



News...News...News...

For Immediate Release

CONTACTS:

David L. Deen, River Steward

Connecticut River Watershed Council

Phone (802)869-2792 Fax (802)869-1103 E-mail crwc@sover.net, www.ctriver.org

David K. Mears, Assistant Director, Environmental and Natural Resources Law Clinic
Vermont Law School

Phone (802)831-1627 Fax (802) 831-1631 E-mail DMEARS@VERMONTLAW.EDU

Connecticut River Watershed Council Calls on Vermont Environmental Court to Protect the Connecticut River

Montpelier, VT, April 21, 2006 -- The Connecticut River Watershed Council (CRWC) announced today it is challenging the decision by the Vermont Agency of Natural Resources (ANR) to grant Entergy (better known as Vermont Yankee) permission to increase the temperature of the Connecticut River. CRWC is represented by the Environmental and Natural Resources Law Clinic at Vermont Law School and will file the appeal in the Vermont Environmental Court. Joining CRWC in the appeal is Trout Unlimited (Deerfield/Miller's River Chapter) in Turners Falls, MA and Citizens Awareness Network of Rowe, MA.

David Deen, River Steward for CRWC commented, "The Connecticut River is the crown-jewel of New England. On the thirty-sixth anniversary of Earth Day, we should be focusing on improving the water quality. Instead, ANR has approved an increase in pollution into this great River."

Deen continued, "In light of ANR's acknowledgment that temperature impacts on fish are a concern, the appropriate response to Entergy's request for a variance should have been a denial. That is exactly what we are seeking in our appeal."

The effect of the variance allowing an increase in temperature limits is to allow Entergy to reduce the use of its cooling towers. "Entergy is saving a dollar at the expense of the fish," noted Deen. "This result is entirely inconsistent with the purpose and goals of the Clean Water Act and Vermont's water quality laws."

These new conditions will apply in spite of the US Fish and Wildlife Service and ANR itself saying that more study on the impact is needed before they are convinced of Entergy's claims of no impact. "Entergy has utterly failed to show that fish are not impacted by these higher temperatures," Deen said.

“In this appeal, we will be asking the Vermont Environmental Court to find that ANR has failed to satisfy Vermont and federal water quality laws,” said David Mears, Assistant Director of the Environmental and Natural Resources Law Clinic. “This permit should never have been issued,” he noted. “The state has a duty to ensure that the natural resources enjoyed by all Vermonters are protected. Vermont should not allow Entergy to degrade water quality in the Connecticut River, particularly where the company has demonstrated that it can meet the current standards.”

“It makes little sense to allow Entergy to increase the level of pollution to the river at the same time we are working to recover important fish species such as shad and salmon,” said Deen. “On this Earth Day, we are recommitting ourselves to the original purpose of the Clean Water Act to restore our Nation’s waters,” he stated. “In light of the continued imperative to achieve this goal, we are asking the Vermont Environmental Court to reverse ANR’s decision.”

-endit-

Further Background Attached