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Indigenous Peoples and Black Communities of All Continents Join the Movement Against Line 3



by Fabio Viquez

MINNEAPOLIS, MN – A delegation of representatives from six countries of America, representing Black and Indigenous communities and organizations belonging to the Black and Indigenous Liberation Movement (BILM) joined the Anishinaabe Nation and other Indigenous Peoples under the United States to demand that Enbridge Corporation stop the construction of the Line 3 oil pipeline, as well as all extractivist, racist, and colonial projects that violate their rights, territories, and culture.

Between August 18 to 21, 2021, a delegation composed of representatives from social movements and Indigenous and Black communities from Canada, United States, Mexico, Dominican Republic, Chile, and Ecuador – members of BILM – joined the communities of the Anishinaabe Nation and other Peoples of the United States to demand the suspension of Canadian oil company, Enbridge’s project, which plans to build Line 3, one of the largest crude oil transportation pipelines in the United States.

The BILM delegation of representatives demands the end of the colonial-extractivist model endangering the life of Indigenous Peoples and Black communities. Line 3 and other extractivist projects that are being implemented throughout the American continents negatively affect Indigenous Peoples violating their rights, territories, and culture; endangering especially biodiversity, water sources, and other vital resources for humanity; and also contributing to the environmental problems that affect the planet.

“The Anishinaabe People’s struggle against climate change is critical not only for them but for the entire planet. This struggle is particularly important for Black and Indigenous Peoples across the Americas for how it can unite us...and our communities must unite to stop the destruction of our planet, our territories, and our own bodies,” said Mike Bento, representative from New York City



photo credits: Above, Nedahness Rose Greene for Indigenous Environmental Network. Below, Keri Pickett, keripickett.com

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No possums were harmed in the making of this publication.



In Memoriam: Luis "Doc" Contreras

by Scot Quaranda

On June 25, 2021, Arkansas forests and the planet lost one of their true heroes. Luis "Doc" Contreras was a climate champion, a creative campaigner, a spirited activist, and a lover of humanity and every dog he ever met. He passed away in Eureka Springs, Arkansas, at the age of 71.

I first met Doc, who held a PhD from Georgia Tech for Statistical Engineering, when he called me out of the blue to talk about a gigantic paper mill that a foreign company with a bad reputation wanted to build in Arkansas. Of course, the state government invited them in and threw lots of money at them to make sure they built the first new paper mill in the South in decades. It was a fight against impossible odds and no one was stepping up to try and stop it – except of course Doc.

Every time the company applied for a new permit or the state spent more money to entice the company, Doc was there with evidence and passion and a never-ending fountain of spirit to oppose this mill. Every time the Governor of Arkansas, or Representative Bruce Westerman, the only professional forester in Congress, came out to cheer for the facility, Doc was there with a funny, insightful, and logical response.

He wrote countless letters and editorials for the local paper in Eureka Springs. He spent countless hours doing research on permits, money trails, corporate malfeasance, alternative solutions, and climate impacts to show why this was a bad thing for the people and forests of the state. He was a lone voice in the wilderness. Nothing ever shook him or made him quit.

Doc's tireless work was rewarded when the company, who had spent years trying to make it happen, finally gave up. The forests and people of Arkansas breathed a sigh of relief. At that point he could've rode off into the sunset, but not Doc. Instead he turned his sights on the many pellet mills proposed for the state. From Zilkha to Highland Pellets to the latest proposal from Drax, he never quit. He was the best kind of activist, and I absolutely loved working with him.

Zilkha disappeared, Highland struggled to make its business profitable, and Drax was just starting to get nervous. I spoke to Doc about three days before his passing, and he was as passionate as ever. He had made inroads with the agencies and had a strategy to stop this big, bad British company. I believe his plan can still work as long as we can all channel our inner Doc and fight for our forests, frontline communities, and our planet.

The entire Dogwood Alliance staff mourns the loss of one of our own. Our hearts are with his wife Crystal, his nine rescue dogs, and his extended family. It was such an honor and a privilege to work with Doc. He was a real treasure for Arkansas and will be sorely missed. His spirit and passion live on in every single climate activist, lover of forests, and all who laugh in the face of insurmountable odds. You'll be missed, Doc.



© Richard Quick Photography



Mountaintop Removal Coal Mines Continue to Consume West Virginia



by Vernon Haltom
Executive Director, CRMW

NAOMA, WV – Coal River Mountain Watch is continuing the work to stop the destruction of our communities and environment by mountaintop removal mining, to improve the quality of life in our area, and to help rebuild sustainable communities. Mountaintop removal (MTR) is not "essentially over", as some have claimed.

On Coal River Mountain, 7,635 acres (11.9 square miles or 15% of the mountain) are active or approved MTR or sludge dams, with more MTR on the drawing board or proposed for the area. Multi-billion-dollar Alpha Metallurgical Resources has applied for yet another permit within a mile of Clear Fork Elementary School. Existing MTR sites drag on for years, such as the Edwight MTR site, in "reclamation only" and "inactive" status since 2015 above the old Marsh Fork Elementary School. "Contemporaneous reclamation" variances are common, so companies don't have to reclaim as they go, creating vast, dusty wastelands. "Reclamation", when done, is a joke, and not the "higher and better use" that the coal companies claim.

While coal companies and their puppet politicians portray our work as a conspiracy to destroy jobs while protecting bugs, our focus is on protecting human health. Blasting on MTR sites sends airborne dust, mostly fine and ultrafine carcinogenic silica, into neighboring communities where it threatens public health. The WV Dept. of Environmental Protection (WVDEP) refuses to consider human health, such as the significantly elevated rates of cancer, birth defects, and heart disease in their permitting decisions.

WVDEP also refuses to issue citations based on citizen photos or videos, such as this video showing a blasting dust cloud on Coal River Mountain traveling over two miles through nearby neighborhoods. WVDEP claims that such videos and photos can be altered, but their blast complaint inspections rely solely on the company's blasting logs, diagrams, and nearby seismographs. Inspectors claim that they never see blasting dust escape the permit, but they have provided no documented evidence that they've been on hand to witness a blast. We monitor the sites the best we can, from drone flights and on the ground, but the violations that WVDEP has cited are usually for failure to maintain sediment controls, and the fines are too miniscule to deter bad behavior.

Decreasing demand for coal won't end MTR. Bankruptcies won't end MTR. When coal companies enter bankruptcy protection, they either sell off their permits to other companies or get extensions on their regulatory obligations. Existing laws and regulations won't end MTR or protect residents from the fallout. So what do we do?

Coal River Mountain Watch spearheaded the Appalachian Community Health Emergency (ACHE) Campaign beginning in 2011 after the death of our executive director, 2003 Goldman Environmental Prize winner Judy Bonds, from the cancer that plagues our communities. We got the ACHE Act introduced in 2012 and every Congress since. Currently it is in the US House of Representatives as HR 2073. The ACHE Act would impose a moratorium on new or enlarged MTR permits unless and until the US Department of Health and Human Services conducts a definitive health study concluding that MTR does not pose a threat to neighboring communities.

What can everyone do to help end this public health threat, which also serves as the cradle of the climate crisis by obliterating carbon-sink forests while extracting climate-killing coal? Go to our website, www.acheact.org and click on "Take Action" to contact your US congressional representatives and urge them to support the ACHE Act (HR 2073 in the current Congress). If you represent an organization, please click on "Endorse the Act".

Watch a video of a flyover online:
<https://youtu.be/X2E20Ofh24s>.

Thanks for your help!

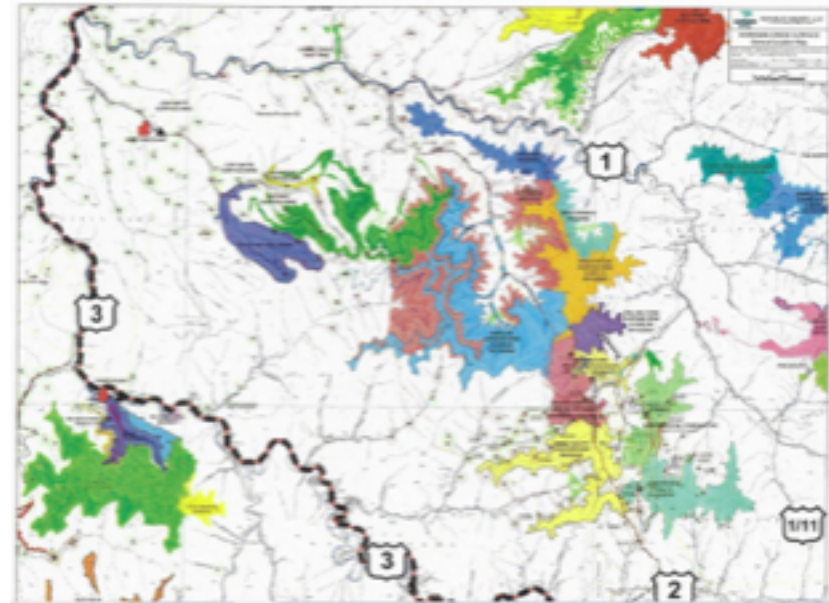


Above: Marsh Fork Elementary School, at right, in the shadow of Alpha Coal prep plant and treatment ponds.

Below: Map of permits on Coal River Mountain.

Bottom: View of Middle Ridge, WV.

All photos courtesy CRMW



Coal Ash Threatens Livelihoods along Northwest Indiana Shoreline

by Blake Gardener

MICHIGAN CITY, IN – Imagine not being able to use the water from your faucet. Could you provide for yourself and your family by relying entirely on bottled water? Thirty-eight homes in the Town of Pines, Indiana, must now endure this

reality. This can be attributed to the lack of proper oversight when Northern Indiana Public Service Company (NIPSCO) disposed of one million tons of coal ash from their Michigan City Generating Station into the Yard 520 landfill. The landfill began to leak, irrevocably contaminating their groundwater and soil. Bringing the EPA's attention to this issue required a painstaking effort from community members who still remain in the clutches of coal ash, which has not yet been fully resolved.

This is the true toll of coal on communities. Burning coal is an inefficient and destructive way of producing energy. Impacts extend beyond carbon footprints by also giving rise to life-altering residual effects as evidenced by the disparities that fester in coal-impacted communities, including Town of Pines and Michigan City.

NIPSCO has been operating the Michigan City Generating Station for nearly 90 years. The property of the plant dissects the Indiana shoreline directly on Lake Michigan. Their coal-burning plant has produced millions of tons of toxic ash consisting of arsenic, lead, mercury, and other chemicals. This carcinogenic concoction has been dumped in unlined pits for several decades, which is a grave concern since such pits are prone to leaching into groundwater. Confirming this troubling situation, a report from the Hoosier Environmental Council noted that 94% of water samples from coal pit areas contained levels of arsenic, boron, lithium, molybdenum, selenium, sulfate, and thallium that were higher than legal limits.

In 2020, based on requirements from the 2015 Coal Combustion Residual Rule signed by the EPA, NIPSCO announced plans to close its coal ash pits in anticipation of the plant's retirement by 2028. The plan which NIPSCO chose encompasses the partial removal of the coal ash at the site and the transportation of the waste across residential communities to a new site at their Schahfer coal plant in Wheatfield, Indiana. Noticeably absent is the removal of the remaining 2 million tons of coal ash fill. This coal ash fill is separated from Lake Michigan by a single 70-year-old corroded steel wall. Water samplings indicate that this inadequate barrier has already begun to leak into the lake and nearby Trail Creek.

Nearly one-third of Michigan City is African American, and one-fourth of the population is living in poverty. Based on the previous neglect of neighboring residential areas, there is great concern that NIPSCO will perpetuate the longstanding injustice. A recent report notes that NIPSCO is selecting the coal ash closure option that would not only be less environmentally safe, but would also deprive the community of hundreds of local, family-sustaining union jobs that would be required for a complete cleanup.

Tragically, this situation is common near coal ash sites throughout the nation. By tearing away at the health of the family, friends, and neighbors and destroying the vibrancy that is the core of any community, it is clear that the coal ash crisis is urgent. As coal plants shutter, we are provided with a short window to influence the disposal of these toxic chemicals, which will infiltrate our bodies for years. Fortunately, if we act swiftly, it is still in our hands to exercise our freedom and ensure that energy companies transition in a way that is fair and does not inhibit our basic human rights.

About JTNWI:

Just Transition Northwest Indiana is a local organization amplifying the voices of community members and works to ensure the transition away from fossil fuels is equitable and environmentally sound. If you are interested in learning more, please visit their website: jtnwi.org, and take action on this issue by signing and sharing their petition: tinyurl.com/protectlakemichigan.

Blake Gardiner is a volunteer for Just Transition NWI who is passionate about the synergy between a protected environment and the communities that inhabit it. He is a Master of Environment student at Miami University in his final semester of study and is pursuing a career in environmental policy.

Challenge Filed over Vermont's Refusal to Protect Endangered Bats from Deadly Insecticide Spraying

by Jess Cover, Junapr Communications



MONTPELIER, VT — The Vermont Natural Resources Council and Center for Biological Diversity sued Vermont's Agency of Natural Resources today for refusing to require the

Brandon-Leicester-Salisbury-Goshen-Pittsford Insect Control District to apply for permission to harm five threatened and endangered Vermont bat species.

The Insect Control District sprays the toxic insecticides malathion and permethrin for mosquito control in the habitat of the Indiana bat, northern long-eared bat, little brown bat, eastern small-footed bat, and tricolored bat, all of which are protected by Vermont's Protection of Endangered Species Act. The coalition, along with numerous allies and supporters, provided the state agency with an expert report by Arrowwood Environmental in 2019 detailing how the district's activities harm or can kill these imperiled bats, already threatened by white-nose syndrome and habitat loss.

"Vermont's endangered species experts have spoken clearly," said Mason Overstreet, staff attorney at Vermont Law School's Environmental Advocacy Clinic. "Poorly regulated pesticide spraying is putting the state's threatened and endangered bats at risk. ANR's decision to ignore both the scientific consensus and the plain-preventative language of Vermont's endangered species law abandons their responsibility to protect vulnerable wildlife."

The pesticide spraying occurs on summer nights when bats are hunting for flying insects. Flying low through the chemical plume of pesticides, the bats are exposed to toxic droplets that they can inhale, absorb through their thin-skinned wing membranes, or get onto their fur and later ingest while grooming. They can also catch and eat flying insects contaminated with the chemicals. These pesticides are known to cause neurological and physiological stress and injury to bats.

"Vermont's Endangered Species Act is a critical law for protecting animal species from a variety of threats, including being poisoned by toxic chemicals," said Brian Shupe, executive director of the Vermont Natural Resources Council. "ANR generally does a commendable job of protecting endangered resources but in this instance needs to step up and apply this law to an activity that places these endangered bats at significant risk."

In March of 2021 the Endangered Species Committee, a scientific advisory group to the secretary of the state's natural resource agency and the commissioner of the Department of Fish and Wildlife, unanimously and formally recommended to the agency that it require the insect-control district to begin the incidental-take permitting process to continue spraying the pesticides.

The biologists stressed that the Agency of Natural Resources was the only state body with the expertise and authority to protect bats and that a permit was the only mechanism available. The committee's evaluation process included an independent scientific review by its Mammal Scientific Advisory Group. However, on July 19, 2021, the agency formally denied the recommendation to require a permit.

"There's no doubt that Vermont's refusal to follow science and the law will result in these amazing, imperiled animals being harmed by toxic insecticides," said Lori Ann Burd, environmental health director at the Center for Biological Diversity. "Given that bats actually help to regulate mosquito populations, the state's reckless decision to allow them to be killed in order to kill mosquitoes is a shortsighted choice that will cause long-term harm. It leaves us no choice but to go to court to protect them."

The groups are represented by Mason Overstreet of Vermont Law School's Environmental Advocacy Clinic and Ron Shems, Esq., Tarrant, Gillies, Richardson, & Shems LLP.



Tricolored bat

photo by Missouri Department of Conservation



A street mural in Glasgow, Scotland
photo from internet

Urban Forests: A Nature-Based Solution to Environmental Issues



by Emma Steele
Outreach Coordinator

Indiana's heritage is forests.

Before state lines existed and city skylines replaced treetops, our state was lush with towering, expansive old-growth hardwood forests. There is an old wives' tale that says before colonization, the eastern hardwoods that spanned the lengths of our state were so thick that a squirrel could travel from the Atlantic coast all the way to the Mississippi River – border to border in Indiana – without ever touching the ground.

In comparison, our state today looks almost unrecognizable. Where we once had around 90% of our 23 million acre land-base covered in forests, we now rest at just over 20%. And of the 20 million acres of original old-growth forest, fewer than 2000 acres, less than 1%, remain today. While these figures sound dire, they illuminate a path forward that can tackle some of the most pressing environmental issues Indiana is facing today.

Healthy forest ecosystems, on top of supporting thousands of native species, are incredibly effective carbon sinks. When we integrate the power of our forests into communities as the urban tree canopy, we reap their benefits tenfold, as they provide shade, air and water purification, flood protection, and more to the people that live amongst them. Climate change, biodiversity loss, environmental injustice – all of these issues could be addressed by widespread efforts to protect, restore, and expand healthy native forests throughout the state, in rural and urban settings alike.

Indiana Forest Alliance (IFA) has been working to protect and restore Indiana's native hardwood forests for the past 25 years. IFA's latest project, Forests for Indy, channels that energy into urban forest protection. This work begins in Indianapolis and aims to make the urban tree canopy a part of the vital infrastructure our communities need to achieve a sustainable future for all. If successful, the Forests for Indy model will create a framework for other cities across the state to embrace urban forests as a nature-based solution to environmental issues.

Pittsburgh's Forests: Climate Carbon Bank or Developers' Quick Buck?



by Matt Peters

PITTSBURGH, PA – After several years of public comment and neighborhood meetings, the city of Pittsburgh enacted a Climate Action Plan in 2017 to establish a comprehensive strategy for climate change preparedness and mitigation. The chapter on forests begins with the straightforward imperative to “HALT the conversion of forest canopy to development”.

The neighborhood of Hazelwood is becoming a test ground for this newly adopted Climate Plan, with the proposal of a housing development project impacting the edge of a Greenway corridor that connects the core forest to nearby Schenley Park. The so-called “Woods Village” proposal would clear several city lots adjacent to the Greenway, lots that have reforested themselves to a young stand of black locust and a few other primary-succession species, and build sixty-two prefabricated mini-homes for apartment rentals. The irony of the city touting its redevelopment of one of the largest brownfields in America as a model of green and sustainable urban revitalization, yet allowing the degradation of its urban forests to continue, has inspired a lively conversation with several city agencies including Forestry, Planning, and the City Council representative.

The examination of the particulars of the Woods Village proposal has revealed some alarming vulnerabilities in Hazelwood's Greenway system, as not all forest canopy is protected under this designation. The forests threatened by the Woods Village proposal, and others like it soon to follow, would eradicate a key connecting corridor linking the Schenley Park “core area” to the central mass of Hazelwood's Greenway forests. While not exactly “wilderness habitat” in the sense of vast public lands, this connectivity is enough to support a robust array of wildlife that includes coyotes and foxes along with deer, turkey, hawks, owls, and songbirds such as wood thrush, vireo, tanager, and warbler.

The city of Pittsburgh is at a key transition point in its history, having emerged as a climate leader on the global stage under the eight years of the Bill Peduto administration. Bill Peduto lost his incumbency to State Representative Ed Gainey in the most recent primary elections. Ed Gainey now stands to be Pittsburgh's first Black mayor, presuming he wins the upcoming November election. At the time of this writing, he has no significant challengers. Mr. Gainey appears to be poised to continue this progressive green trend in his administration, although his strong interest in addressing inherently racist or otherwise discriminatory civic structures will mean less of a presence on the international stage than it was for his predecessor. His ability to listen to the needs of the grassroots in each neighborhood will mean forest advocates can find a forum to articulate the need for forest protection and expansion within the city, while we meet the need for affordable housing, neighborhood revitalization, transportation improvements, and all the other issues that urban dwellers face.

Hazelwood is central to the discussion of forest conservation in the city not only by virtue of it being among the nation's most high profile brownfield redevelopments but also for the fact that the neighborhood is home to fully one third of the city's non-park forests. The discussion of “green spaces” and “green infrastructure” among city planners seems more sincere than the distortion of such terms by the industrial foresters who manage our public lands, but it would be a far stretch to say that there is anything like an actual “re-wilding” ethic or sensibility at the government level. How we live in our cities affects every aspect of how we live with our forests, and bringing the forest habitat into our cities can help foster a closer connection with nature.



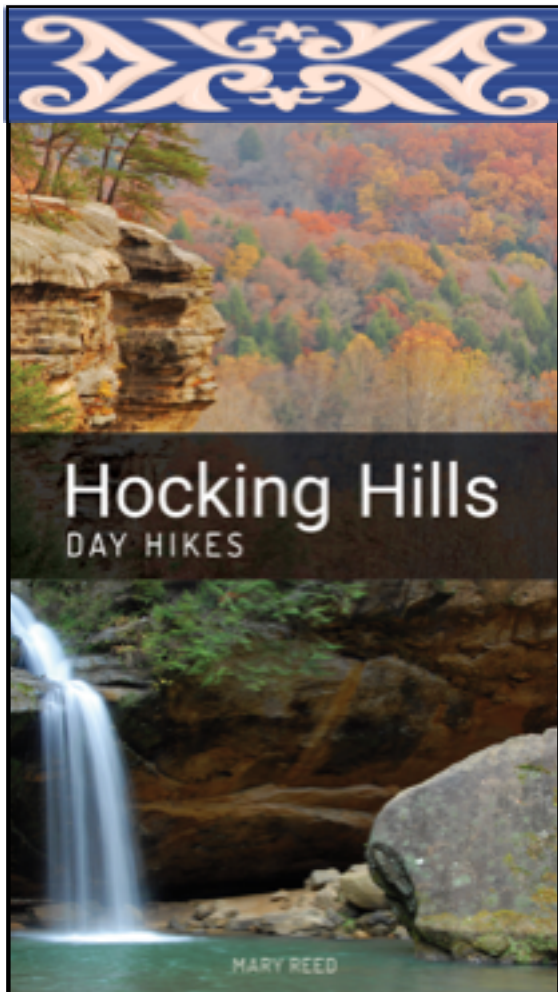
View of Hazelwood, from the industrial brownfields where redevelopment will soon be taking place. The forests on the hill to the right are mostly protected, the hill on the left is where the Woods Village proposal would be sited.
photo by Matt Peters

Introduction to “Myths of Prescribed Fire: The Watering Can that Pretends to Be a River”

by Bryant Baker and Douglas Bevington

The use of prescribed fire — intentionally setting fires under planned circumstances — has received increased attention in California and elsewhere in recent years. On the one hand, it is good that there is growing recognition that fire is a natural and necessary part of forests and other ecosystems. On the other hand, current advocacy for large-scale prescribed fire across vast areas is often built on outdated assumptions and overstated claims, while downplaying problems stemming from how prescribed fire is actually being implemented. This factsheet identifies five key sets of myths regarding prescribed fire and shows how they can lead to misguided policies and missed opportunities to better accomplish public safety and ecological restoration goals in a more cost-effective manner. To create effective fire policies, we need to face these facts: Prescribed fire increases fire and smoke. Prescribed fire is inefficient for public safety compared to home retrofits. Prescribed fire is inefficient for ecological restoration compared to managed wildfire. Prescribed fire can be harmful. And prescribed fire and cultural burning are not the same.

To read the full article, go to: <https://rewilding.org/myths-of-prescribed-fire-the-watering-can-that-pretends-to-be-a-river/>



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getoutpublishing.com

Book Review: *Smokescreen: Debunking Wildfire Myths to Save Our Forests and Our Climate*

By Douglas Bevington

If you read only one book about wildfire issues, I recommend that it be *Smokescreen: Debunking Wildfire Myths to Save Our Forests and Our Climate* (University Press of Kentucky, 2021) by Dr. Chad Hanson. This book exposes how misinformation about fire is leading to bad policies that harm forests and increase global warming. *Smokescreen* then points the way to genuine solutions.

Dr. Hanson is a scientist at the forefront of fire ecology research. He is also the director of a grassroots forest protection organization, so he understands the on-the-ground implications of fire science. In *Smokescreen*, he interweaves his own personal experiences with exploration of many exciting scientific discoveries, making for an informative, accessible, and engaging read.

The central message of *Smokescreen* is that timber industry, the US Forest Service, and their allies are using misinformation to push for more logging of national forests under the guise of fighting “catastrophic” wildfires. However, more and more science is revealing that our forests have evolved with big, intense fires. Indeed, many animals and plants benefit from the great habitat created by these fires. In contrast, logging done under fire-related pretexts is the real catastrophe, destroying forests and imperiling wildlife.

In addition to causing ecological damage, logging under fire-related pretexts also damages our climate, releasing stored forest carbon into the atmosphere. In contrast, fire circulates forest nutrients, stimulating new growth and more carbon sequestration. *Smokescreen* shows how fully protecting national forests from logging is an integral part of an overall solution to the climate crisis. Just as climate justice activists who challenge public lands fossil fuel extraction declare that we must “keep it in ground,” likewise when faced with public lands logging, we need to make parallel calls to “keep it in the forest.”

While debunking wildfire myths is crucial for saving our forests and our climate, *Smokescreen* shows it is also needed to save our communities. Communities built next to fire-dependent ecosystems are being falsely told that more logging will keep them safe, but the reality is that logging can actually increase fire speed and intensity. In contrast, non-logging actions directly in and around homes— such as installing low-cost vent screens to keep out flammable embers—can be highly effective in protecting communities during intense wildfires.

Dr. Hanson also devotes a chapter of *Smokescreen* specifically to the role of fire in the eastern US. Here he explains why many eastern land managers “mistakenly believe that historical fire frequencies were much higher than they really were. This leads to forest mismanagement, including the imposition of prescribed burns at rates that far exceed natural historical fire frequencies...”

By exposing fire myths and then presenting real solutions, *Smokescreen* ultimately offers a positive pathway. As Dr. Hanson wryly notes, “Now for the good news: you are being deceived. If everything you were told almost daily about forests, wildfires, and climate were true, there would be little hope. The truth, however, is that hope lies just beyond the falsehoods.”



photo from internet

Herbal Highlight: Passionate about Passionflower

by Jillian Bar-Av

Passionflower (*Passiflora incarnata*) is one of my favorite plants and medicinal herbs. The plant I have growing in my garden was given to me by a friend's mother many years ago. She told me to be careful with it because it could take over and would come up where it wanted to, not necessarily where I wanted it to. I have found this to be true, and at first, I had to pull it up from my vegetable beds every summer. But after several years, it has found a happy place in the general vicinity of one of my flower beds. This year, it seemed particularly content to climb and twine itself around some nearby Mammoth sunflowers.

When I first studied medicinal herbs, I was taught about passionflower and skullcap (*Scutellaria lateriflora*) together, and my teacher had a preference for skullcap as an anxiolytic. This led me to not try passionflower myself for quite some time.

Skullcap and passionflower are both nervines, helping to calm the nervous system, with slightly different specific indications. Skullcap is specific for scattered thinking, whereas passionflower is specific for circular thinking. Circular thinking is when you keep thinking about the same thing over and over again. My best example of just how helpful passionflower can be for this pattern comes from my first experience with it the night before my own wedding! I was in bed, and I knew I needed to get to sleep, but I just couldn't turn my mind off.

I went downstairs in search of an herb to help me. When I saw the passionflower bottle in my apothecary, I immediately knew that I was having a classic "passionflower moment" and decided to give it a try. I'm not going to lie. I took a substantial dose (a full teaspoon), and then I got back into bed. It was like magic. I felt my mind go quiet and, within minutes, I drifted off into a deep sleep. I have never again underestimated the power of passionflower, and I find it to be consistently reliable.

Since I have passionflower growing in my own garden, I have been able to make my own medicine from the fresh plant. I make a 1:2 fresh plant tincture. I harvest the above ground parts of the plant and weigh it using grams. Then I measure twice as much of the alcohol/water solution (the menstruum) using milliliters. So, if I have 100g of plant, I will measure 200ml of menstruum. For my last batch of passionflower tincture, I used a menstruum that was 75% alcohol and 25% water. It is important when making fresh plant tinctures to use a high alcohol percentage, because the plant contains water and, in order to be shelf-stable, the final product needs to be at least 30% alcohol.

After weighing the plant and measuring the menstruum, I combine them and blend them in my Vitamix. This creates more surface area on the plant material to extract into the menstruum. Then I pour it all into mason jars, and let it macerate in a cool, dark place. I agitate the mixture daily to increase the extraction of the plant material into the menstruum and do this for at least 2 weeks before pressing it out.

There are lots of ways to press out a tincture. The lowest-tech way is to pour the mixture through a piece of muslin cloth and simply squeeze out the liquid. I have a small press that I use, but the concept is the same. I store the pressed-out tincture in amber bottles labeled with the common name, botanical name, and the date. I compost the leftover herbal material, which is called the marc. If stored in a cool dark place, tinctures such as this can last for many years. I am just finishing my last supply (made in 2013!) and am planning to make a new supply this week.

About me:

My name is Jillian Bar-av, and I am a registered herbalist and licensed nutritionist who works with busy women to help them have the energy to do what they love. I specialize in conditions that affect the reproductive system and urinary tract, such as PCOS and Interstitial Cystitis. I believe that it takes healthy people to create a healthy planet, and I want to make a difference for both.

For more information or to book an appointment, contact:
www.greenspringherbs.com



photo by Jillian Bar-Av

Ginseng Harvesting Permits Will Not Be Issued for 2021

ASHEVILLE, NC – The US Forest Service will not be issuing ginseng harvesting permits for the Pisgah/Nantahala National Forests. Continued overharvesting has been contributing to plant population declines. Field surveys and monitoring have determined that collecting and harvesting ginseng can no longer be done sustainably in the area.

"Every year we've seen fewer ginseng plants, and the danger is that they'll completely disappear from this area," said Gary Kauffman, botanist for the National Forests in North Carolina. "We need to pause the harvest now to help ensure that these plants will be available in future years and for our grandkids and their kids." Kauffman monitors plant levels and has worked with other organizations to reintroduce ginseng into the forest where the plant has been overharvested. Poaching and overharvesting are among the main reasons for the plant's decline. According to the Forest Service, the agency has increased law enforcement efforts to reduce poaching. Removing a wild ginseng plant or its parts from national forests without a permit or outside of the legal harvest season is considered theft of public property. Penalties may include a fine up to \$5,000, a six-month sentence in federal prison, or both.



Member Services

Heartwood offers a variety of services and network support to our members and member organizations. We invite individual activists and grassroots citizens' organizations to apply for our Minigrants Program, a great way to cover gas money for forest watch expenses, costs associated with a direct action campaign, or to help show a larger funder that you have support from a variety of sources. You can find more information about the program guidelines and how to apply online at <https://heartwood.org/minigrants/>.

Heartwood offers fiscal sponsorship to new and emerging grassroots organizations that need 501c3 status to be able to get grants from foundations and green corporate donors. Heartwood takes a small administrative fee for non-members and an even smaller fee for groups that have joined the Heartwood network as a member, and we are happy to join with you on collaborative grants to fund programs where we might play a more active supporting role.

Other membership perks include free column inches and advertising space in *Heartbeat*, discounts and savings on event registration and merchandise, and all the spiritual and emotional perks of being a part of the most passionate and visionary network of forest defenders and wilderness advocates in the US today.

Our minigrants program and other membership support services depend almost entirely upon the donations we receive from the grassroots community. As a general practice Heartwood does not apply for grants that may compete with our member groups, who are reaching out to that same small pool of foundation funders for support, so we rely on our events, our merchandise sales, and the support from our membership to pay the bills. During this pandemic our ability to gather has affected our ability to raise funds, so we must count on your support more than ever. Please donate to Heartwood today, and visit our website to see a (not nearly complete!) list of our member groups. Find one in your area and give them some green love as well!



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<https://www.kroger.com/signin?redirectUrl=/i/community/community-rewards>

Contact your local Kroger's Customer Service Center for more information.

Join the Heartwood Coordinating Council

The Heartwood Coordinating Council welcomes nominations to the decision-making body of the organization. Help people help people protect the places they love! We meet monthly over the phone and conduct the day-to-day business of running a nonprofit – unglamorous but essential work. We also have a variety of committees where volunteers are welcome to get involved without the full commitment of time and energy. Send inquiries or nominations to info@heartwood.org.



The Peace of Wild Things

by Wendell Berry

When despair for the world grows in me
and I wake in the night at the least sound
in fear of what my life and my children's lives may be,
I go and lie down where the wood drake
rests in his beauty on the water,
and the great heron feeds.
I come into the peace of wild things
who do not tax their lives with forethought
of grief. I come into the presence of still water.
And I feel above me the day-blind stars
waiting with their light. For a time
I rest in the grace of the world, and am free.

*Collected Poems, 1957-1982, North Point Press
Reprinted here with the kind permission of Wendell Berry*



Save the date! Memorial Day Weekend is our traditional gathering time for our annual Forest Council. Get your vaccines so we can safely gather and celebrate our movement, regroup, and recharge for another year of campaigns and cooperative struggle!

Activist Sustainability: Self-Care and the Trauma Response

by Cindy Crabb

Like all animals, our bodies are biologically designed to respond to threat, and once the threat is over, return to homeostasis. Each organ and neural circuit, each molecule and cell, are part of an involuntary self-regulating process by which the body attempts to maintain stability while adjusting to conditions in the outside world — moment by moment for optimal survival. The stability it desires is not one of stagnation, but of dynamic equilibrium, continuous change, and maximization of the power within.

We are also designed for mobilization. When we sense a threat, our bodies move into action. The cue for mobilization often begins with a startle response — the body goes slightly stiff and still, while the eyes and pupils widen to expand our peripheral vision. Blood flow moves away from the limbs into the core, heart rate elevates, and breathing shallows in preparation for fight or flight. Next, we orient. In the wild, mammals begin the orienting process by scanning the distance. If there is no identifiable threat, they then turn their attention closer. If a threat is identified, the body goes into action. The blood moves quickly into the limbs, giving a sudden burst of energy for running, fighting or defending. This all happens involuntarily. If fight or flight is not possible, we freeze. When a body is frozen, a predator may lose interest or we may be overlooked. The next line of self-preservation is a type of stillness called dorsal vagal — the body slows way down and blood flow decreases to minimize potential blood loss. Pain receptors also deaden. And there is a detachment from the self.

In the wild, when mammals are once free of the threat, they rejoin their group, shake it off, pronk — jump up and down — to disperse the excess adrenaline, and, eventually, reorient and then return to alert, but relaxed, state of aliveness and a sense of relative safety.

Humans are driven by the same innate survival mechanisms. The mobilization or conservation of power within our bodies and the structure of each interlocking biological system strive to return to optimal stability. For the most part, though, we have lost connection with the signals our bodies are telling us. The threats we face are often more complex than the body can readily comprehend. We go into overdrive or shut down and our systems are unable to process the horrors we experience, so we store the memories, feelings, and sensations as trauma. Trauma is distinct physiologically as it is stored in our short-term rather than long-term memory. This thwarts the body in its attempt to return to equilibrium. Because of this, trauma often keeps our bodies and brains from being able to most effectively mobilize, even when we are dedicated to political mobilization.

When the threat signal is immediate, relentless, and close (or perceived to be), and people don't have a solid understanding of how to work with and coax the nervous system back into regulation, people tend to see the enemy in the people who are closest. Our relationships, groups, and movements devolve into fighting, blaming. Or people turn the threat inward, becoming immobilized by depression and shame. I have seen this happen in almost every organizing project I have been part of, or heard of, and I see it happening now on the streets. In the healing professions, the effects of trauma are mostly described as the following:

- Re-experiencing (reliving what happened, feeling like it's happening again, getting upset at reminders)
- Avoidance (trying to block it out and not think about it, feeling numb or no emotions)
- Increased arousal (always feeling afraid something bad will happen, being easily startled / jumpy, having trouble with sleep or concentration, going into fight-or-flight mode)
- Dissociation (feeling like everything is unreal like a dream, having trouble remembering parts of what happened)
- Other (e.g., sleep issues, appetite issues, sense of hopelessness, isolation, withdrawal from others, excessive alcohol or drug use to cope, heightened irritability with others, headaches, muscle fatigue)

In order to shift this involuntary process and regain the innate power and resilience of our bodies' drive to return to homeostasis, we have to consciously partner with our bodies and teach our brains to recognize what I like to refer to as relative safety.

Relative safety recognizes that there is no mythological safe place, and healing trauma does not require complete lack of danger. Relative safety

means we find safety amidst the danger. This can look like prioritizing having a debrief with friends. It can be looking away from doom scrolling and taking in your actual surroundings. Relative safety can be a moment of silence at a protest, a minute where, as Prentis Hall describes in their IGTV Street Somatics, “if you're out in the streets . . . or witnessing on livestream, something you can do to bring your body back down is find something stable. It can be a wall, the floor, just let your body press up against there, find a seat, let your body experience something stable and find your breath (and then) deepen your breath . . .”

There is significant resistance to addressing trauma in our movements. To acknowledge or give time to address trauma seems to be seen as betrayal. For example, how often do we encounter sentiments like, “I'm not going to indulge my feelings about being attacked by police at the protest because it fuels my anger and we all need to be raging like hell to end the police state.” This mentality does not serve us. We need to consider building trauma resiliency as an essential and normalized part of our movements and actions.

Building trauma resiliency does not have to be a separate thing from the work you are already doing. Once we understand our stress responses as physiological imperatives, we can address them as a necessity. With practice, trauma processing and prevention can become as common sense as bringing a mask and goggles to street actions. And there are many hacks for helping us to integrate trauma resiliency into everyday life.

Whether in the streets or organizing in other spaces, most of us are currently struggling with trauma response in terms of how well we orient. To restore equilibrium, you can begin by simply noticing your pattern. Once you start to notice your own patterned responses, you can then use certain techniques to help better orient. Prentis Hall's advice to sit down or press against a wall is an excellent form of orientation. It uses the sensory system's experience of pressure on the skin and proprioceptive information to orient the body to where you are in time and space.

Additional orientation practices

Soft scan. This is different from the hypervigilant scan. In the soft scan, you simply allow your head and neck to move slowly, taking in what is life-affirming or pleasurable around you. For example, at a moment of relative calm in a protest, you might slowly scan—not for an escape or checking on your friends—but simply to take in the joy or creativity present, or the love you have for specific friends in the crowd. For this practice, start by scanning in the distance. Allow your eyes to take in what is furthest away. Invite curiosity. This can be done any time outside of protest settings as well. I encourage people to build a practice of orienting or looking around softly whenever entering new environments. It takes less than a minute and helps the nervous system know you are partnering with it for greater resiliency.

Increasing the periphery. *Surviving a Pandemic: Tools for Addressing Isolation, Anxiety, and Grief* offers this orienting exercise: “Slowly extend your arms out in front of you and move them outward to the edges of what is just within your peripheral view. Once you have found that spot, turn your palms in and slowly wiggle your fingers. As you focus on a point farthest away from you, notice how your eyes soften. Allow your eyes to rest and tap into a deeper sense of centering. Notice how you can hold relaxed vision and pay attention to the movement of your fingers at the same time. In this place, you are in balance with a relaxed alertness, ready to respond to threat from an underlying state of calm.”

When returning from stressful or traumatic protests, taking a few minutes to do some visualization can also help to restore the body. If you are having recurring thoughts of a moment when you would have liked to fight or intervene, sit and do the pushing exercise. Then imagine the exact movements you would have acted. Notice the particular muscle systems that would have engaged in order for this to be able to happen. Bring in a fierce ally to do whatever magical thing would need to be done to allow your fight response to be successful, like a magical beast or epic wind gale backing you up as

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Protect Life Itself — Make Proforestation the Driving Policy on Public Lands

by Steve Krichbaum, PhD

The new landmark report released in August 2021 by the UN Intergovernmental Panel on Climate Change (IPCC) painted a dismal and nightmarish scenario for the Earth¹.

But we must remember that all is not lost.

In response to the report, as usual the mainstream media focused on the need to reduce emissions. But there is another factor of just as great an import, if not more so².

And that is protecting and maintaining the integrity of the carbon sinks, those places and ecosystems that sequester carbon.

By far, the most important terrestrially are standing older forests. These forests are of exceptional value in so many ways that their preservation must be made an urgent priority³. Research shows unequivocally that the best method we can employ to combat climate change is ensuring that standing forests remain intact and allowing them to grow in complexity and reach their ecological potential, their natural old growth state — in other words, proforestation⁴. Proforestation does not take special and expensive technology. It takes political will and recognition of reason, empirical evidence, and scientific fact.

There are three main catastrophes facing all of us now. The latest IPCC report addresses one, climate change. The other two are the extinction/extermination crisis wrought by ecological meltdown and direct destruction/alteration of habitat⁵, and pollution, such as oceanic plastic and toxic chemicals discharged into our air, lands, and waters⁶. It is essential that these three problems be tackled together here and now.

Proforestation simultaneously addresses and helps to reverse all three of these overarching catastrophes that are existential threats to not only us, but also to the countless other beings alive on Earth. In contrast to afforestation (planting new forests) and reforestation (replacing forests on deforested or recently harvested lands), proforestation has the further advantage of not requiring any new land.

Making proforestation the driving policy on already existent public lands, such as our National Forests and Bureau of Land Management lands, is not only climate-smart policy, it's also essential for achieving the "30 x 30" goal of truly "protecting" 30% of America's lands by 2030. Implementation of this proforestation initiative will restore forest health and result in a National Strategic Forest Carbon Reserve system on NFs, BLM lands, and other properties⁷. Multiple benefits in one swoop — serving the greatest good by significantly countering both climate change and the extinction crisis, and pollution as well. Far and away, the greatest amount of carbon emissions from US forests comes from logging operations, not fires or trees falling from natural disturbances⁸.

In making proforestation the fundamental working principle behind the urgently needed improvement and modernization of the legal, regulatory, and management framework for our National Forests, BLM lands, and other public lands, the USDA and USDI will explicitly set a positive example and lead the debate.

Certainly, proforestation can be implemented on private lands as well. But, of course, land holders may have economic considerations that will override its realization. Whereas, public money (tax dollars) can and should be redirected away from subsidized logging of public lands and into incentivizing and implementing the forward-looking conservation of intact forests. In addition, with few

exceptions, the expansive and relatively intact landscapes crucial for conservation are found only on public lands.

Future generations are depending on decisions being made right here, right now. As are those alive today who cherish wild spaces, public lands, and America's biodiversity.

We cannot allow climate deniers and forest deniers to join forces and forge the ultimate cancel culture, canceling Creation — Life itself. If they could, those who don't know and don't care would ransack the Earth and toss its tattered remains in a dumpster (if only they could find one big enough).

Instead, we must focus on what still can be done and what can still be salvaged — and that is preserving standing older forests and keeping them intact. Proforestation is pro-life and the vital key to our most pressing problems.

Steven Krichbaum, PhD, a herpetologist and conservation biologist who lives in VA, works to protect wildlife and public lands. He's never met a turtle he didn't like.

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Land Between the Rivers, KY



Trauma and Resilience, continued from page 9

you eviscerate a cop or rescue someone you saw being harmed. The weird thing about somatic work is that when you are attending to your physiological responses, the body does not care whether you are imagining reality or not. When the visualization is done, if you are able, stand up with legs spread comfortably apart, fists on hips and chin up in a power pose, and orient to the present environment and the strength in your body.

For flight visualization, do the slow-motion running exercise while imagining yourself back at the protest, only this time able to turn and run away. Imagine there are plenty of people there to fill your spot, allowing you to turn and leave without any sense of betrayal. Turn your head slightly in both the visualization and in real life, and continue to push your feet — one and then the other — into the floor. Now, imagine the crowd parting for you with care and compassion, allowing you to slowly walk away and onto a magic carpet or bridge that can take you to your relatively safe place, where you are right now. As you are on the magic carpet or bridge, move your neck — again, both in the visualization and in real life — and imagine what you would see on either side of you as you depart the threatening area and enter a path of relative safety. For example, you may picture that you enter a path in a forest between the protests and where you are now.

We come to activism and organizing for different reasons — out of hope or anger, alienation or connection, firsthand experience of the damage caused by systems of oppression, or having witnessed that damage with a sense of helplessness and wanting to become empowered to strategically intervene. We want to abolish the world that is built on power over others, and instead create a world where power is held tenderly within each and every one of us and where power is openly shared with each other for the benefit of all.

Building resilience around stress and trauma is not asking us to forgo activism and turn the gaze solely inward; it is simply asking that we use all the tools available to create vibrant and sustainable resistance. Many of us have been trained to view our bodies with disdain. We miss or misunderstand the messages the body sends us. Basic understanding of trauma, the threat response cycle, and how to respond to bodily cues helps us regain an innate strength that is our birthright.

By doing the vulnerable work of identifying stress and trauma responses, deepening our relationships with our physiological cues, and showing up for each other in grounded and sustainable ways, we can break the historical pattern of political movements fracturing, disintegrating, and burning out. Including somatic-based tools in our arsenal, we will be able to build more resilient movements to face the coming years.

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250-year-old Trees Threatened by Logging Approval

by Jim Scheff

KENTUCKY – The U.S. Forest Service approved logging of old-growth forests in the Daniel Boone National Forest, despite the agency's claims to the contrary. Forests with trees over 250 years old are approved for cutting as part of the South Red Bird Project, adding to a long list of major problems in this huge logging project. Other issues include a major risk of landslides, degradation of Kentucky arrow darter critical habitat, proliferation of non-native invasive plant species, and impacts to endangered bats.

Kentucky Heartwood uncovered major errors and inconsistencies in the Forest Service's stand exams following our review of nearly 20,000 pages of documents acquired through the Freedom of Information Act (FOIA). Following that review we examined several sites in remote parts of the Redbird District and confirmed the presence of significant old-growth that the Forest Service said didn't exist, some of which is now approved for logging. These newly identified old-growth areas are in addition to the old-growth forest on Little Flat Creek that KY Heartwood

documented in 2018. The Forest Service dropped the Little Flat Creek site from their logging plans, but still maintains that the forest there is only 65 years old despite our submission of tree core data demonstrating that the forest is full of trees 150 to over 300 years old.

During our most recent surveys we identified two significant old-growth areas that are directly threatened by the Mosely Fork sale in the South Red Bird project. One of the sites includes a 20-acre section of high quality old-growth forest with trees over 250 years old, as confirmed through tree core data collected from 20 trees. One of the black gums (*Nyssa sylvatica*) sampled is over 329 years old. The forest is a dry (xeric or sub-xeric) site dominated by gnarly chestnut oaks (*Quercus montana*) and black gum, with a mix of white

and scarlet oak, hickories, American chestnut, and other species.

We targeted this site for field examination after finding concerning inconsistencies in the Forest Service's stand exam reports. In those reports, the Forest Service collects a lot of data on trees, mostly species and size information oriented

towards planning a timber harvest. However, as part of that assessment, they're supposed to collect tree core data to determine stand age. But we've found that those age determinations are based on extremely limited, biased, and incorrect data collection. At this particular site, the agency reported coring three trees across 40 acres during their 2015 stand exams. They reported a 52 year-old tulip

continued on next page



photo courtesy KY HW

Heavy Logging on Tennessee State Forests Harms Recreation, Wildlife, and Commercial Values

by Davis Mounger

Tennessee is blessed to have fifteen state forests distributed across the state. From the glade habitat of Cedars of Lebanon to the Ridge and Valley ecosystem of Chuck Swan, they make a diverse representation of Tennessee's forests.

These forests suffer from degradation due to heavy commercial logging. While the main state purpose of state forests is to bring revenue to the state and to contribute to forest products, the current timber program faces problems that compromise suitability. Clearcutting and other heavy logging methods that leave few trees are resulting in many once-diverse second growth maturing forests degrading into low biodiversity stands, often into dense thickets of poplar or loblolly. This lowers ecological and recreation values, as well as long-term sustainability from a raw economic standpoint.

Some of the forests that are undergoing logging, such as Natchez Trace, Bledsoe, Chuck Swan, and Prentice Cooper, have many stands that have been logged that are often shifting to dense poplar, maple, loblolly pine, or Virginia pine that outcompete the mosaic of oaks, hickories, shortleaf pine, dogwood, and many other tree species that make up the native forests of Tennessee. These opportunistic species can outcompete other trees and important forbs from getting established, and results in a stand with lower wildlife value. The state's current action plan focuses mostly on logging practices. While the text of the plan favors even-aged systems of clearcutting, shelterwood, and seedtree cuts, management strategies that promote a diverse forest with stands that have less invasive logging methods can be successful. Pioneer Forest in Missouri and long-term research at University of Kentucky's forests have shown that a variety of thinning, group selection, and other timber management can be effective in a successful timber program that helps maintain a diverse forest, suppressing the tendency of logged stands to revert to monocultures while promoting younger hardwood tree regeneration for a diverse, multiaged forest community. Considering that many stands in some of the forests are not consistently regenerating a balanced set of species from clearcuts and shelterwood cuts, alternatives should be explored.

Citizen input will go a long way to helping bring new management ideas to our state lands. Here are some core issues and how you can help.

• Of the fifteen state forests in Tennessee, logging is also currently happening at Prentice Cooper, Bledsoe, Standing Stone, Chickasaw, Natchez Trace, and Chuck Swan, with the latter two having multiple sales. There are 17 hardwood timber sales and 6 pine timber sales happening overall across these above-listed forests this year. Prentice Cooper plans 131 acres of



- | | | |
|-----------------------|---------------------|-----------------------|
| 1 - Chickasaw | 6 - Franklin | 11 - Scott |
| 2 - Natchez Trace | 7 - Prentice Cooper | 12 - Lone Mountain |
| 3 - Stewart | 8 - Bledsoe | 13 - Chuck Swan |
| 4 - Lewis | 9 - Standing Stone | 14 - Martha Sundquist |
| 5 - Cedars of Lebanon | 10 - Pickett | 15 - John Tully |

logging in a timber sale this summer across 5 stands. Chuck Swan has 259 acres of logging this year across multiple sales, while Natchez Trace has 379 acres of hardwood and pine timber sales planned.

• Clearcuts and near-clearcut logging have converted hundreds of acres of recovering second growth forest on the plateau at Prentice Cooper into scrub, invasive autumn olive, and poplar thickets. The mixed oak/hickory forests often struggle to regenerate in this environment. The second most common logging technique in many forests is shelterwood logging, which in theory leaves a few trees to provide a seed source. However, many of these stands fail to produce enough oaks, hickories, and other trees to compete with heavily-seeding poplars and loblolly pines.

Tennessee's state forests are an important part of our conservation heritage. We encourage the Forestry Commission to have a comprehensive management plan that manages our state forests in a way that balances recreation, wildlife, education, and biodiversity values with its forest products mission. The state should seek alternatives to clearcutting and other heavy logging practices. These alternatives would help maintain an intact forest structure, discourage the spread of invasive species, help prevent dominance by only a few opportunistic tree species, and greatly improve wildlife habitat. Promoting healthy native forests is important for long term sustainability and productivity. The state should identify, protect, and promote key areas within the forests that have high ecological and scenic value, in keeping with special designations that the agency has made in the past. Our state forests are important public lands for maintaining biodiversity and outdoor recreation and deserve more support from we the public and our elected officials.

<https://www.tennesseeheartwood.org/>

Redbird Logging from page 12

poplar (*Liriodendron tulipifera*), a 91 year-old black oak (*Quercus velutina*), and a 165 year-old chestnut oak.

But rather than base the age of the forest on the oldest age class, the Forest Service appears to have averaged the tree ages to record a stand age of 103 years. By doing so, the Forest Service avoided disclosing that the stand was potential old-growth, or "POG." The POG designation in the Daniel Boone NF Forest Plan is based largely on minimum age thresholds, typically of 130 to 140 years depending on the forest type. While the POG designation doesn't prohibit logging, it does require a more extensive analysis and disclosure before logging can be approved. The Forest Service can also designate forests (both old-growth and younger forests) as "designated old-growth" or "DOG," which does confer some protections from logging.

Compounding the Forest Service's errors, we found that the chestnut oak that they reported was 165 years old (171 years old in 2021) is actually over 301 years old. Growth rings on very old, small trees on dry sites tend to be very dense. This individual, for example, is only 16" diameter at breast height (dbh), which is pretty typical at this site. Accurately counting rings on old trees like this requires careful sample preparation, including sanding to 1200 grit and examination under a microscope. The Forest Service, however, typically does visual counts in the field and disposes of the sample.

In an email chain found through FOIA, Forest Service staff discussed whether any potential old-growth areas should be added to the pRNA or be managed as Designated Old Growth. In that correspondence, Forest Service staff stated, "So, that's the stands considered for POG. There are three that are contiguous to the RNA... Nothing says you can't POG it and forget it."

The internal record is full of dismissive statements and bias against old-growth. In another email, Forest Service staff stated, "Many of our stands that are senescent and in need of regeneration will soon be approaching our 'old growth standards', at least from an age perspective." Elsewhere they stated that "Sadly, most of the forest stands in the South Red Bird (SRB) are older than 50 years."

This exemplifies an outdated and incorrect assumption that old-growth and older second-growth forests are fundamentally unhealthy. Throughout the South Red Bird project record, as well as other logging projects on the Daniel Boone National Forest, are assertions that forests that are much over 100 years old are, by nature of their age, in decline and will necessarily become infested with disease and pests and without heavy logging will result in catastrophic collapse of the forest ecosystem.

This nonsense is deeply ingrained among foresters and forest managers who wrongfully conflate maximizing the growth and production of timber products with ecosystem health. They use terms like "resilience" and "forest health" to obfuscate and pretend that agriculture is ecology, and malign the conservation of old-growth as essentially about aesthetics and an ignorance of forestry.

Kentucky Heartwood is not giving up on old-growth in Redbird, or elsewhere in the Daniel Boone National Forest. Please visit our website and make a donation so that we can save these exceptional places from ill-informed and ill-conceived logging.

<https://www.kyheartwood.org/>

VIRGINIA DEQ PROPOSES PERMIT FOR MVP - FAILS TO ADDRESS VITAL WATER QUALITY THREATS



On August 25, 2021, the Virginia Department of Environmental Quality (DEQ) released a draft decision on a request for a water quality certification for the Mountain Valley Pipeline (MVP). This certification request is made under section 401 of the Clean Water Act (CWA) and a certification is required before the U.S. Army Corps of Engineers (Corps) may issue a permit for MVP to cut and blast through hundreds of streams and wetlands. Under state law, the certification is in the form of a Virginia Water Protection Permit.

The DEQ's recommendation, presented as a draft permit, is that the State Water Control Board (Board) issue the certification and allow destruction of our waters and further damage to properties and communities along MVP's path. This proposal is an abdication of DEQ's duty to protect Virginians and our precious resources. We now call on the citizen-led State Water Control Board to reject DEQ's recommendation and deny the certification.

The Board must deny the certification because MVP has failed to submit a large body of necessary information about possible impacts on water quality from this destructive project. Without this information, the Board cannot assure that state water quality standards will be met – the legal standard that must guide the Board's decision. Members of the public and technical experts have provided extensive analysis of MVP's certification request, independent data, and explanations based on a large body of scientific findings, showing that MVP's and DEQ's conclusions are invalid. Claims by the company and DEQ that any negative effects on our waters will be minor and short-term are not credible.

Virginia sued MVP citing more than 300 violations and collected a fine of more than \$2 million. But the violations and damages still continue. It is time now for DEQ and the Board to perform the kind of stream-by-stream review the public was promised more than six years ago. That has not been done and cannot be done without significantly more data.

It is important to note that the U.S. Environmental Protection Agency made similar findings about MVP's proposal in recent comments to the Corps, in a letter dated May 27, 2021. The EPA cited the lack of evaluation for direct, secondary and cumulative impacts. The same reasoning and analysis EPA applied to the Corps permitting action is just as pertinent for Virginia's CWA section 401 review and the same recommendation is appropriate. Notably, DEQ's fact sheet that was released with the draft permit fails to address the most important problems raised in the EPA comments, omitting any discussion of cumulative impacts on watersheds and including no analysis to show this project can meet Virginia's anti-degradation requirements, among numerous other issues. The Board should reject this proposal unless and until MVP provides all of the necessary information and DEQ provides more than unsupported assertions that legal requirements will be met.

David Sligh, Conservation Director for Wild Virginia, stated, "We are confident that a full description of the likely impacts from the remaining work MVP proposes is being withheld for one simple reason – it is abundantly clear that MVP cannot plow through these waterbodies without causing unacceptable damages and violating state and federal laws." And, even if it were technically possible to avoid serious harm to the many sensitive species and habitats along the way, MVP's deplorable record of violating environmental rules since it began work in 2018 shows that it is both unable and unwilling to do the things that would protect against water quality degradation. This is especially true since MVP is in a headlong and reckless rush to get all of its pipe in the ground before continuing court challenges can stop it again.

Roberta Bondurant, Co-chair of Protect Our Water, Heritage, Rights said: "Virginia regulators need only rely on MVP's track record as a known polluter to reject this certification request and halt the ongoing harm to water and people. MVP has proven itself a bad actor in the eyes of courts and the public—despite its investment in publicity and attempts to shift blame for its mistakes and misbehavior to the public. We ask the citizens who serve on the water board to fulfill their mission to protect the air, lands, and waters and all species dependent on them." The real tragedy in DEQ's proposal, which we hope and trust the Board will correct, is that this state approval may lead to more pain and cost being heaped upon landowners and water users, compounding the shameful treatment they have already endured.

Peter Anderson, Virginia Policy Director for Appalachian Voices, said: "MVP's latest proposal utterly fails to show that the project will comply with Virginia water quality standards. We know this because the company has wreaked havoc on Virginia water resources and communities for years, racking up hundreds of violations — and the steepest, most challenging terrain still remains. The bar is high, and we call on the State Water Control Board to stand up for Virginia waters and the law."

"MVP has already had hundreds of water quality-related violations in the course of construction of their dangerous fracked gas pipeline," said Lynn Godfrey, Pipeline Organizer with the Sierra Club Virginia Chapter. "Why should we give them the chance to cause further destruction to our waterways? It's clear that MVP can't be trusted to safely build or operate their pipeline. The State Water Control Board must heed the mounting concerns about this dangerous project from EPA and the public and reject its permit to pollute Virginia's waters."

Lawsuit Seeks to Regulate Plastic as Hazardous Waste

by Emily Jeffers

WASHINGTON, DC — The Center for Biological Diversity sued the U.S. Environmental Protection Agency in late August for failing to regulate a common plastic — polyvinyl chloride (commonly called PVC or vinyl) — as hazardous waste. PVC is one of the most widely used and discarded forms of plastic, yet numerous studies have found it's highly toxic to human health and the environment.

PVC is found in children's toys, clothing, consumer packaging, building materials, electronics, and many other household goods. Yet it releases toxic chemicals and carcinogens, including dioxin and phthalate plasticizers, into the air, water, and food web at every stage of its life cycle. Canada began regulating plastic as a toxic substance in May.

"PVC is one of the most hazardous consumer products ever made, and the federal government can't keep ignoring that reality," said Emily Jeffers, an attorney at the Center and a former wildlife biologist. "This disturbingly widespread plastic sheds toxic chemicals that harm people and wildlife. We have to stop making so much plastic and come up with safer ways to dispose of our plastic pollution. PVC is a toxic time bomb."

The failure to regulate PVC raises environmental-justice concerns both here and abroad. The United States exports much of its plastic waste to poor countries such as Malaysia. Domestically the U.S. petrochemical facilities that make PVC pollute Black communities and other communities of color with carcinogens like dioxin.

The Formosa Plastics plant in Baton Rouge, Louisiana, is a major PVC producer that has released more than one million pounds of toxic chemicals over the past decade. In an area known as "Cancer Alley," in a Black community in St. James Parish, the company is now proposing to build one of the world's largest petrochemical plants — a project the Center and its Gulf Coast allies have sued to block.

Today's lawsuit, filed in federal court in Washington, D.C., names EPA Administrator Michael Regan and says the EPA violated the Resource Conservation and Recovery Act by ignoring a rulemaking petition about this dangerous substance. The Center petitioned the agency in 2014 to regulate PVC as hazardous waste, citing numerous scientific studies.

"Exposure to vinyl chloride, phthalate plasticizers and other chemical additives is associated with a broad array of developmental and behavioral abnormalities in humans and wildlife species," the Center complaint reads. "Recent studies reveal that finished PVC products leach significant concentrations of these compounds into the environment as they deteriorate with age, threatening severe biological consequences. Substantial scientific evidence shows that the widespread mismanagement of discarded PVC has distributed toxic chemicals throughout our environment, threatening ecosystem health and endangering vulnerable portions of the human population."

Among the human health risks associated with exposure to PVC and its additives are reproductive harm, hormone disruptions, abnormal brain and reproductive development, obesity, insulin resistance and damage to the liver and other organs.

If PVC is categorized as hazardous waste, the EPA would have to develop a comprehensive framework to ensure its safe treatment, storage and disposal.



Plastic pollution on a beach in Hawaii. Photo courtesy of Center for Biological Diversity.

House Democrats to Provide \$100 Million for Critically Endangered Species in Reconciliation Bill

by Brett Hartl

WASHINGTON, DC — In a memo released August 26, 2021 by the House Natural Resources Committee, House Democrats will provide \$550 million to the U.S. Fish and Wildlife Service in the upcoming budget reconciliation package, including \$100 million for some of the most critically imperiled species in the United States.

The legislation will include \$25 million to conserve and restore four of the most imperiled types of endangered species in the United States: butterflies, eastern freshwater mussels, Southwest desert fish and Hawaiian plants.

“This is the largest investment in the recovery of endangered species in a generation, and I couldn’t be more thrilled,” said Brett Hartl, government affairs director at the Center for Biological Diversity. “If we’re going to tackle the extinction crisis and save these incredible species from the brink, this is exactly the type of bold action that’s needed.”

The reconciliation language mirrors Chairman Raúl Grijalva’s Extinction Prevention Act of 2021 (H.R. 3396), which would fund on-the-ground conservation actions to stabilize the four groups of struggling endangered species.

A 2016 study found that Congress provides only approximately 3.5% of the estimated funding the Fish and Wildlife Service’s scientists say is needed to recover species. Roughly 1 in 4 species receives less than \$10,000 a year toward recovery, and many of the endangered species that will benefit from this funding receive nothing for recovery in a given year.

The legislation will also provide an additional \$240 million for Endangered Species Act activities, including \$150 million for recovery plans, \$50 million for Habitat Conservation Plans and \$40 million for interagency consultations.

“The Fish and Wildlife Service has been operating on a shoestring budget for decades, and we’ve lost species to extinction because of it,” said Hartl. “The American people care deeply about saving life on Earth, and it’s fantastic to see Congress finally addressing the historic shortfalls in funding for wildlife conservation.”

Also included in the committee’s allocation is \$100 million for climate change mitigation, \$100 million for protecting and restoring grasslands, and \$10 million for wildlife corridors.

North American butterflies are one of the fastest declining groups of all endangered species. Of the 39 listed species, not one is known to be improving.

Freshwater mussels are the most imperiled animal group in the country. Seventy percent of US species are at risk of extinction; 38 have already been lost.

“Our planet is losing far too many species, and this bill is our chance to turn the corner before it’s too late,” Rep. Grijalva said today. “Protecting endangered species isn’t a popularity contest. It’s a matter of human survival and preserving quality of life on this planet. Ecosystems are fragile and need to be conserved as completely as possible, which is why I’m so thankful to my colleague Sen. Blumenthal for working with me and taking a lead on this issue.”

Line 3 continued from page 1

Shut It Down.

Line 3 is a project aiming to expand the pipeline that begins in Alberta, Canada, and ends in Wisconsin, US, to transport almost a million barrels of oil per day. This project was proposed in 2014 by Enbridge, a Canadian oil company, responsible for the largest oil spill inside the US. Enbridge seeks to build a new oil pipeline corridor that will cross pristine wetlands and the territory of the Anishinaabe Peoples’ treaty lands through the headwaters of the Mississippi river up to the river banks of Lake Superior.

“This is a time for mutual solidarity against racial capitalism, the carceral state, extractivism, patriarchy, and mass displacement. We are here to stand in solidarity with our relatives because there is no Climate Justice without Racial Justice. Our fight to end centuries of colonization requires us to work together, to organize across borders and across languages in order to achieve liberation and self determination for our peoples across the hemisphere,” expressed Leo Cerda, founding member of the BILM Movement, and a member of the Kichwa indigenous people.

The State of Minnesota’s Environmental Impact Statement for Line 3 recognizes that the project will have “disproportionate and adverse impacts” on Native Peoples (Section 11.5), meaning this project does not comply with the basic environmental standard or the approved safeguards for recognized Indigenous territories. The construction of this pipeline is an act of environmental racism.

Amin Matias, member of the Dominican Afrodescendant Network, said that “Indigenous peoples, local communities and Black Peoples must resist against a development model that threatens our lives and the planet. We are here to condemn extractivism and fight against the structural racism that Black and Indigenous Peoples experience.”

The implementation plan for the Line 3 project will go through not only Anishinaabe territory, but also the territory of others, such as Dakota and Lakota Peoples. The establishment of this project would violate the Anishinaabe people and nation in its pathway, endangering the flora and fauna, pristine wetlands as well as the culture and the sovereignty of these indigenous Peoples.

Teresa de Jesús Mojica Morga, Coordinator of the Network of Afro-Latin American, Afro-Caribbean and Diaspora Women-Mexico Chapter, stated, “Solidarity among Indigenous and Black Peoples strengthens our struggle against extractivism and the abuse of the great economic powers promoting Line 3 in Minnesota, as well as in many other territories. Indigenous Peoples protect nature to preserve the planet for all humanity.”

Rosa Marina Flores Cruz, an Black-Indigenous Binnizá woman from the Isthmus of Tehuantepec, Oaxaca, Mexico, and member of the Indigenous Peoples’ Assembly of the Isthmus in Defense of Land and Territory, declared, “We are here to make a common front. In the Isthmus of Tehuantepec in Oaxaca, Mexico, we are facing mega wind energy projects, which is renewable energy, but also projects to establish gas pipelines, and paradoxically, both types of projects follow the same logic of dispossession and appropriation of our territories.”

The consequences of the extractivist activities in both North America and Latin America are reflected in the impacts on the territories, biodiversity, forests, soil, water, and the air quality, which above all affect the population living there. For example, Texaco in the Ecuadorian Amazon, a company that during its extraction period (between 1960 and 1992) produced 68 million cubic meters of wastewater filled with heavy metals and carcinogens, has affected the Siona, Secoya and Cofán Indigenous Peoples for several generations.

“Indigenous Peoples have to stop the expansion of extractive industries. Line 3 is intended to transport crude oil, but in my territory, in the Kichwa community of Serena, in the Amazon jungles of Ecuador, they want to set up mining concessions not authorized by us, the Indigenous Peoples,” said Majo Andrade Cerda, an Indigenous person from the Kichwa community of Serena, in the Ecuadorian Amazon.

ABOUT BILM

The Black and Indigenous Liberation Movement (BILM) is a coalition of collectives, peoples, grassroots organizations, and social movements from across the Americas. BILM was born in 2020 to support struggles against racism, discrimination, violence, colonialism, and the ravages of racial capitalism. The movement seeks to unite all the voices of the continent and establish a solidarity action network that allows them to raise awareness of the demands of each community and territory so that together they can fight the inequality and injustice experienced by Indigenous Peoples and Black communities. <https://en.blackindigenouliberation.com/>

Follow this ongoing campaign on the Indigenous Environmental Network

<https://www.ienearth.org/>

NORTH CAROLINIANS SPEAK OUT ON FORESTS



by Brianna Cunliffe

North Carolina's forests are in peril. Governor Cooper and state laws fail to stop destructive logging and dirty bioenergy. The timber industry claims carbon neutrality, evading accountability for the harms it generates. But across party lines, North Carolinians are getting tired of the greenwashing. Dogwood Alliance asked 1,000 people how they felt about the destruction of our forests. The results were astounding: Our communities have had enough of polluting industries ravaging our precious resources. They've had enough of devastating clearcuts, enough of harmful air pollution from wood pellet plants. Enough of policies that ignore science and don't value forests as complex, living ecosystems instead of just dead timber that turns a buck. Enough of communities being treated like dumping grounds. State leaders must listen to the people speaking out against these harmful industries. The people have clearly expressed that they see far more value in forests as beautiful spaces to recreate than resources to be logged. Governor Cooper and the state legislature must act to keep their commitment to the people of this state. They must stop the rise of industrial forestry and bioenergy before it's too late, before our priceless forests vanish forever.

Unchecked Logging

Fewer than a third of state residents believe that logging laws are adequate in NC. It's no wonder since the logging industry destroys over 200,000 acres of forest every year. The impacts of industrial forestry aren't even considered in the state's records of greenhouse gas emissions.

7 in 10 residents believe the logging industry should be held accountable for its emissions (71% agree, 16% unsure, 13% disagree).

7 in 10 NC residents believe that the logging industry should be held accountable for its carbon emissions.

Yet this key piece of accountability is still missing from North Carolina's Clean Energy Plan. The US Forest Service has acknowledged that timber harvesting was the largest source of gross emissions from US forests between 2006 and 2010. What's more, logging is the biggest driver of forest carbon loss in the US. That's five times more than the carbon storage lost from development, agriculture, and fire combined. These problems are critical in North Carolina where logging from the wood pellet sector alone destroys 164 acres of forest each day.

An industry-skewed accounting system obscures harmful emissions by confusing this destruction with questionable claims of carbon benefits from "industrial forests". Although the logging industry claims to replace the trees they cut, this practice doesn't solve the problem of lost carbon storage. These tree plantations store 50% less carbon than our irreplaceable natural forests. The timber industry cuts down thriving ecosystems to produce short-lived wood products that will soon end up in landfills. Over 85% of carbon from all wood products, including lumber, is in the atmosphere within 100 years. A majority of North Carolinians believe we should stop supporting industrial pine plantations at the expense of natural forests (17% keep subsidizing, 32% unsure, 51% stop).

A majority of NC residents believe we should stop supporting industry expansion into natural forests.

So why are we still subsidizing this harmful industry? Why won't the state government tell us about the emissions coming from the forestry industry and hold them accountable?

Logging doesn't just harm communities who live near the devastation of clearcuts. The destruction of our forests also harms state-wide air quality and hurts resilience. The more trees the timber industry cuts down, the more vulnerable our communities are to disasters like hurricanes and floods. Young North Carolinians, who fear the future impacts of climate change, are demanding change.

Four out of 5 young adults agree that logging makes matters worse

There's no partisan divide on this issue, either. 7 out of 10 conservatives believe that logging is harmful to forests, climate, and communities, just like those who lean liberal (94% of liberals, 86% of moderates, and 69% of conservatives).

Seven out of 10 conservatives believe that logging is harmful to forests and the climate.

No matter your political identification, it's clear that our forests are critical. They nourish the air we breathe, the water we drink, the places we recreate, and the communities we call home. But traditional logging isn't the only threat our forests face. The rise of bioenergy, which burns wood pellets to generate electricity, risks making the destruction even worse.

Forests, Not Fuel: Dirty Bioenergy Isn't Fooling Anyone

Even as they burn our forests and pollute our vulnerable communities, bioenergy giants like Enviva claim that they "grow more trees" to "fight climate change". But even without a public debate on the matter, North Carolinians aren't buying it. Only 1 in 4 residents believe that dirty bioenergy should be considered carbon neutral (26% agree, 26% unsure, 47% disagree). They're listening to scientists, who agree that biomass from forests actually produces higher carbon emissions compared to fossil fuels. Yet the industry receives handouts and subsidies as if it were a true renewable like solar or wind.

Enviva is even set to expand into a fifth facility without being held accountable for the damage it's already done. In Lumberton, NC, 90% of the 1,250+ comments made by community members opposed a new polluting wood pellet plant. Yet for some reason, the NC Department of Air Quality still approved its permit. Decisions like these override the protests of frontline leaders and go against the will of the people who continue to question, "Where's Cooper?"

The destruction of our forests doesn't even truly benefit working people. 20% of jobs in the wood manufacturing industry vanished in the late 2000s because of mechanization and decline in demand. Sudden plant closures, devastating clearcuts, and worsening pollution restrict community economic growth. Climate-driven disasters like hurricanes and droughts will only cause more devastation.

Why won't Governor Cooper act? He can stop the expansion of dirty biomass and hold the logging industry accountable. As the state fights to achieve its clean energy goals, forest protection is a crucial missing piece of the puzzle. Over two thirds of citizens favor stronger restrictions, so why wait any longer? (66% in favor, 17% unsure, 16% oppose)

Standing Forests

North Carolinians believe scientists: the best thing forests can do for our future is stay standing. Forests are our most precious resource for carbon storage and biodiversity. Their natural beauty guards our health and resilience and makes our state special. When they're protected, they can flourish, and we will all breathe easier.

**Add your organization to the
Stand4Forests national platform!**

**Read it in full and
add your name online at**

<https://stand4forests.org/>

Brianna Cunliffe grew up reading books tucked in the branches of a Carolina pine a few miles away from the sea. Now a senior Government and Environmental Studies major and department fellow at Bowdoin College, she seeks to blend passionate activism on behalf of the natural world with innovative, justice-centering policy solutions. Brianna previously worked with elected officials on Protect America, organizing state and local leaders to take action to fight the climate crisis. She's thrilled to join Dogwood Alliance as an intern to work on the issues closest to her home and her heart.

