

Riverkeeper leader a hero to friends, obstructionist to foes

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Bill Wagner / The Daily News
Columbia Riverkeeper Executive Director Brett VandenHeuvel walks along the Columbia River in Hood River last week. The group has had a string of recent victories and has become an increasingly powerful force on the river.

HOOD RIVER, Ore. — From his second-story office in an old house here, Brett VandenHeuvel has a fine view of the object of his passion. Last Wednesday, the Columbia River coursed by in the near distance, wide, cold and gray, with white hills rising above its banks after a recent snowfall.

VandenHeuvel, the executive director of Columbia Riverkeeper, has made it his duty to fight any project he considers harmful to the 1,400-mile waterway.

In the last year, Riverkeeper has played a major role in halting two industrial projects near Cowlitz County — a \$650 million liquefied natural gas terminal proposed for Bradwood

Landing and a plan to ship garbage from Hawaii to Central Washington through the Port of Longview. The group now has its sights on a coal export terminal planned for West Longview.

Riverkeeper has become a powerful force — the kind of advocate the Columbia needs at a time when government regulators are underfunded and understaffed, according to the group's supporters.

Industrial interests, however, have become frustrated by what they see as Riverkeeper's single-minded obstructionism, which they say undercuts projects that could help the job-starved region.

Riverkeeper, opponents admit, is strikingly well-organized, adept at maneuvering through the nation's legal and regulatory structure and surprisingly successful at gaining the trust of public officials.

"Nobody was willing to challenge them and say, 'Wait a minute, you people are nuts,'" said Charles Deister, the former spokesman of NorthernStar Natural Gas, which battled Riverkeeper for years in a vain effort to build the Bradwood Landing LNG terminal near Puget Island. "In our experience you couldn't engage them in a rational debate on the issues and science and data because, as far as we can tell, they're still upset that the Industrial Revolution occurred."

Riverkeeper is involved in between two and four lawsuits at any given time over projects proposed for the river or environmental laws it believes are being ignored, VandenHeuvel

(pronounced Vanden-HOO-vel) said last week. It also sits on panels aimed at shaping policy and has recruited a small army of volunteers to monitor water quality and habitat.

"It's just amazing the breadth of things they're taking on," said Marc Auerbach, the chairman of the Northwest Property Rights Coalition, a citizens group that helped Riverkeeper fight the Bradwood LNG terminal.

"They're definitely making a mark," said Sally Toteff, a regional director for the Washington Department of Ecology, which has worked with Riverkeeper when considering industrial proposals and policy questions.

"What I appreciate about Brett is you always know where he's coming from," Toteff added. "He's direct. He's honest. The conversations aren't always easy ones to have. There can be disagreement or criticism."

River watchdog

Established in 1989, Columbia Riverkeeper is tailored after the Hudson Riverkeeper, which was formed in New York more than four decades ago and has been a model for other river conservation groups nationwide.

Last year, the nonprofit raised nearly \$382,000 through donations and grants, according to its declaration to the Internal Revenue Service. Columbia Riverkeeper recouped \$126,000 in attorneys' fees through its legal victories between 2005 and 2008. Riverkeeper paid VandenHeuvel a salary of nearly \$55,000 last year.

VandenHeuvel, 36, was born and raised in Muskegon, Mich., a town of about 60,000 along Lake Michigan. His parents were both teachers and VandenHeuvel said he "grew up on a creek catching frogs and fish" and "spending time in the forest."

"It's where I felt most comfortable," he said.

He said he formed his earliest views on environmental policy after some of his favorite outdoor spots were overtaken by housing tracts.

"Seeing some of those areas get destroyed had a real impact on me," VandenHeuvel said.

He studied geology during his undergraduate years, then got a masters degree studying Ice Age climate change. Those studies took him to Antarctica, New Zealand and Alaska. He eventually earned a law degree from Lewis & Clark College in Portland.

VandenHuevel became Riverkeeper's director in 2009, replacing Brent Foster, who had increased the organization's profile during the fight over the Bradwood Landing LNG terminal before Oregon Attorney General John Kroger hired him to go after polluters.

VandenHuevel said he envisions a Columbia River "where there's abundant salmon returns, where people can catch and eat fish without fear of toxic exposures, where on nearly the entire river people can go down there and swim on a hot summer day."

"There's certainly always going to be industrial areas," he continued. "In those industrial areas we have, it makes sense to use those instead of destroying additional green space. I think we just need to be more careful about what's going into the river."

'A great tactic'

During the fight over the Bradwood LNG terminal, Riverkeeper filed an extensive series of comments with federal regulators, pressed state and local officials and, along with other organizations and government agencies, sued in federal court. The terminal's backer, Houston-based NorthernStar, declared bankruptcy last year after spending six years and more than \$100 million. The project is considered dead.

Deister, the former NorthernStar spokesman, said last week that Riverkeeper's strategy had been to bleed NorthernStar of money and run out the clock on the project.

"It's a conscious strategy of death by delay," Deister said. "Were I in their position, I'd probably be doing it. It's a great tactic."

Deister, now a partner in a Portland communications company, said NorthernStar officials were astonished at how seriously — and uncritically — public officials took the environmental group's assertions. For example, he said, no one challenged Riverkeeper's contention that terrorists could damage double-hulled LNG tankers with rocket-propelled grenades, even though they lack the firepower.

"They would make ridiculous claims," he said. "Nobody in authority challenged them."

But VandenHuevel said last week he certainly hopes state and federal agencies take his organization's claims at face value.

NorthernStar employed "a squadron of lawyers and consultants and PR people ... and works extremely aggressively to discount anything that gets said against them," VandenHuevel said. "For them to say that a small public-interest organization has too much influence on officials is a stretch."

A proposal gets trashed

Mike Chutz, the president of Seattle-based Hawaiian Waste Systems, said he was amazed by the swiftness and efficiency of Riverkeeper's move to scuttle his company's plan to ship garbage from Honolulu to a Central Washington landfill through Longview. In July, a federal judge in Spokane temporarily shut down the project after the Yakama Indian Nation and environmental groups, including Riverkeeper, sued to stop the plan. Chutz said he is unsure whether it can be revived.

"Riverkeeper is an extremely well-organized advocacy group," he said.

Chutz said he, too, is committed to the river's environmental health and that he believes in following regulations and conducting his business with "total good faith" and "transparency."

But he said Riverkeeper's intervention — which came "at the 11th hour" after three separate federal approvals — violated his sense of fair play.

"This is still America," he said. "As long as things are thoroughly vetted and can be done in a safe, environmentally conscious method, we're allowed. That's what freedom is about. ... People working together with consideration for each other's needs can solve problems like this without racing to the courthouse."

The Hawaiian garbage debate, VandenHeuvel said, illustrates exactly the role Riverkeeper should play.

"We can act as a watchdog — not only for polluters, but for our federal government. They didn't fully look at these impacts. There were some serious questions still remaining."

"So do we have the power to shut down a proposal to ship garbage here? No. Do we have the power to raise questions, to advocate that it's a bad idea, to try to engage (regulators and companies) to comply with the law? Yeah, we have that power."

Another fight on the horizon?

Riverkeeper is considering appealing a shorelines permit granted last week to Millenium Bulk Logistics to build a giant coal export terminal at the former Reynolds Metals Co. site west of Longview. VandenHeuvel said he opposes the project because shipping coal to Asia will have global environmental consequences.

Millennium CEO Joe Cannon said he's "not worried" about Riverkeeper pecking his project to death with appeal after appeal.

"We're in this thing to stay," said Cannon, whose company is a subsidiary of Australia-based Ambre Energy. "They have an objective to do what they can do to slow this project down. That's perfectly their right. ... We sort of assumed that there would be an appeal."

Riverkeeper, he said, has "selected themselves to worry about the river. That's a good thing. That's a noble thing for them. They're passionate about it. I don't think they're right about a lot of things."

Auerbach, the Property Rights Coalition chairman, said watchdog groups like Riverkeeper are essential because government agencies don't have enough funding to enforce the law and much of the public can't see what harm industry can do to the river.

"The river degrades slowly, so generation after generation don't see the loss," he said. "Are these rivers just supposed to be industrial highways and dumping grounds? No, that's ridiculous. You should be able to send your kids down there to swim, to fish without worrying about what you're putting into your body - and to drink the water."

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