



FOR IMMEDIATE RELEASE  
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## **Dirt Does Hurt: Coosa Riverkeeper Files Intent to Sue Against Newcastle Homes for Construction Stormwater**

Mt. Laurel, AL- On June 16, Coosa Riverkeeper, represented by the Southern Environmental Law Center, notified Glenn Siddle of Newcastle Homes of their intention to file a lawsuit for Clean Water Act violations at the Melrose Landing Development on Highway 41 in Shelby County.

Coosa Riverkeeper received a citizen complaint in December from a trail runner who was running along the Shelby County Greenway Trail and was concerned about the construction site. The trail spans over a mile along the North Fork of Yellowleaf Creek, a tributary to Lay Lake. Coosa Riverkeeper and Shelby County filed complaints with the Alabama Department of Environmental Management (ADEM) in December, resulting in a slap on the wrist from the state agency.

“Newcastle Homes knows better. Over the years, they have received a number of Warning Letters and Notice of Violations from ADEM,” says Justinn Overton, Staff Riverkeeper. “These letters and notices have done nothing to spur the company to follow the law. Coosa Riverkeeper is proud to hold them accountable. This private company is impacting a public greenway, habitat, and wildlife.”

Coosa Riverkeeper’s turbidity samples during rain events from December to June documents over 26 violations through pictures, videos, and turbidity measurements, catching Newcastle Homes in a myriad of violations of the Clean Water Act, the Alabama Water Control Pollution Act, and their own permit.

Under stormwater permit requirements, developers must utilize Best Management Practices to prevent uncontrolled volumes of sediment from being washed away and to reduce the turbidity in downstream waterways. Sediment is one of the leading causes of water pollution in Alabama, and developers have a responsibility to ensure that their operations do not harm water quality for downstream communities who rely on these waters for fishing, swimming, navigation, and drinking water supplies.

“Alabama’s rivers and streams are vital public resources we depend on—they are not a free dumping ground for developers who feel that they are above the law,” said SELC Senior Attorney Sarah Stokes. “We hope Newcastle Homes will take this opportunity to comply with the law and finally address these illegal stormwater discharges, once and for all.”

Coosa Riverkeeper has documented that those measures continue to be woefully inadequate, and have filed a Notice of Intent to Sue to give the developers 60 days to comply with the requirements of their permits. During rain, sediment and dirt from construction sites may find its way into waterways. As the stormwater moves over time and distance, the sediment will settle out and cover the bottom of the waterway.

Although dirt is natural, the rate in which dirt from construction sites enter our waterways, is incredibly detrimental to wildlife. Sediment not only covers the bottom where animals and plants live and

reproduce, but it reduces visibility, causing animals to have a harder time finding sustenance, as well as clogging fishes gills and can cause suffocation.

In addition to the ecological effects, the increase of dirt and mud negatively affects recreational and aesthetic qualities of the receiving waterway. In addition to sediment, the sheer volume of water that crashes into streams from uncontrolled construction sites causes erosion and flooding, sometimes overtopping roads, filling private and public lakes, and damaging private property.



Aerial view of the site. Photo by D. Shaddix

Coosa Riverkeeper wants to urge their members and citizens of Alabama to report anything that “looks fishy” to Coosa Riverkeeper. Coosa Riverkeeper relies on residents and visitors of the Coosa Valley to be their constant eyes in the field, and thanks their community of people who love the Coosa River. You can report pollution at [CoosaRiver.org/Report-Pollution](https://CoosaRiver.org/Report-Pollution) or by calling their office at 205-981-6565.

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**About Coosa Riverkeeper:** *Coosa Riverkeeper is a citizen-based river conservation non-profit whose mission is to protect, restore and promote the Coosa River and its tributaries in Alabama. Learn more about our work by visiting [CoosaRiver.org](https://CoosaRiver.org)*

**About Southern Environmental Law Center:** *For more than 30 years, the Southern Environmental Law Center has used the power of the law to champion the environment of the Southeast. With more than 80 attorneys and nine offices across the region, SELC is widely recognized as the Southeast’s foremost environmental organization and regional leader. SELC works on a full range of environmental issues to protect our natural resources and the health and well-being of all the people in our region. [www.SouthernEnvironment.org](https://www.SouthernEnvironment.org)*



Mass amounts of sediment flow into Yellowleaf Creek in December 2020. Photo by J.Overton

Sediment flowing into Yellowleaf Creek in March 2021. Photo by J.Overton