



The Delaware RIVERKEEPER® Network's Quarterly Newsletter

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A victory for horseshoe crabs, shorebirds

A note from the Delaware Riverkeeper

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Note our sale's new location!

Golden Nugget Antique Market
Lambertville, NJ

May 3 and May 5

Delaware Horseshoe Crab Census

South Bowers Beach, DE

May 31

Schuylkill River Paddle

Leesport, PA to Muhlenberg, PA

July 15 and July 22

Monitoring Study Design Workshop

The Schuylkill Center
Philadelphia, PA

Email faith@delawareriverkeeper.org for more information.

July 26

Members' Day on the Bay

Cape Henlopen State Park
Lewes, DE

After two decades of working with our environmental colleagues, I am proud to tell you that on March 25th New Jersey Governor Jon Corzine signed into law a moratorium on the bait harvest of horseshoe crabs until it can be established that populations of the migratory red knot, dependent upon them for their very survival, have been restored to healthy levels. The legislation was put forth by Assembly members John McKeon, Reed Gusciora, Douglas H. Fisher, Neil Cohen and Linda Stender and sponsored in the Senate by Joseph Vitale and Bob Gordon.



Governor Jon Corzine signs legislation enacting a moratorium on harvesting horseshoe crabs for bait. Delaware Riverkeeper Maya K. van Rossum (fourth from left) looks on.

Photo: J. M. Galetto

The red knot *rufa* is dependent upon the eggs of the horseshoe crabs to fuel their spring migration. Because of declines in the horseshoe crab population, not enough eggs have been available for the birds to gain the weight they need to successfully reach the arctic, survive their initial days there until the temperature warms enough for food to emerge, and support their successful breeding. As a result, the bird could go extinct as soon as the year 2010.

The threat is so imminent that I have committed to taking my kids out of school one day this coming spring so I can take them to the bay shore to make sure they are enriched with the wonderful experience of seeing the arrival, feasting and take off of the red knot *rufa* from the Delaware Bay shore. I worry this may be the last chance they have to see this historic, ecological event.

But this new legislation gives me hope, hope that the birds will receive the nutrition they need to survive, hope that the horseshoe crabs can once again rebound to their historic levels, and hope that one day soon the red knot *rufa* will again thrive and continue to grace our shores and lives with their magnificent and abundant spring arrival.

Thank you to all who responded to our e-activist alerts and to our action alerts sent by mail and to those who have supported with your donations and kind words the long and arduous hours it took to achieve this monumental success.

Maya K. van Rossum
the Delaware Riverkeeper

The Delaware RIVERKEEPER® Network

300 Pond Street, 2nd Floor
Bristol, PA 19007

Phone: 215-369-1188

Fax: 215-369-1181

drn@delawareriverkeeper.org

www.delawareriverkeeper.org

Staff

Maya K. van Rossum,
the Delaware Riverkeeper

Richard Albert, *Restoration Director*
Claire Biehl, *Business Manager*
Molly Biehl, *Development Assistant*
Shannon Blankinship, *Executive Assistant*
Chris Block, *Membership & Events Associate*
Elizabeth Koniers Brown, *Senior Attorney*
Tracy Carluccio, *Deputy Director*
Bonnie Dahl, *Chief Administrative Officer*
Carole Glessner, *Office Assistant*
Emma Gutzler, *Restoration Manager*
Rich Myers, *Citizen Action Coordinator*
Mary Ellen Noble, *Associate Director*
Fred Stine, *Citizen Action Coordinator*
Chari Towne, *Director, Awareness-to-Action*
Tim White, *Website Manager*
Dave Williams, *Restoration Manager*
Faith Zerbe, *Monitoring Director*

Join us for this year's horseshoe crab census.



Photo: F. Zerbe

We will count horseshoe crabs spawning by moonlight at high tide on South Bowers Beach, DE, as part of the annual crab census. We will be camping out for those wanting to make a weekend of it. Contact faith@delawareriverkeeper.org for more information.

Paddle free-flowing Schuylkill River with DRN

Saturday, May 31, 2008

10:00 AM - 3:00 PM

Leesport to Muhlenberg Township, PA

Join us for a paddle on a section of the Schuylkill River that, impounded for nearly 200 years, is now free flowing after a long awaited dam removal. We will be paddling an 8-mile stretch of river that offers easy riffles and maybe a few small rapids.

Pre-registration and PFDs are required. Dress in wicking fleece (not cotton) for warmth. Participants should also pack a lunch and something to drink. We will be encouraging folks to bring their own canoes or kayaks, but if people need someone to paddle with them or don't have a canoe, we'll work to accommodate those requests. Just let us know when you register.

We encourage anyone interested to sign up as soon as possible. Space is limited. There is a small fee for this trip, \$15, to cover our coordination costs.

Men may dam it and say that they have made a lake, but it will still be a river. It will keep its nature and bide its time, like a caged animal alert for the slightest opening. In time, it will have its way; the dam, like the ancient cliffs, will be carried away piecemeal in the currents.

Wendell Berry, *poet, essayist, farmer, and novelist*

False promises will worsen flooding

The Delaware River is the last major free flowing river east of the Mississippi, but it is not unaffected by dams – three dams in the Delaware's headwaters make it possible for New York City to withdraw up to 800 million gallons of Delaware River water per day. These reservoirs with their massive storage capacity affect the health and flows of the entire Delaware as well as the human communities downstream that also depend upon the River for drinking water. As a result, managing these reservoirs has long been subject to vigorous debate.

Dramatic changes in managing the headwaters reservoirs are now proposed, changes that would affect how the River's flows are divvied up. In order to implement a deal already cut between the watershed states and New York City, the Delaware River Basin Commission is now taking comment on a new reservoir management plan, the so-called Flexible Flow Management Plan (FFMP). The problem with the proposed FFMP is that it is contingent upon a fundamentally flawed assumption: that the upper Delaware needs bigger dams to achieve drinking water as well as fishery and ecosystem protection goals.

Bigger dams and more storage are not the answer; they are not even needed to implement the FFMP. What's worse, the FFMP calls for releases to provide flood protection, releases that could jeopardize drinking water and fishery protection goals, without providing the promised flood protection.

Altering releases to prevent dam spills that contribute to flooding in communities immediately downstream makes sense, but suggesting bigger dams would provide flood protection to communities downstream is misleading and unfair. Promising undeliverable flood protection not only provides a false sense of security, it also encourages those living on flood prone lands to remain there. And the false sense of security encourages new development in these same dangerous places. The only true flood protection we can provide is to prevent new development in the floodplain, to remove existing development where it has occurred (except where there are unique cultural, historic or other community values) and to restore the floodplain's natural function. True flood protection supports healthy fisheries, clean drinking water, and vibrant ecotourism as well.

To learn more about the FFMP, check out the comments posted on our web site, <http://www.delawareriverkeeper.org>.

Factory farming – with plants

Tracy Carluccio

When you think of preserved farmland, you probably don't think of plastic mulch, concrete and impervious surfaces. Yet that is just what one commercial horticulture operation in Hunterdon County, NJ, contends is appropriate use of farmland preserved under New Jersey's Farmland Preservation Program.

Garden State Growers, also known as Quaker Valley Farms, utilizes hoop houses, greenhouses and plastic groundcover to produce mums and perennials for wholesale on about 200 hundred acres. For several years, DRN has been involved in trying to bring Garden State Growers into compliance with environmental laws, even starting legal action for wetlands violations in 2005 that was preempted by the NJ Department of Environmental Protection. However, Right-to-Farm legislation and inaction by various agencies have allowed the facility to continue as a source of pollution and environmental degradation.

In November 2007, an investigation was spurred by a neighbor's complaint about excessive earthmoving on the preserved farm.

DRN worked with residents and other organizations to push for action against the operation for violating its Deed of Easement by drastic cut and fill, compaction and soil destruction on the preserved farmland. In February, the State Agricultural Development Committee got an injunction shutting down site activity, including the use of 14 greenhouses installed on bedrock that had been scraped bare of soil. Despite the injunction, however, new hoop houses have been allowed on a different field of the preserved farm, infuriating neighbors.

The NJ Attorney General's Office will argue in April that the high quality soils that the preservation program was supposed to protect must be restored as much as possible and no further soil destruction or removal should be allowed. The reality is that it would take tens of thousands of years to restore the prime Quakertown soils that were obliterated. DRN's advocacy program will remain active and our River Resources Law Clinic is researching the issues involved, including how to remedy the ongoing harm caused by the impervious cover



Garden State Growers . . . Preserved farmland or development site?

Photo: T. Carluccio

and chemicals used in this style of horticulture, on preserved as well as unpreserved land.

Garden State Growers sells its flowers nationally to Lowe's, Wal-Mart, and other large and middle-sized stores. We are asking you not to purchase pots labeled "Garden State Growers." To send a letter expressing your concern to agencies and officials about this issue, go to Take Action at www.delawareriverkeeper.org.

Taking on new restoration work in 2008

DRN's Restoration Program works with citizens, watershed groups and municipalities throughout the Delaware River watershed to revitalize streams and floodplains using native plants, soil bioengineering, best management practices, and natural channel design. With a number of new projects recently added to ongoing work, 2008 will prove to be a busy year for our restoration staff.

Recently funded work includes:

- Design and construction of a restoration project along 1,000 feet of Swamp Creek at historic Erwinna Covered Bridge, Bucks County, PA. Partners in the project are Tinicum Township and Tinicum Conservancy. The project is funded through Pennsylvania's Growing Greener II bond initiative.
- Design and construction of measures to stabilize eroding banks, encourage stormwater infiltration, and enhance wildlife habitat along Pine Run in Montgomery County, PA. Pine Run is a tributary to Sandy Run which flows into the Wissahickon Creek. A Growing Greener II grant to Upper Dublin Township funds this project.
- Development of a Coldwater Conservation Plan for the Upper Crum Creek Watershed. Upper Crum Creek, located in Chester and Delaware Counties, is among Pennsylvania's cleanest streams. The Chester-Ridley-Crum Watershed Association is a partner in this work funded by the Coldwater Heritage Partnership.

Artificial Turf Wars

Radnor Township is not the only community in our watershed grappling with concerns over the harmful effects of artificial turf (See *River Rapids*, Winter 2008). Communities all over the watershed are being confronted with efforts to replace grassed playing fields with artificial turf. If your community is dealing with this issue, DRN has created a comprehensive and footnoted fact sheet to help you. Go to www.delawareriverkeeper.org for more information.

Sign up for E-Activist, a free service available through our website. Click on Take Action and then on E-Activist Sign-up to register.

Delaware RIVERKEEPER® Network

The Voice of the River and its Tributary Streams

300 Pond Street, 2nd Floor
Bristol, PA 19007

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DRN's Native Plant Sale

Saturday, May 3rd, 2008

8:00 AM to 12:00 Noon

*Golden Nugget Antique Market
on Route 29 (River Road)*

2 miles south of Lambertville, New Jersey

DRN's Native Plant Sale offers a wide selection of beautiful plants, ferns, grasses, shrubs and trees, all gathered from regional nurseries. Our plant experts and stream restoration staff will be on hand with a wealth of information on choosing, planting and growing native species. So whether you are a first time customer or an avid gardener, you'll be able to find out design, cultivation, and care techniques.

Our sale, which is now in its 9th year, is known for offering top quality, hard-to-find plants native to this region at affordable prices.

A catalog indicating the types of native plants you can anticipate seeing at this year's sale is online at www.delawareriverkeeper.org. In addition to recognizing the sponsoring organizations that help make the sale possible, our catalog provides information about the benefits of native plants, guidance on care and planting, and much more. Sale proceeds benefit our work for the River.

Please note the Golden Nugget Antique Market is a new location for our plant sale. By moving our sale to the Golden Nugget, located approximately 2 miles south of Lambertville, we anticipate reaching more people and getting more native plants out into the community while keeping the sale in the same general region.

For more information, please call us at 215-369-1188.

