



## Path to Systemic Change

The issues described above are not unique to the [Cape Fear Basin](#), but the Cape Fear is certainly at the epicenter of both of these fights. Creating change here will undoubtedly have far reaching impacts. CFRW plays a significant statewide role in these critical fights, and our wins in the Cape Fear Region are a key part of that success.

Systemic change, as the name implies, requires changing entire systems – sometime multiple systems at once. Our work in the coming three years will focus on changing legal systems, political systems, food systems, and environmental enforcement and permitting systems. This work happens through strategic partnerships described below.

**Legal Systems.** Our litigation efforts are strategic and designed to have precedent setting impacts. Lawsuits currently underway include challenging the US EPA for its failure to properly implement a much needed overhaul of the Toxic Substances Control Act, approved two years ago with wide bipartisan support. We have also, very recently, filed an appeal designed to push the NC Department of Environmental Quality (NC DEQ) to suspend Chemours' air permit until the company can show that it will no longer threaten human health and the environment with its pollution. Two legal actions in their early phases include both a Clean Water Act and a Toxic Substances Control Act suit against Chemours, for failures to comply with both federal environmental laws. In addition, we are actively investigating legal action to challenge two terrible laws (H 467 and S 711), recently passed by the NC General Assembly at the bequest of industrial agriculture, designed to eliminate citizen access to nuisance protection under North Carolina law. Finally, we anticipate a legal challenge to the reclassification of portions of the Lower Cape Fear River to a swamp, a move initiated by industrial dischargers, designed to allow the further degradation of water quality rather than encouraging polluters to implement new technology. Our legal partners in this work are critical to our success in these cases and include SELC, NRDC, Public Justice, the Julius L. Chambers Center for Civil Rights, Duke Environmental Law and Policy Center, and Waterkeeper Alliance.

**Political Systems.** Clean drinking water is not a partisan issue, and yet in today's political climate many have attempted to make it so. CFRW continues to work hard to reverse this troubling politicization of a basic human right. Over the last ten years we have built a reputation as a source for fact-based and well-reasoned environmental positions in our community, as indicated by polling information that showed the Cape Fear Riverkeeper was the environmental name most trusted in our area. In times of crisis, such as the revelation that our drinking water was contaminated with [GenX](#) and other PFAS, CFRW quickly pulled together experts on toxicology, water chemistry, drinking water treatment, environmental law, and child health to provide our community with information they could trust at multiple community forums. Our community trusts us and we were able to turn that trust into action by a wide range of people with a wide range of political views, who demanded clean water and rejected political gamesmanship.

**Food systems.** Saying “no” to something bad can be a powerful statement but sometimes saying “yes” to a positive alternative can be even more powerful. For example, sustainable farms. Factory farms hurt people, the environment, workers, animals, and local economies. Sustainable farms do the opposite. Part of our work, along with Riverkeepers across North Carolina, is to highlight alternatives to factory farms through a



communications campaign designed to educate people about where their meat comes from and how to make choices that can be beneficial rather than harmful to people and the environment. This campaign is in its early stages but we are excited about watching it grow in the coming years.

Environmental enforcement and permitting systems. Finally, CFRW is working to change the way local, state, and federal environmental permits are created, implemented, and enforced. Our legal work is clearly linked to these efforts, but this work to improve statewide, and even federal, systems goes beyond just legal work. CFRW has had success pushing for permit improvements through well-researched public comments. We intend on ramping up these efforts in the coming years, taking advantage of a NC DEQ that is more willing to receive input than in the recent past. CFRW is also building relationships with NC DEQ leadership and staff, which is bearing fruit in the form of opportunities to influence permits before they are released. In addition to influencing new permits, CFRW is working to show major flaws in existing permits, making the case that when these permits are up for renewal they must be modified. A prime example is our field work related to waste management on swine and poultry factory farms.

Our regular investigations show widespread and repeated violations of the general permit for waste management. We refer these violations to NC DEQ, building a case for change and a record for any future litigation.

Additionally, CFRW is proactively conducting widespread water quality monitoring. We are gathering state certified data on stream impairment that we will use to make the case that waterways already impaired by high levels of pollution must not be allowed to receive further pollution from industry. This strategy takes time and continued effort, but it produces lasting systemic results.