowered by greater understanding of the science to speak out, and each time we interact with one of the many scientists he trained, we’ll treasure Steve and his life’s work all over again.



In loving and admiring memory of Steve,

Hope



Drinking Water Justice

NC Supreme Court Rules in Favor of Asheville Ownership of Water System!

In December, the NC Supreme Court ruled in favor of the City of Asheville in a long-standing dispute over the City's right to own and operate their water system, overruling a lower court's decision. This decision recognized the inherent connection between water utility governance and human health, and denied the NC Legislature's attempt to involuntarily transfer drinking water assets from city ownership to a regional authority.

CWFNC partnered with local residents to sound early alarms about the Legislature's attempt to seize the water system, and to keep the issue in the spotlight over 5 years. Our hats are off to City leaders and to the committed group of grassroots activists whose sustained efforts kept the pressure on to include the public in decision-making about the future of the water system!

The precedent set by Asheville's case reassures other



Clean Water for NC and local activists gathered in January to celebrate the Supreme Court decision!

local governments who are responsibly governing vital public resources that they will not suddenly lose control of water infrastructure they have invested in. Regional partnerships to provide communities with drinking water can be beneficial when local residents and leaders support them. This ruling

ensures regionalization will not happen as a result of legislative mandates without local buy-in. CWFNC hopes that Asheville, like cities in other parts of the state, will set aside differences and work with neighboring local governments to find common solutions to water needs in the region, with opportunities for the public to weigh in. Communities must also stay vigilant – thanks to increasing pressures on water resources across the state, this will almost certainly not be the last time political tug-of-wars or profit-driven schemes threaten local, public control.

"One Water" Listening Tour: Conversations about Local Water Problems and Solutions

Jennifer Weaver is on the Hillsborough Town Council and was recently a CWFNC researcher

In January, the US Water Alliance held a "One Water" listening session in Research Triangle Park. About 60 representatives of local governments, academia, conservation groups, and other nonprofits gathered to discuss growing challenges to providing clean and affordable water for communities.



The issues raised by participants are familiar. Water and wastewater infrastructure is aging and expensive to maintain. Many costs don't depend on a utility's size, so small systems with fewer customers to support them struggle to upgrade and maintain their infrastructure. For private well users who experience contamination, there are limited resources to help them hook up to local water utilities. Also, low incomes make it difficult for many water customers to pay for water and wastewater service. Some participants thought that public-private partnerships might help with financing, but others cautioned against the creeping privatization of water.

Federal funds (EPA) to assist local utilities are tied to local median income. But that masks the detailed needs for assistance – a few very high income earners can make communities appear better off than many residents are. A NC Division of Water Infrastructure

representative noted that they want to accurately assess affordability by using more indicators, including poverty rate, population change, property valuation per capita, and unemployment.

Several participants also commented on who was NOT represented in the room – communities of color and justice/equity advocates! Participants agreed that it is difficult to come up with solutions for disadvantaged communities without their participation. Conveners agreed that this was a common theme in discussions nationwide. Water justice advocates and activists should take heart that their hard work is starting to pay off – more people now understand how important it is to involve affected communities!

What can communities do? Urge your town councils and county commissions to work with adjacent jurisdictions to find cooperative solutions, rather than struggling on their own. Hold your local government accountable for transparency and good budgeting. Water and sewer utilities must give residents clear information about infrastructure needs and costs, and a sustainable plan to pay for them. Expect your elected officials to lobby state representatives for assistance and good policies, so that income doesn't restrict access to clean, affordable water.



Communities In Action

Some Coal Ash Neighbors to Get Permanent Water Supplies; Big Concerns Remain

Legislation passed last year required Duke Energy to provide a permanent drinking water supply to all homes with private wells within a ½ mile of each coal ash site, excluding households separated from the coal ash basins by a river. Duke must provide a replacement drinking water supply to all eligible homes by October 2018, although Duke or state regulators could request an extension. Duke contracted with a third party company to conduct a feasibility analysis for the water replacement projects. Language in Duke Energy's water plans for each site indicated it would evaluate costs to determine the cheapest solution for permanent water replacement. Water Replacement Plans for each site can be found at: <https://www.duke-energy.com/our-company/about-us/power-plants/ash-management/water-plans>.

CWFNC has been working with residents around the Roxboro, Arden, and Cliffside coal ash sites. Communities like Roxboro and Cliffside who aren't in close proximity to an existing municipal water system look like they will be forced to accept the cheaper alternative of filtration systems instead of having the option of public water lines. Duke Energy has also offered filtration systems to impacted well owners at its Arden plant who are separated from the plant by the French Broad River. Residents in Arden are proud that their pressure on Duke, local and state officials has led to an offer of safe public water, but many across the river would prefer if the company gave them a choice to receive municipal water hookups instead of filtration.

In the meantime, Duke Energy surprised impacted communities, lawyers working with affected residents, and advocates by issuing a media release about a supposed "goodwill offer" of financial compensation. Communities around the state are very concerned about these compensation plans, which include a \$5,000 "goodwill" supplement and a "property protection plan," which Duke says will pay the difference in value if their homes sell for less because of presence of coal ash. Residents say that these offers are an attempt to interfere with efforts to negotiate a good legal settlement and to buy their silence. If they accept the money, they will have to sign a waiver of the right to sue on any future health and groundwater contamination claims.

Well owners can accept the permanent water supplies which Duke is required by law to provide, without accepting the financial compensation plans, and we expect many will do so. The arrival of multiple letters and deadline dates for responding to water options and compensation plans has left many impacted residents confused, with very limited time to make a decision. It's most important that folks remember that Duke's offered "compensation plan," "property protection plan," and waiver of claims are voluntary, and signing would prevent any future legal action on their behalf! Communities in the statewide alliance, ACT Against Coal Ash, have been compiling facts and questions that should be considered when making a decision before the deadlines.

Thanks to Our Generous Foundations and Major Donors!

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Communities in Action

Northampton County Rises up Against Proposed Coal Ash Landfills

In late January, residents learned of plans by private company VistaGreen to build two coal ash landfills near Seaboard in Northampton County, saying the site was chosen for its “remoteness,” the location of a nearby railway line, and the need for economic development. Polluting industries often approach low-wealth communities with promises of jobs and tax revenue for the county—in this case, VistaGreen told county officials they estimated \$20 million in revenues within a few years. The site is too far from NC coal ash sites, but the rail line would enable them to import coal ash from Dominion plants in Virginia, and store thousands of tons before beginning recycling for use in concrete and other materials.

VistaGreen hosted two public outreach meetings, hoping that PR efforts would build support. Instead, the county’s NAACP, CWFNC’s Belinda Joyner, and resident Debbie Davis helped to mobilize hundreds of concerned residents to come and raise tough questions about the



The leadership of Northampton Citizens Against Coal Ash (NCCA)

facility. VistaGreen talked about plans to line the landfills and put in monitoring wells to detect groundwater contamination. Instead of support, they were greeted by hundreds of angry residents objecting passionately to the landfills. Folks had learned a lot about the impacts of coal ash on water supply wells and quality of life in impacted NC communities—and they wanted none of it.

A new grassroots organization, Northampton Citizens Against Coal Ash (NCCA), formed quickly

to confront VistaGreen at the county’s next Planning and Zoning meeting, to discuss a Special Use Permit for the facility in early February. Seeing the widespread resistance, VistaGreen withdrew their application rather than taking it to a Commission vote—but residents know they are planning to reapply. NCCA is holding regular well-attended meetings and will continue organizing and researching the issue to fend off the landfills. To get involved, contact Belinda Joyner at 252-537-1078 or Debbie Davis at 252-589-1191.

Walk to Stop the Atlantic Coast Pipeline Draws Wide Support

March 4th was the kickoff of the “Walk to Protect our People and the Places we Live,” a two week long Walk to raise awareness about the Atlantic Coast Pipeline in NC. It started with an opening ceremony at the Franklinton Center at Bricks, with personal stories from impacted landowners and Native American elders, songs and drumming, and solidarity from allies in NC & VA.

The Walk began on US 301 in Northampton County at the VA border, and traveled through Halifax, Nash, Wilson, Johnston, Sampson, Cumberland, Robeson, Scotland and Richmond Counties until March 19th. The Walk covered over 200 miles and passed through towns like Garysburg, Rocky Mount, Falcon, Fayetteville, and Laurinburg.

Educational events during the Walk included film screening of “Won’t Pipe Down” about the fight against the ACP in VA, and “Water Warriors,” about Native American resistance to oil and gas in Canada, as well as presentations on safety, economic and environmental impacts and social justice issues related to the pipeline.

The Walk is sponsored by the Alliance to Protect Our People and the Places We Live (APPPL), an alliance that was created in December, 2016 to focus on the ACP issue. Their website (www.apppl.org) includes updates on the pipeline, as well as frequently asked questions and resources. FrackFreeNC has helped in promoting the WALK and recruiting participants, events and speakers.

Right: a group gathers on the first day of the Walk! Photo by Caroline Hansley



Polluter Accountability

New Leadership at Environmental, Health Agencies under Gov. Cooper Committed to “Accountability”

In January, Governor Roy Cooper appointed Michael Regan, a longtime air quality specialist with the US EPA and Environmental Defense Fund, as the new Secretary of the NC Department of Environmental Quality (DEQ). Cooper said he picked Regan because of his strong environmental credentials and reputation as an effective leader. Regan replaces former DEQ Secretary Donald van der Vaart, who had demoted himself to avoid being fired, and is said to be still hoping for a position with the Trump EPA. Other key leaders appointed at DEQ include:

- Sheila Holman, a longtime air quality official, replaces Tom Reeder as Assistant Secretary for the Environment. Reeder was at the center of the coal ash well water contamination debate, arguing that well owners whose water supplies exceeded DHHS standards could safely drink their water.
- Mike Abraczinskas, a longtime environmental engineer with DEQ, will serve as director for the N.C. Division of Air Quality.

Cooper also replaced Randall Williams, McCrory’s Secretary of Department of Health and Human Services (DHHS), who riled coal ash communities by saying their well water was safe. Williams’ replacement, Dr. Mandy Cohen, is a health care management and policy expert, who served as Chief of Staff at the Centers for Medicare and Medicaid Services under President Obama.

We hope that the new leadership in these agencies will provide transparent, science-based information about the safety of drinking water, protect public health, and support realistic coal ash cleanup solutions that do not harm any community. Legislation passed in a special session in December requiring cabinet secretaries to face Senate confirmation hearings, but Regan and Cohen have already begun reforming their agencies.

NC Legislation to Watch:

NC’s House and Senate still have Republican supermajorities, making passage of new protections nearly impossible without a Republican cosponsor. CWFNC will be tracking legislation that threatens to roll back environmental or health protections. Several bills have already raised concerns:

- Eminent domain bill (**HB 3**) that could make it easier for interstate pipelines to be able to take land for pipeline construction and operation;
- Renewable energy amendments (**HB 267**) would weaken renewable energy requirements;
- Solid waste amendments (**SB 163**) could extend permit provisions up to 60 years and allow landfill franchises to renew indefinitely without any public notice or comment.

Stay tuned via e-mail and on our website for action alerts!

Contacting Your Elected Officials To Tell Them Your Concerns

by Lacy D. Colson, III, volunteer, Greensboro

Making a difference on issues you care about isn’t as difficult as you may think. Volunteering for local organizations is a great way to get started, but contacting your local and state officials is very important.

Writing a letter or email to an elected official, or calling their office, to express why you support or oppose a specific policy, or course of action is important. It’s the duty of every elected official to listen to constituents and demonstrate to citizens that their voices matter. After all, that official wouldn’t be in office if many in the community or district hadn’t voted them in! Expressing support for a bill or other action is just as important, because officials often hear negative feedback and seldom hear positive responses for an action they’ve taken.

The simplest way to find your state Representative or Senator’s contact info is by going to www.ncleg.net and clicking on the ‘Who Represents Me?’ tab at the top right of the page, and then selecting your county. The

specific district(s) and links to your Representative’s and Senator’s pages will appear. The pages have their photo, credentials, email, phone number, committees they serve on and bills they have sponsored, and voting record.

Everyone in NC also has a county government, responsible for policy, budgeting and collecting taxes for a range of local services. These range from fire and emergency management, to county public schools, to health and social services. Simply search on your browser for your county’s name to find your county’s website to get contacts for local services and County Commissioners, as well as scheduled meetings. To influence the budget priorities for your county and weigh in on local policies which affect residents and businesses, attend meetings and stay in contact with Commissioners. If you live in a city, you have another website and set of elected city officials, whose actions can also affect your daily life and wellbeing, and they need to hear from YOU!



Clean Water for North Carolina

Thank You to Our New & Renewing Members:

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(in honor of Martha & Roy
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Monthly or quarterly donations from these individuals make a huge difference in sustaining our work with communities. You can become a member of the "SteadyFlow" program, too - it's easy to set up a recurring donation at donatenow.networkforgood.org/CWFNC.

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



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City: _____ State: _____ Zip: _____

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

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The Time to Stand Up for Environmental Justice is NOW



CWFNC's Ericka Faircloth (second from left) joins others at a previous NC Environmental Justice Network Annual Summit.

Clean Water for North Carolina (CWFNC) enthusiastically supports the Principles of Environmental Justice, first established in 1991. The Environmental Justice movement is now international, working to prevent the disproportionate impacts of destructive, economically damaging and toxic operations on communities of color and low income by standing together. Now, after decades of EPA recognition of environmental injustices and commitment to EJ, the progress made is under attack!

The Trump administration has announced plans to cut the EPA's budget by 25 percent, including dismantling the whole EPA Environmental Justice program! That would include eliminating grant programs that help low income and minority communities to protect themselves against environmental harms. In the face of the administration's outright hostility to EJ, Mustafa Ali, EPA's Environmental Justice chief, resigned from his position after 24 years at the agency.

It's more urgent than ever to take action for Environmental Justice in North Carolina! CWFNC is a member of the NC Environmental Justice Network and encourages other organizations and individuals to join and support the network by visiting www.ncejn.org. NCEJN's Annual Summit, a great opportunity to meet with other communities, takes place in mid-October each year. Watch for an announcement of the next Quarterly Meeting in April in Sampson County!