

WAVE MAKERS NEWS

DRILLING ON MISSISSIPPI'S HORIZON?

During the heart of last year's holiday season and just weeks before leaving office, former Mississippi Governor Haley Barbour announced a plan to open up portions of the Mississippi Sound and areas within a mile of Mississippi's wilderness barrier islands to oil and gas drilling. Since then, Gulf Restoration Network has been working with our allies in Mississippi to put the brakes on this irresponsible plan.

In 2005, the last time a similar proposal was put forward, thousands of coast residents joined together to stand up and say "No" to oil and gas rigs in state waters, and the politicians up in Jackson ultimately backed down. Their message was simple, Mississippi's coast and the wilderness barrier islands that make up Gulf Islands Seashore national park are too important to be marred by drilling.



Views like this one, taken from Alabama's Dauphin Island, could soon mar the horizon of Mississippi's wilderness barrier islands. Photo by **Harold Wright**

It was true then, and it's still true now. Generations of families have enjoying fishing and swimming in the Mississippi Sound, or laying out on the beach at Ship Island. And the natural beauty of the Mississippi Gulf coast is a big part

Continued on page 2

GRN TAKES LEGAL ACTION TO ADDRESS DEAD ZONE

The Mississippi River, and by extension the Gulf of Mexico have been treated as the nation's sewer for decades. The Environmental Protection Agency (EPA) has long known the impacts of nitrogen and phosphorous pollution from agricultural land, animal feeding operations, sewage treatment plants, and industrial facilities. Yet, little to no real action has been taken to lessen the impacts to local streams that are choked with harmful algae or to alleviate the poster child of the impacts of nitrogen and phosphorus pollution: the Gulf Dead Zone.

Due to this lack of action, GRN, along with members of the Mississippi River Collaborative filed two legal actions against the U.S. EPA objecting to their failure to address the pollution that causes the Dead Zone.

We are challenging EPA's denial of a 2008 petition to the agency asking EPA to establish protective standards and cleanup plans for Dead Zone pollution. Separately, we are seeking to compel EPA to finally respond to an even older petition – a 2007 request that EPA modernize its decades-old pollution standards for sewage treatment plants and include the Dead Zone pollutants nitrogen and phosphorus in those standards.

Current efforts by EPA and the Mississippi River states are simply not enough. The states and EPA often refer to the Hypoxia "Action" Plan as a mechanism to reduce Dead Zone pollution, but their reliance on these solely voluntary measures is completely inadequate to reach the laudable goal of reducing the size of the Dead Zone to approximately 2,000 square miles.

Continued on page 4

INSIDE THIS ISSUE

P2

The Collapse of Four Mile Marsh

P3

The Good, Bad and Ugly of Florida's Legislative Session

P3

Protecting Florida's Free-Flowing Waters

P4

Fake Lake Threatens Pascagoula River

THE COLLAPSE OF FOUR MILE MARSH

In February, GRN was invited to a site visit of Four Mile Marsh by Ed Boedeker, a longtime resident of the area. Four Mile Marsh is located not far from Hammond, Louisiana and this once thriving marsh has been a site of some controversy lately due to the role it plays in treating sewage waste from nearby communities. Since 2006, the marsh has been part of the Hammond Wetland Assimilation project, a project that attempts to use the marsh to finish treating waste from a nearby sewage treatment plant. In that time, tens of acres of freshwater marsh that are being exposed to undertreated sewage water have collapsed and now rot beneath a large pond of open water.

Ed spent his childhood walking and trapping in Four Mile Marsh, but, in good portions of the marsh, those days are over. Instead, we made our way through the disappearing marsh on a pirogue, a flat-bottomed canoe.

At three different locations, Ed cut into the ground and down into a section of roots. In the first spot, Ed was digging beneath the water, and dug up a large clump of former Cattail roots. The root mat was thoroughly rotted and came apart easily, squishing in our hands. At the second location, to the east, Ed dug into an area along the border of a marsh dominated by wiregrass and pulled out a much sturdier root system. Sadly, this section of marsh, which has not collapsed, will probably eventually succumb to the same accelerated decomposition that rotted away the marsh to the west. If the undertreated waste water caused the rapid decomposition to the west, isn't it only a matter of time before this eastern portion collapses?

The third soil section was taken from a marsh area that isn't being exposed to poorly treated waste. Ed picked this area because it looks like the collapsed marsh used to look. This root mat was tough-- we couldn't tear it much. Rapid decomposition of the Cattail root layer has not happened



A thoroughly rotten submersed soil section from the collapsed marsh.

here, where the effluent does not flow.

There are different ideas about what caused the collapse of Four Mile Marsh. Nutria are not very abundant in the area, but, attracted to tasty Cattails and fresh marsh plants, they may be playing a role in the collapse. However, the role of the polluted water itself cannot be overlooked. Freshwater wetlands need to drain like any other, and the constant effluent from the sewage plant caused Four Mile Marsh to be flooded for too long. If the roots rot faster than the shoots grow, open water is the result.

Wetland assimilation is an exciting concept that works in some situations. But the Hammond treatment plant enjoys relaxed pollution standards because it is assumed that the wetland plants will help treat the water. In this situation, this discharge from the Hammond sewage treatment plant is not being "assimilated," it appears to be a direct or indirect driver of the collapse of this wetland system. In any case, the treatment plant should have to maintain higher anti-pollution standards. ■

DRILLING ON MISSISSIPPI'S HORIZON? (CONTINUED FROM PAGE 1)

of why millions of people come to visit every year – supporting a tourism industry that provides thousands of jobs and \$1.6 billion in annual economic activity. Plus, experts say Mississippi probably doesn't have any oil reserves, and has comparatively small natural gas reserves (1/16 the size of Alabama's). According to a recent study, if just 2 to 3% of tourists vacation somewhere else because they don't want to see rigs on the horizon, opening up Mississippi's waters for drilling would result in the state losing money.

The only parties that will benefit from this proposal are a handful of oil and gas companies that want to come to

Mississippi, suck out any mineral resources they can find, and make a quick buck. GRN and the Sierra Club recently filed a lawsuit against the Mississippi Development Authority, the state agency charged with developing drilling regulations, because they failed to properly analyze the economic impact that drilling would have. We intend to keep up the fight to protect Gulf Islands Seashore national park and the health of the Mississippi Sound from this ongoing threat. ■

THE GOOD, BAD AND UGLY OF FLORIDA'S LEGISLATIVE SESSION

As the Florida 2012 legislative session wrapped up this month, one thing was very clear: many state leaders are dead-set on waging a war on healthy water in the state. However, despite some setbacks, GRN and our conservation allies were still able to score some victories for the health of the state's waters and wetlands.

First, the good news. A coalition of concerned groups, citizens, and elected officials were once again able to fight off legislation that would strip local governments of the ability to limit nitrogen and phosphorous pollution from fertilizer. These local fertilizer ordinances are a cost-effective tool



Citizens at the capital taking a stand for healthy water. Photo courtesy of Cathy Harrelson.

for city and county governments to reduce nitrogen and phosphorous pollution, and GRN will continue to work with local leaders to implement them in their communities.

There were also two victories in the effort to protect the state's five water management districts from budget caps and undue interference from the Governor and legislators, and ensure that water withdrawal permits are standardized throughout the state. The water management districts, among other things, control minimum flow levels in waterways to protect them from ecological harm (read more about minimum flows and the water management districts in "Protecting Florida's Free-Flowing Waters" below).

Now, for some of the setbacks. Attempts to strip local governments of their ability to protect their communities against pollution have been a consistent threat in the legislature, and sadly, they succeeded in passing a bill that would prevent inspections of the state's 1.7 million oldest septic systems, even if local communities want to make that a priority. Finally, one of the most stunning actions was a memorial (a non-binding resolution directed at Congress) in opposition to a United States Fish and Wildlife Service plan to protect manatees by requiring a slow zone for marine traffic in Citrus County's King's Bay. As the war against healthy water continues, GRN will continue to fight to protect Florida's beautiful and wild rivers, lakes, streams and estuaries. ■

PROTECTING FLORIDA'S FREE-FLOWING WATERS

Florida may be surrounded by water, but providing clean, fresh drinking water for a growing population and competing interests groups while still protecting the environment is a constant struggle. In response to this challenge, Florida law requires that the state's five water management district establish minimum flow and levels (MFLs) for waterways in their district that prevent "significant ecological harm."

Basically, MFLs define how often and for how long high, average and low water levels and/or flows should be allowed to occur in lakes, rivers, streams, springs and estuaries. While allowing for flexibility and change, the ultimate goal of MFLs is to prevent long-term or irreversible ecological damage. Setting MFLs at high enough levels to sustain or replenish ecosystems is critical to the health of Florida's waters.

Unfortunately, our fragile waterways are threatened by ever-increasing water use by municipalities and large industrial users such as Progress Energy. The depletion of freshwater will be amplified by the weakening of minimum flows to up to 15% less than our already severely strained water levels!



Rainbow River spring head during a low flow event. Photo courtesy of SWFWMD.

Maintaining adequate water quantity is vital to water quality and ecosystem health and GRN will continue to lead the effort to create a sustainable water budget approach for Florida waters. ■

GRN TAKES LEGAL ACTION TO ADDRESS DEAD ZONE (CONTINUED FROM PAGE 1)

Regretfully, the Dead Zone has only gotten bigger since the development of these plans. In fact over the past five years, the average Dead Zone size is over three times the goal.

It is long past time for the EPA to start addressing the Dead Zone and nitrogen and phosphorous pollution with serious and decisive action. The first real step would be to establish numeric limits for the amount of nitrogen and phosphorus pollution that we will allow in our waters. Once these numbers are set, EPA, states, and other agencies will have a real target upon which they can base policies and regulations.

For additional information, the official press release, and links to the legal documents, visit healthygulf.org.



Nitrogen and phosphorus pollution from farms and cities across much of the country (and parts of Canada) eventually dumps into the Gulf of Mexico, contributing to the Dead Zone. Photo courtesy of NOAA.

FAKE LAKE THREATENS PASCAGOULA RIVER

Across the country, at a rate of about 40 a year, communities are tearing down old dams because of safety and environmental concerns and enormously expensive maintenance costs. Yet, this trend hasn't reached George County, Mississippi, where the Board of Supervisors and others have been actively promoting the creation of a new 3,500 acre reservoir. Although the details are still hazy, it is clear that building this fake lake would involve damming one of three tributaries to the Pascagoula River. The Pascagoula is the last free flowing river of its size in the lower 48 contiguous states and its status has been widely celebrated. A 3,500 acre lake and dam on a tributary in George County would alter water flows for the Pascagoula, inundate significant quantities of wetlands, and would reduce habitat for the threatened Gopher tortoise.

To add insult to injury, supporters of this fake lake idea are clearly misleading the public and local business leaders about the rationale behind the project. They are pushing the idea under the banner of future water supply for industry and economic development for southeast Mississippi. Yet, coast business leaders already have a contract with the existing Okatibbee Reservoir upstream to provide water in times of drought! Building an expensive reservoir won't make a difference for industry on the coast, so what's the real rationale? Nowhere in their promotional materials do they mention real estate development in conjunction with the lake, but everyone knows that such

a lake would also play that role. This lake is a Trojan horse – with the apparent outward practical purpose of augmenting water supply, but carrying real estate brokers inside.

Proponents are already working hard to lobby Congress for the \$50,000,000 needed to build this pork barrel project. The price tag, and these other issues, should make this a difficult lake to complete, and with federal taxpayer funds come accompanying environmental requirements including a full environmental impact statement, endangered species reviews, and wetland and stream mitigation. GRN will continue to monitor the process and keep you informed of how you can help protect the Pascagoula.

AVEDA EARTH MONTH IS ON THE WAY!

Aveda salons across the Gulf raise funds and awareness for GRN during Earth Month, which enabled us to save 2,327 acres of wetlands and 30,279 feet of stream and river just last year!

Check out your local Aveda salon this April to support Healthy Water. www.healthygulf.org/aveda



New Orleans Office
338 Baronne St., Ste. 200
New Orleans, LA 70112
Phone: 504-525-1528
Email: Raleigh@healthygulf.org

GRN HEALTHY WATERS PROGRAM STAFF

Louisiana: Matt Rota, 504-525-1528 x 206, matt@healthygulf.org
Scott Eustis 504-525-1528 x 212 scott@healthygulf.org
Mississippi: Andrew Whitehurst, 504-525-1528 x 205, Andrew@healthygulf.org
Raleigh Hoke, 504-525-1528 x 204, raleigh@healthygulf.org
Florida: Cathy Harrelson 727-415-8805 cathy@healthygulf.org