



FONR NEWSLETTER NO. 5

Summer 2006

FRIENDS OF THE NEW RIVER Friends of the New River is a nonprofit organization incorporated in the Commonwealth of Virginia. The nucleus of the organization is the Board of Directors, which currently includes Rick Roth (President), Llyn Sharp (Vice President), Paul Angermeier, Mike Harvey, Suzie Lesley, and Rick Van Noy. Our mission is to promote the conservation, protection, and enjoyment of the natural, cultural, recreational, scenic, and historical values of the New River from Claytor Dam downstream to the West Virginia state line. We encourage any FONR member interested in serving on the board to attend one of our meetings, which are announced on our listserver.

JOIN FONR! Membership for both individuals and organizations is \$10/year and runs on a calendar year basis. To join, please send a check for \$10.00 made out to Friends of the New River, along with the following information to FONR, 1000 Highland Circle, Blacksburg, VA 24060: name, address, telephone number, email. Indicate whether you would like to be put on the FONR listserver. If you are already a member, your membership renewal would be appreciated.

MARK YOUR CALENDARS! The New River Symposium is coming back. It will be held at Radford University May 31-June 2, 2007. A valued annual conference for two decades, the Symposium's run ended when the National Park Service stopped taking the lead in organizing it in the early 2000s. FONR Board members Rick Roth and Rick Van Noy have decided to pick up the ball and run with it. We've attracted some partners: the National Committee for the New River; the New River Watershed Roundtable; New River Community Partners; the National Park Service; the U.S. Army Corps of Engineers; and the Radford University College of Arts and Sciences. Also several organizations, for example the New River Land Trust, have already indicated that they would like to help sponsor the event.

The 2007 New River Symposium will be a great opportunity to learn about the New and its environs, and for those with something to say, a great opportunity to share research findings on just about any aspect of the New and its watershed. In that regard, a call for papers has just been sent out. For further information, contact Rick Roth at rroth@radford.edu or Rick Van Noy at rvannoy@radford.edu.

NEW RIVER CLEANUP SET FOR SEPTEMBER 23 Several groups including FONR are coordinating cleanups up and down the river on September 23. One is at Foster Falls State Park beginning at 9:30 a.m. For more information call (276) 728-0036 or email cwhitjr@swva.net.

FONR is helping to organize a cleanup of the Radford section. To participate in the Radford section cleanup, meet at Bisset Park Shelter 1 at 9:00 a.m. on September 23. For more information, contact Rick Van Noy at rvannoy@radford.edu.

CLAYTOR DAM RELICENSING One of the most familiar features of our stretch of the New (Claytor Dam to Glen Lyn) is the frequent up and down cycling of water levels. Most of us have experienced this, either while canoeing or while hanging out on the rocks at McCoy. Sometimes it is subtle, sometimes dramatic. During the cold weather months, it is not unusual for the flow to increase tenfold and then return to a minimum (usually, 750 cfs) over the course of a day.

This cycling is the result of the operation of Claytor Dam by Appalachian Power (AP) Company, which is owned by Ohio-based American Electric Power Company. The Claytor facility, which went online around 1940, is what is called a peaking facility. Hydroelectric power plants are ideal for utilities to meet transient electricity demand peaks, because they can be turned on and turned off like the spigot on a sink.

Many hydroelectric facilities used to operate without concern for the environment and the users of the river downstream. The ideal, if peaking power generation is the only objective, is to let water through the turbines when power is needed, and then to shut the water off during off-peak periods. This way water is “banked” for later use. Unfortunately, such a mode of operation does not support fish and other aquatic organisms as well as river recreation or other downstream uses.

Hydroelectric facilities operate under federal permits issued by the Federal Energy Regulatory Commission (FERC) which spell out how the facilities are to be operated, in order to best serve the public interest. These permits, or licenses, are issued for periods of 20-50 years. Under AP’s current license, AP cannot “shut down” the river, but rather must maintain a minimum flow of 750 cfs except in certain conditions of exceptional drought. Furthermore, although not required under the current license to do so, AP voluntarily dampens the daily fluctuations from mid-April to mid-October in the interest of river recreation and safety. AP also modifies its operations in order to protect spawning habitat at certain times, and generally tries to accommodate the needs of homeowners on Claytor Lake, fish and wildlife, and downstream river users to the extent consistent with meeting power demands.

AP’s current FERC license expires in 2011. The relicensing process has begun. This is a long and involved process that is spelled out in Federal regulations and presided over by FERC. AP has elected to use a new process for the licensing called the Integrated Licensing Process (ILP). If your eyes are beginning to glaze at this point, imagine what it’s like to actually be involved in the process!

The ILP is intended to be more efficient than the old process, both for the applicant (AP), FERC staff, and “stakeholders” – the public, river users, and other state and federal agencies like Virginia Department of Game and Inland Fisheries. Based on our initial involvement in this particular ILP, I would say that there is some danger that stakeholder interests may get short-changed in the interest of speed and efficiency.

During the relicensing process, AP will need to conduct studies on the environmental, cultural, and recreational impacts of their proposed operation of the dam. Stakeholders, from Friends of Claytor Lake to the Virginia Department of Conservation and Recreation, will try to leverage the process to make sure their interests are protected. One way is to make sure that likely impacts of the hydropower operations are sufficiently documented through adequate studies.

From the beginning, FONR has said that this relicensing process is a top priority. We submitted seven formal study requests to FERC. AP has agreed to five of them, and rejected two; however, FERC has the say over what AP must study and we will press FERC to support all seven studies. Of course, just because AP has agreed to a study doesn’t mean our work is done; the study still needs to be done in a way that will yield useful data. Here is what we asked for:

1. A survey of rare species and their habitat downstream of the dam. Little is known about what aquatic and semi-aquatic species live downstream and are potentially affected by the dam’s operations. AP has declined this study.
2. A study to document the historical, current, and proposed effects of the Claytor Project on downstream flows.

3. A study to document the effects of Claytor's flow modifications, past present and proposed, on the downstream fish and other aquatic organisms.
4. A study of the effects of Claytor Lake and the dam operations on the movement of sediment in the river. Sediment is an important component of water quality and its movement creates (or destroys) habitat for fish and other organisms.
5. A recreation study, to document recreational use of the river downstream of the dam and the flow needs of the various types of recreational users (kayakers, anglers, tubers, and so on).
6. A study of the water quality impacts of releases from Claytor Dam. It is already known, for example, that the releases of lake bottom water during periods of the summer cause downstream water to be low in oxygen. We're also interested in the dam's impacts on other aspects of water quality.
7. A consensus process to determine the best overall pattern of downstream flows, taking into account all stakeholders. While not a study per se, such a process has been used in other relicensings to ensure that the results of the studies are used to determine a flow regime that best meet the needs of all members of the river community. We think it is a critical ingredient that the FERC ILP process lacks. AP has declined to fund this process. We plan to appeal that decision to FERC.

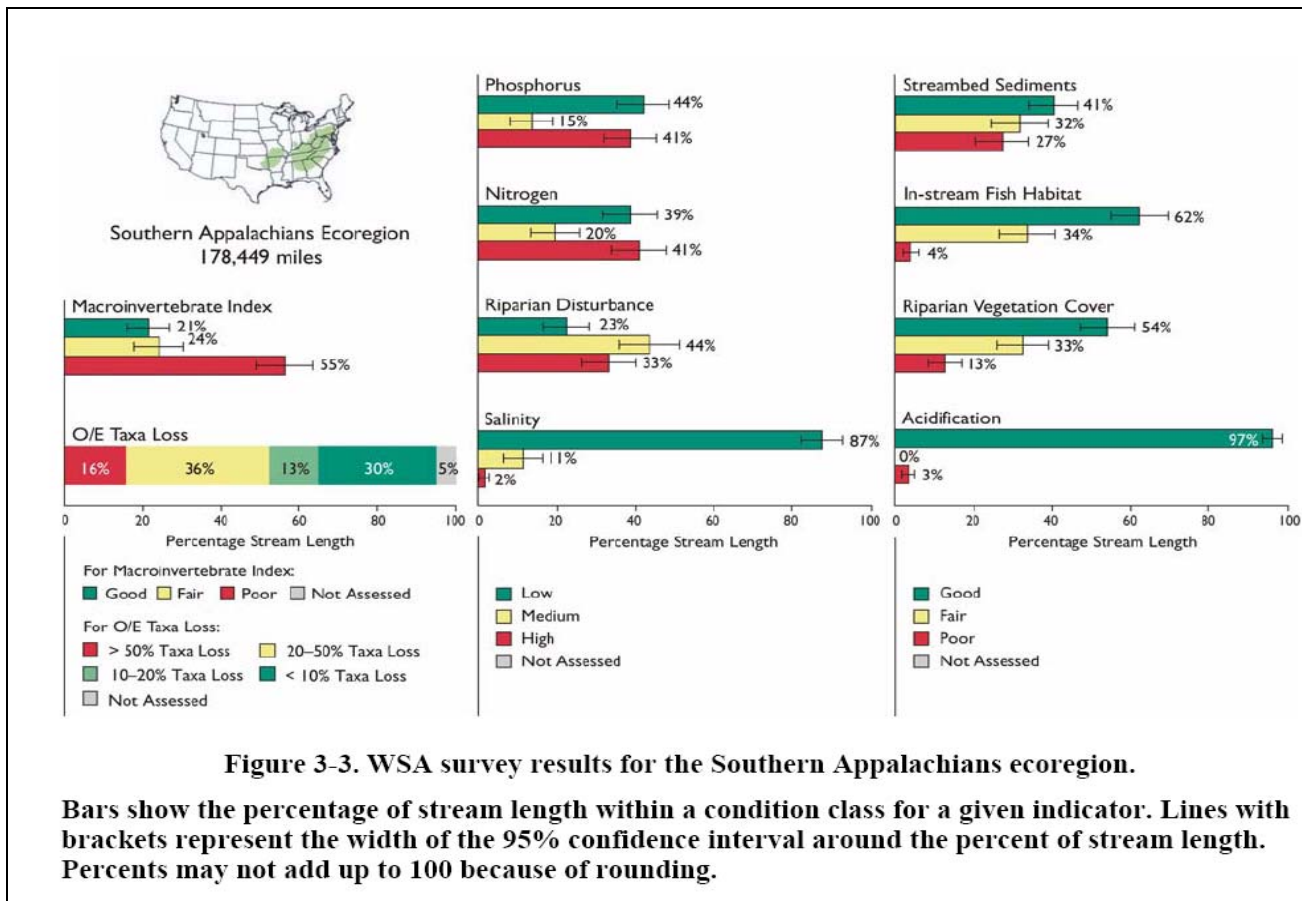
The next step is to comment on AP's proposed study plan, which FONR will do. This is when we will argue for refinements to AP's proposed studies and for inclusion of the two we proposed and AP rejected. Then FONR will participate in the ongoing studies by serving on two or more study groups convened by FERC and AP. This is a big commitment for an all-volunteer organization, but we intend to stay the course and see the process through. Our goal is to work with FERC and AP to find a way to operate the dam that best serves AP's customers and shareholders AND the river community – fish, otters, mussels, kayakers, anglers, Claytor landowners, and all the rest. -- RR

GET RID OF THOSE BLUES ON THE NEW RIVER BLUEWAY The New River Blueway is coming! The Blueway will be a river trail along the navigable length of the New River in three states. It will extend from near Boone, North Carolina through Virginia and then into West Virginia to its mouth, the junction with the Gauley River (forming the Kanawha River). Friends of the New River has been working with several other volunteer and conservation organizations, and also with state and federal agencies, to make it happen.

A Memorandum of Understanding for the Blueway has been signed by the necessary state and federal agencies. It outlines the management structure and expectations of the appropriate governmental agencies. Construction of Blueway support facilities continues in Virginia and North Carolina. Campgrounds, liveries, outfitters and guides have agreed to be listed in a Blueway guide. Information such as local government contacts, emergency contacts, and river gauge sources has also been collected for the guide.

The Blueway is now in the mapping stage. Trails Illustrated (part of the National Geographic family) will produce the New River Blueway maps for sale. Grab your boat and paddle and get ready to hit the trail! -- MWH

EPA WADEABLE STREAMS ASSESSMENT RELEASED IN MAY 2006 The U.S. Environmental Protection Agency undertook a national survey of the condition of small streams. They sampled macroinvertebrates, analyzed water samples, and assessed habitat condition at 1,392 sites that were randomly selected to give a statistically valid, scientific picture of the condition of the nation's small (first- through fifth-order) streams. In our region (the Southern Appalachians), only one-fifth of the sites were classified as "good" according to the macroinvertebrate index, and over half were "poor." They fared somewhat better on habitat scores. The results are summarized below.



The full report is available on EPA's website. The best way to get to it on the internet is to Google the title, "wadeable streams assessment." -- RR

VIRGINIA DEQ RELEASES DRAFT 2006 WATER QUALITY REPORT The report, which combines two federally-mandated reports – the water quality inventory or 305(b) report and the impaired waters list or 303(d) report – was released in July. The following is the text of a press release by DEQ dated July 11.

Virginia's 2006 water quality report, released today by the Department of Environmental Quality, provides detailed information on more than 1,000 watersheds throughout the Commonwealth, more than any previous analysis of waters in Virginia.

"This report contains the most geographically complete evaluation ever conducted of the Commonwealth's streams, rivers, lakes and estuaries," DEQ Director David K. Paylor said. "With information on 87 percent of the watersheds in Virginia, we are developing a very clear picture of the type and location of our water quality problems."

The draft 2006 Water Quality Assessment Integrated Report contains a five-year water quality assessment and the statewide list of impaired waters. DEQ is seeking public comment on the report before it becomes final.

The report includes the first extensive update of water quality trends at 261 monitoring stations since the 2000 report. Since 1995 nearly 20 percent of stations showed improvement in levels of bacteria, which is the leading cause of contamination in Virginia's rivers and streams. The

remaining 80 percent of stations showed no trend, indicating that levels of bacteria, nitrogen, phosphorus and suspended solids generally remained the same.

DEQ has adopted a new classification system, as supported by the U.S. Environmental Protection Agency, of 1,246 small watersheds of similar size to enable a meaningful comparison of water quality over time. The agency has assessed 1,084 watersheds (87 percent) since 2002, including:

- 68 watersheds (5 percent of the total) with no impaired waters, meaning the waters have water quality that supports some or all six categories of uses – aquatic life, fishing, shellfishing, swimming, public water supplies and wildlife.
- 507 watersheds (41 percent) with one or two impaired waters, meaning the waters are affected by pollution or natural conditions.
- 333 watersheds (27 percent) with three to five impaired waters.
- 113 watersheds (9 percent) with six to nine impaired waters.
- 63 watersheds (5 percent) with 10 or more impaired waters.

The report provides, as in past assessments, the number of stream miles and the area of lakes, reservoirs and estuaries assessed. Among the findings for this report:

- About 5,300 miles of rivers and streams, 3,300 acres of lakes and reservoirs, and 170 square miles of estuaries have high water quality that supports some or all six categories of uses.
- About 9,000 miles of rivers and streams, 109,200 acres of lakes and reservoirs, and 2,200 square miles of estuaries are impaired.
- DEQ does not have sufficient information on about 36,000 miles of streams and rivers, 3,600 acres of lakes and reservoirs, and 44 square miles of estuaries to determine whether they support any of the use categories.

“We found more waters that qualify as impaired because we are assessing new waters, and some water quality standards have become stricter,” Paylor said.

This year DEQ has added about 1,100 miles of streams and rivers, 27,600 acres of lakes, and 360 square miles of estuaries to the impaired waters list. The addition of these waters will require that Virginia develop 287 more cleanup plans, or a total of 1,712 when they are combined with previous impaired waters.

The 2006 report includes additional information requested by EPA that was not in past assessments. It contains information on bacteria levels monitored by the Virginia Department of Health at public beaches and the first assessment of Chesapeake Bay water quality standards. The report also includes the enhanced use of high-quality citizen and non-agency data.

IMPAIRED WATERS IN OUR WATERSHED: The new DEQ report (above) shows that almost 2/3 of the state’s rivers and streams that were assessed are impaired, meaning that they either do not support a healthy aquatic ecosystem or are not safe to swim in, or both. Our section of the New appears once again on the list of polluted (impaired) waters -- not just because of PCBs, but also, shockingly, because of DDT, DDE, mercury, and heptachlor in fish. This is not all. The fecal coliform and E. coli standards were also violated, so that at least some sections of the New are impaired for recreation.

Moreover, all of the major and most of the minor tributaries of the New upstream and in our area are now listed as impaired. Following is the complete list of impaired waters in the New River basin. Adair Run, Beaverpond Creek, Big Horse Creek, Big Indian Creek, Lower Big Reed Island Creek, Bluestone River, Brush Creek, Byllesby Reservoir, Claytor Lake - New River, Claytor Lake - Peak Creek, Upper Connellys Run, Cove Creek., Cripple Creek, Elk Creek, Fox Creek, Kimberling Creek, Knob Fork, Laurel Creek, Levisa Fork, Little Helton Creek, Little River, Little River, Meadow Run, Pine Creek, Little Stony Creek, Little Walker Creek, Meadow Creek, Lower Mill Creek, Miller Creek, New River, New River Watershed, PCB, New River, Upper Allisonia, Peach Bottom Creek, Plum Creek, Reed Creek, Reed Creek, South Fork and Mill Creek, Rich Creek, Rural Retreat Lake, Saddle Creek, Shorts Creek, Shorts Creek unnamed tributary, Slate Spring Branch, Stony Fork, Stroubles Creek, Tate Run, Walker Creek, Wolf Creek. The water quality inventory can be found at <http://www.deq.state.va.us/wqa/305b2006.html> and the list of impaired waters with cause of impairment is in Chapter 3.3a, List of Category 5 Impaired Waters (303d List).

Bottom line seems to be that the New is in trouble. The message coming from the leadership at DEQ seems to be, "don't worry, it's nothing to be alarmed about." The unspoken concern is that if we get upset about it, we might actually have to do something about it. That conclusion is apparently unacceptable to the political leadership. But on the Shenandoah fish are dying from unknown causes, wrecking that river as a fishing destination. Could the New be next? We are not reassured. -- RR

SOMETHING NICE FONR received a nice plaque from the Virginia Department of Environmental Quality in recognition of our efforts toward the designation of Little Stony Creek in Giles County.

FONR STILL WORKING WITH THE NEW RIVER ROUNDTABLE FONR members continue their involvement with the New River Watershed Roundtable (NRWR). This group was formed in 2001 to develop a strategic approach to improve and maintain water quality in Virginia's New River watershed, focusing particularly on nonpoint source pollution. The Roundtable' membership is broad-based and includes citizens, farmers, local government officials, soil and water conservation district officials, business and industry representatives, community and non-profit organizations, and state and federal resource management agencies.

The NRWR is up and running. It has incorporated as a nonprofit and has applied for federal tax-exempt nonprofit status. The next challenge will be to secure a firm funding base. FONR Board members Rick Roth and Mike Harvey currently serve as members of the NRWR board. FONR Board member Llyn Sharp is the Executive Director of NRWR. Its current projects include land conservation, sustainable forestry, and a river cleanup (see below). For more information contact Rick Roth, Mike Harvey, or Llyn Sharp. -- RR

Visit our website at <http://civic.bev.net/fonr/>

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