Black Warrior Riverkeeper celebrated our 10th Anniversary from September 25, 2011 through September 25, 2012. On September 25, 2001, Waterkeeper Alliance approved Black Warrior Riverkeeper’s program application. Founded by Birmingham citizens David Whiteside and Roger Conville, we became the world’s 72nd Waterkeeper organization. There are now over 200.

To commemorate our 10th Anniversary, Black Warrior Riverkeeper held public celebrations on Tuscaloosa’s Bama Belle Riverboat and at Birmingham’s Good People Brewery. The details and sponsors of those events are included on an online timeline of “watershed moments” in our history: blackwarriorriver.org/timeline.html

While our 10th Anniversary has passed, a far more important milestone was subsequently reached on October 18, 2012: the 40th Anniversary of the Clean Water Act. When Congress passed the Clean Water Act in 1972, it envisioned stopping additional polluted water from flowing into our nation’s waters by 1985.

Forty years later, the Clean Water Act has done much to clean up streams, rivers, and lakes within the Black Warrior River watershed and throughout the nation, but new sources of water pollution are being permitted by our government almost every month. Unfortunately, we have a long way to go before all streams can be considered safe for swimming, fishing, and drinking.

“Sadly, there are still many interests who would rather dump their waste into the river than dispose of it properly – putting their pollution burden and the cost of cleaning it up squarely on the backs of Alabama taxpayers,” explains Nelson Brooke, Black Warrior Riverkeeper.

With some regulatory agencies in Alabama unwilling and unable to adequately enforce the Clean Water Act and hold polluters accountable, citizens must pick up the slack. Black Warrior Riverkeeper is dedicated to finding major pollution problems and advocating for their cleanup. Over the past ten years, we have been educating the public about where pollution is coming from, and who is responsible, so that appropriate action can be taken.

For the Clean Water Act’s 40th Birthday, Black Warrior Riverkeeper released an interactive online map showing the location of many wastewater treatment facilities with permits to discharge treated sewage into the river and its tributaries. It can be difficult for citizens to find out where such facilities are and where they send polluted water. Now, with this map citizens can better make more informed decisions about where to swim, fish, and recreate. To view the map, and to learn more about sewage in the Black Warrior River watershed, visit: blackwarriorriver.org/sewage.html

Black Warrior Riverkeeper joins hundreds of Waterkeeper Alliance organizations across this great nation who are celebrating the Clean Water Act’s 40th Anniversary. Our waterways are critical to current and future generations’ health and prosperity. Thank you, donors and volunteers, for your support!
Our drinking water is being threatened, but you can be part of the solution. The proposed 1,773 acre Shepherd Bend coal mine would discharge polluted water into the Mulberry Fork of the Black Warrior River only 800 feet from the Birmingham Water Works Board’s intake in Walker County which provides drinking water for 200,000 Birmingham-area citizens daily. We need your help to stop this threat.

The Birmingham Water Works Board has shared information as to how the wastewater discharges from Shepherd Bend Mine would introduce pollutants and sediment into the source of our tap water, potentially leading to increased treatment costs for customers, decreased water quality, and health risks.

The majority of the property and mineral rights at Shepherd Bend happen to be owned by the University of Alabama. This coal mine cannot get started until Drummond Company leases or purchases the surface and mineral rights from the University of Alabama System. This has not happened to date.

Countless citizens, businesses, and organizations have asked UA what its plans are at Shepherd Bend. UA’s oft-repeated response, “The University has not been approached about leasing the land and has no current plans to lease or sell the land” is inadequate. For over five years, we have asked the UA System to announce that it will never sell or lease its land or mineral rights at Shepherd Bend for mining.

Please consider pursuing these options for protecting the river and Birmingham’s water from this threat:

1. Send your own letter to the UA System’s Chancellor, Dr. Robert E. Witt, asking him to stop the mine:
   
   Chancellor Robert E. Witt  
   The University of Alabama System  
   401 Queen City Avenue  
   Tuscaloosa, AL 35401-1551
   
   (Please send us a copy of your letter, and let us know if we can share it online and/or with the media.)

2. Give us permission to publicly list you as an opponent of the mine.

3. Become active in the opposition by advising us on tactics, contacts, potential opponents, etc.

4. Create your own opposition strategy and please stay in touch.

For more information, visit our website, which includes our Shepherd Bend position statement plus background information, documents, petitions, maps, and pictures. Go to our homepage (blackwarriorriver.org) and click the link that says “Help Protect Birmingham’s Drinking Water.” That page also includes a frequently-updated list of businesses and organizations who have indicated their opposition to the mine. If you have any questions, suggestions, or concerns, contact us at info@blackwarriorriver.org or 205-458-0095.
New Board Member Bio: Elena White

Growing up in the city, Elena was very fortunate in being able to spend a great deal of time on her family’s farm in rural Alabama. Her grandfather, a retired farmer, taught her and her younger siblings how to manage and care for their land. They learned how to fully utilize everything and waste as little as possible. Elena decided to draw from her "rurban" (rural-urban hybrid) upbringing to share green with the everyday person. She is the founder and editor of a green lifestyle blog, Life The Green Way, which is geared towards the mainstream and focuses on sustainability issues.

In her writings, Elena offers guidance in areas ranging from money-saving green tips, to reviews of green products, air quality updates and other environmental information. Several of her articles have been published in "The Community Reinvestor," an Alabama business magazine. Life The Green Way is featured at Best Green Blogs and Top 100 Green Blogs for Students.

Additionally, Elena is the founder of Green Drinks Birmingham, the local chapter of an international social networking organization, active in over 800 cities worldwide, that brings together individuals and organizations that are focused on green initiatives.

Elena is also the creator of Pinnacle Data Systems LLC’s sustainability initiative, “Pinnacle Preserves”, and is responsible for its implementation at both the Birmingham and Atlanta sites. The initiative, which began in October 2010, includes an expanded recycling program (paper, cardboard, aluminum, plastics and electronics).

Elena is a 2010 NAACP Outstanding Young Professional Award winner and a 2011 Alabama Black Achievers Award, Nominee (Non-Profit Executive of the Year). She is a past member of The Leukemia & Lymphoma Society (LLS) Junior Board and the Alabama Ballet Junior Board. In addition to currently serving on Black Warrior Riverkeeper’s Board of Directors, she is also a founding member of UAB’s College of Arts and Sciences Junior Leadership Council. Elena is also a member of several other local environmental and community organizations.

Elena attended the University of Alabama at Birmingham where she majored in Psychology and was inducted into Psi Chi, The National Honor Society in Psychology. A native of Birmingham, AL, Elena is married to college sweetheart, Kori K. White and the proud mother of daughter, Olivia Grace and sons, Kori Noah and Jonah Kolin Douglas.

Vote Yes on November 6 for Alabama’s Forever Wild Program

Black Warrior Riverkeeper is a proud member of Alabamians for Forever Wild, a diverse coalition of conservation, environmental, hunting and angling, outdoor recreation, and business entities from all across Alabama that have come together in support of protection and reauthorization of Forever Wild funding.

Created in 1992 by a constitutional referendum that garnered 83% of the vote, Forever Wild is a program dedicated to preserving Alabama’s most beautiful and environmentally sensitive land, all while expanding the recreational opportunities available to the public. The program protects land for recreation, hunting, and fishing — without raising taxes. It will expire unless citizens vote yes for Amendment One on November 6.

We are grateful for the work Forever Wild has done to secure public lands for outdoor recreation for our citizens, the ecological integrity of Alabama’s landscape, as well as the flow of outdoor recreation and tourism dollars to local communities. Forever Wild properties in the Black Warrior River watershed include the Mulberry Fork Wildlife Management Area, M. Barnett Lawley Forever Wild Field Trial Area, Turkey Creek Tract, Turkey Creek-Thomas Tract, and the Ruffner Mountain Addition Tract.

Tim Gothard, Executive Director of the Alabama Wildlife Federation, has been a tireless promoter of Forever Wild. As Tim points out, “The people of Alabama have a unique opportunity to vote YES in November 2012 to continue Forever Wild as we know it. By doing so, we will secure for the long term unique examples of Alabama’s outdoor recreation and ecological heritage for the benefit of our children and grandchildren.”

Visit alabamiansforforeverwild.org for updates about the program and ways you can help support its continued success. And please encourage friends and colleagues to vote yes on November 6!
Northern Beltline: Myth Versus Fact

In keeping with our mission to protect and restore the Black Warrior River and its tributaries, Black Warrior Riverkeeper opposes the proposed Birmingham Northern Beltline. We absolutely support economic development initiatives for our region, but want these investments to be sustainable and frugal with minimal environmental impacts. The majority of the Northern Beltline would be built within the Black Warrior River watershed, where it plans to cross at least seventeen tributaries, including the sensitive headwaters of Turkey Creek. We believe citizens have not been provided an honest assessment of alternatives to the Beltline that are less expensive and less harmful to the environment, and have meaningful transportation utility. We are proud to work with the Southern Environmental Law Center on this issue.

The speculative economic benefits of the Northern Beltline have been presented to the community as hard facts. But the fact is they are myths articulated in the Alabama Department of Transportation’s 2012 reevaluation of the project, in presentations by the Coalition for Regional Transportation, and in the Birmingham Business Alliance’s legislative agenda. Much of this information is misleading or false, as detailed by the Ochs Center for Metropolitan Studies in “If You Build It, Will They Come?”. Read that report and learn more about the Northern Beltline at blackwarriorriver.org/northern-beltline.html. Meanwhile, here is a more concise review we call “Myth Versus Fact”:

**Myth:** The Northern Beltline will produce increased traffic flow and reduce traffic congestion caused by limited interstate route options through our area.

**Fact:** The Regional Planning Commission of Greater Birmingham projected that only 1% to 3% of the traffic through downtown Birmingham on I-20/59 would be diverted if the Northern Beltline were built and that the project will not reroute significant truck traffic. Traffic analyses in ALDOT’s Reevaluation also do not support the claim that the Beltline will reduce traffic or congestion. The Beltline will actually increase traffic on the already heavily congested section of I-59 between the current I-59/I-459 interchange and the planned interchange at I-59 in Trussville.

The anemic traffic volumes projected for the Beltline do not justify the construction of a 6-lane highway (much less ALDOT’s plans for an ultimate expansion to 8 lanes). The assumption that some trucks will take a 53-mile detour around the north side of Birmingham to avoid peak hour congestion is baseless, particularly given that the existing and much shorter I-459 already provides such a detour. Not only does the Beltline have limited congestion reduction potential, the planning commission has ranked 35 other transportation projects ahead of the Northern Beltline in importance using a methodology that gives weight to congestion mitigation benefits.

**Myth:** The Northern Beltline will be one of the greatest economic development engines ever seen in the Birmingham area.

**Fact:** Past and projected population growth numbers suggest otherwise, as does the Center for Business and Economic Research (CBER). According to the CBER’s 2010 study, only 372 businesses and 6,527 residents would locate along the Beltline corridor compared to the no-build scenario. The Ochs Center report also predicts that long-term growth will not occur along most of the corridor. This conclusion is consistent with projections from the 2012 ALDOT Reevaluation that predicts construction of the Beltline would attract only 2,208 new residents and 2,842 new jobs by 2030 along its corridor.

The CBER’s study admits that any growth and development that might be associated with the Northern Beltline is highly dependent upon other infrastructure investments, especially sewer. Project supporters have not identified any funding sources for all the secondary investment that is needed. The economic costs to Jefferson County residents, sewer ratepayers, and property owners in the small cities and unincorporated areas along the Northern Beltline corridor are likely to be substantial.

**Myth:** Constructing the Northern Beltline will create tens of thousands of jobs.

**Fact:** The CBER’s study concluded that over a 17-year construction period (which is the most optimistic possible timeframe for this project to be built), no more than 4,014 jobs will be created by the Northern Beltline in any one year. However, the Ochs Center analysis shows that the construction phase will actually create, at best, only 2,805 jobs in any one year. The difference is due to the fact that CBER used outdated 2002 data that did not take into account substantial increases in materials and other non-labor construction costs for projects like the Northern Beltline.

**Myth:** The Northern Beltline will provide accessibility to the northern and western parts of the Birmingham region that will attract businesses and people.

**Fact:** The Beltline itself is not projected to attract many businesses or residents. Birmingham already has more road miles and interstate miles than many southeastern cities. Moreover, the relationship between the presence or absence of a beltline and the extent of economic development is not strong—especially in the absence of other necessary infrastructure such as sewer. Bessemer, for example, has ample access to two interstates already, yet has not experienced robust growth in recent years. In addition, the CBER study failed to analyze numerous important variables such as school quality, crime data and developable land in its forecasting models. Businesses and residents alike would consider these factors prior to making relocation decisions. Furthermore, because of the overall low projected population growth rates for Jefferson County, any business or person that locate in the Northern Beltline corridor would likely be coming from elsewhere in the Birmingham area; this is thus not “new” growth for the region.
Northern Beltline: Myth Versus Fact (Continued)

Myth: Birmingham is the only city of its size in the southeast that does not have a complete, connected interstate route around its metropolitan area.

Fact: Many large southern metros such as Orlando, Knoxville, Tampa, and Chattanooga do not have completed interstate routes around their cities. The Ochs Center examined cities around the region and found that the presence of a complete beltline does not automatically translate into economic growth or low unemployment. In many cities, the construction of a beltline corresponded with strong growth pressures that are not present in Jefferson County.

Myth: Appalachian Highway funds are available for the Northern Beltline. These funds represent years of contributions by Alabama taxpayers and should not be allowed to go to other states.

Fact: Alabama, like all other states, is a net recipient—not donor—of federal highway money. Every state receives more from the federal highway trust fund than it pays in federal taxes on gasoline and diesel fuel. In fact, Alabama already receives more return per dollar and a higher relative share than Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee. Current federal budget conditions create tremendous uncertainty about the long-term potential for sustaining the different road funds and thus being able to guarantee money for the Northern Beltline’s construction, which ALDOT says would likely take upwards of 30-35 years. With the total elimination of the Appalachian Development Highway System by the last federal transportation bill, the Northern Beltline is no longer a “use it or lose it” project with its own separate or dedicated source of funding. Alabama should explore other ways to obtain federal support for sustainable transportation investments that could yield more positive economic growth at a lesser cost. This support could come for projects such as extending Corridor X beyond Hwy. 31 to I-59, or for critical maintenance, safety, and congestion relief projects along our existing transportation corridors.

Myth: If we don’t use the money, we lose the money.

Fact: The cost of the Northern Beltline is $4.7 billion, or $90 million per mile. A separate designation for federal Appalachian Development Highway System funds has been eliminated in the latest transportation bill passed by Congress so the Northern Beltline will now compete with other projects in Alabama that are much more critical for transportation, safety and congestion relief. Any federal funds flowing to the Beltline could be made available for work on other designated Appalachian corridors, such as the connection of Corridor X with I-20/59 – or any other federal project in Alabama. While this same transportation bill eliminates the State’s 20% match for the Beltline through 2014, there is no guarantee that this favorable treatment will continue in future legislation. This means that Alabama could be on the hook for 20% of the project’s huge cost, even as State Transportation Director John Cooper recently observed that “we are struggling to preserve our existing highway system.” Despite the acknowledged need to fix and maintain existing highways systems, Alabama currently spends 36% of its transportation funds on new and expanded roads and bridges compared to a national average of 23 percent, which is clearly unsustainable as the State’s maintenance backlog continues to grow.

Putting the federal contribution aside, Alabamians will still have to provide the cost of providing sewer, water lines, secondary road upgrades, public safety services, schools and other necessary infrastructure to bring any economic development to the area. With Jefferson County in bankruptcy and other small cities in the project’s path strapped for cash, there is no clear indication of ability to pay these additional costs, which are not included in the $4.7 billion cost of the Beltline.
Here is a chronological summary of just a few of the many activities that Nelson Brooke, Riverkeeper, performed recently as patrolman and spokesman of the Black Warrior River watershed. To report pollution call (205)458-0095, email: nbrooke@blackwarriorriver.org or use our "Report Pollution" form at blackwarriorriver.org.

**January 12:** Sampled water in Fivemile Creek, Village Creek, and Opossum Creek for CSB 42’s Deadly Deception industrial pollution investigation.

**January 27:** Took Samford professor Dr. Betsy Dobbins and her student assistant to sample water near Shepherd Bend on the Mulberry Fork.

**February 2:** Protested the proposed Shepherd Bend Mine along with concerned citizens and students from all over the state on UAB campus outside the UA Trustee board meeting.

**February 4:** Watched the Locust Fork Canoe & Kayak Race in Blount County.

**February 9/16:** Sampled the new Sumiton Lagoon discharge into the Mulberry Fork just downstream of the boat launch at the confluence of the Mulberry and the Sipsey Fork, finding levels of fecal coliform bacteria that violated permit limits.

**February 29:** Responded to a complaint about construction erosion polluting Mill Creek in Northport.

**March 13:** Documented polluted runoff into the Locust Fork from a large coal stockpile at a Birmingham facility.

**March 29:** Checked out old abandoned underground mine drainage on a tributary of Burnt Cane Creek in Walker County with Samford biology professor Dr. Betsy Dobbins.

**April 20:** Sampled Valley Creek where it flows out from underneath Birmingham, finding fecal coliform bacteria at unhealthy levels.

**April 24:** Patrolled the Oliver Pool in Tuscaloosa and found hydrocarbon pollution flowing into the river from under the former Bryce Hospital (now University of Alabama property). Also patrolled below Oliver Dam and checked discharges coming from Hunt Oil and Northport’s wastewater treatment plant.

**April 30:** Patrolled Valley Creek near Birmingham Hide & Tallow to look for discharges.

**May 21:** Responded to a complaint about raw sewage flowing out of two lift stations in Moundville.

**May 30:** Checked coal ash wastewater discharges at Gorgas and Miller coal-fired steam plants.

**June 18:** Took graduate students from Penn State University to study pollution flowing into the Locust Fork out of the old Maxine underground mine in Jefferson County.

**June 20:** Inspected a leaking sewage lift station in Bessemer after receiving a pollution complaint about the stench coming from it.

**June 26:** Checked pollution flowing out of Metro Recycling’s Tire Landfill into an unnamed tributary to White’s Creek in Blount County.

**July 5:** Documented the demolition of Rose Tower on UA campus near Manderson Landing on the banks of the river.

**July 18:** Checked out Double Springs’ wastewater treatment plant upgrade progress.
Membership / Donation Form

Please complete and mail form to:
Black Warrior Riverkeeper
712 37th Street South
Birmingham, AL 35222

Name(s)_______________________________________________________________________________________________________________________

Address:____________________________________________________City, State, Zip:______________________________________________________

Phone(s):___________________________________________________Email(s):____________________________________________________________

Signature:___________________________________________________Date:_______________________________________________________________

If you enjoy the Black Warrior River, its tributaries, or its Sipsey, Mulberry, or Locust Forks, please tell us how and where:
_________________________________________________________________________________

Payment Method: □ Check enclosed / □ American Express / □ MasterCard / □ Visa / □ Non-monetary Contribution (Volunteer or In-Kind donations)

Credit Card number and expiration date (mm/yy):______________________________________________________________________________

Please Mark a Donation Category

□ Plicate Rocksnail…………$25
□ Watercress Darter……..$50
□ Vermilion Darter………….$100
□ Flattened Musk Turtle…..$250
□ Black Warrior Waterdog…..$1,000
□ Other Dollar amount……..$____

□ In-kind donation (List donated goods or professional services):

□ Volunteer time (List hours and type of volunteering):

□ Stock donation (Please call Charles Scribner at 205-458-0095 for easy instructions).

(Any gift above) In Memory of: _________________________________________________________________________________________

(Any gift above) In Honor of: ___________________________________________________________________________________________

Name & address to notify of memorial / honorary gift:___________________________________________________________________________

Black Warrior Riverkeeper’s mission is to protect and restore the Black Warrior River and its tributaries. We are a citizen-based nonprofit organization advocating for clean water, wildlife habitat, recreation, and public health in our patrol area, the Black Warrior River watershed. This river basin is entirely contained in Alabama, America's leading state for freshwater biodiversity.

Our full-time staff includes Nelson Brooke (Riverkeeper), Eva Dillard (Staff Attorney), John Kinney (Enforcement Coordinator), and Charles Scribner (Executive Director). Contact us at 205-458-0095 or info@blackwarriorriver.org to report pollution or to discuss how you can help. Learn more at blackwarriorriver.org.


To purchase merchandise (shirts, stickers, hunting/fishing gear, car tags, dock markers, Dr. Bronner’s Soaps, hats, etc.), visit blackwarriorriver.org/shop.html or contact us at: 205-458-0095 or info@blackwarriorriver.org.

About Black Warrior RIVERKEEPER®

Nelson Brooke admires Holt Lake near Tuscaloosa. Photo by Beth Young.
Save the Black Warrior 2012: A New Record

Back for its 5th annual run, SweetWater Brewing Company challenged Alabamians to “give of their livers to save the river” once again this summer during their Save the Black Warrior campaign, designed to help raise funds and awareness for the Black Warrior River and its tributaries. H2 Real Estate and Mountain High Outfitters were the lead sponsors.

Save the Black Warrior ran in Birmingham and Tuscaloosa from Memorial Day to the Fourth of July. Funds were raised through sales of shirts and paper fish at participating bars, restaurants and stores. This year, the campaign was particularly special as it included BWRK’s 10th Anniversary celebration on the Bama Belle Riverboat in Tuscaloosa. The 2012 campaign raised a record amount for BWRK: $23,000!

The brewery’s Save the Waterways campaigns have brought in more than $610,000 for Waterkeeper Alliance organizations throughout the Southeast since SweetWater kicked off their original conservation efforts with Upper Chattahoochee Riverkeeper in 2006. Funds help eight Waterkeeper groups patrol, protect and preserve our precious Southern waterways.

Interns: Student Warrior Volunteers

Blake Ellett is a recent graduate at the University of Alabama with a degree in Geography and a minor in Biology. Blake researched data on the wastewater discharge points across the watershed as well creating a map showing recreation locations along the river. In addition, Blake was involved in the Save the Black Warrior program across the Birmingham and Tuscaloosa areas.

William Hester is a student at Wake Forest University School of Law. In addition to reviewing ADEM permits, William researched potential legal theories that could be used to help protect the Black Warrior River watershed. He also assisted with fundraising and community education at a number of public events.

Jay McSlarrow is a junior at the University of Alabama. This summer, he ran tables at outdoor events, catalogued ADEM responses to public comments, and assisted in the Save the Black Warrior fundraiser. He plans to continue pursuing a degree in broadcast journalism.

Aaron Traywick is a student at the University of Montevallo where he is an SGA Senator and an officer of the UM Environmental Club. Aaron has recruited many students and citizens asking UA to stop the Shepherd Bend Mine. Aaron also gathered data on sanitary sewer overflows to help us get an updated picture of facilities’ compliance history.

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- 738.48 gal water
- 0.76 min BTUs energy
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