



Heartwood
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Stories of People Helping People Protect the Places They Love • Since 1991

Fall 2022

STOP the clearcutting, burning, logging, road-building, and herbicide spraying proposed for



Buffalo Springs

by Andy Mahler

PAOLI, IN — The US Forest Service has proposed the largest and most destructive project in the history of the Hoosier National Forest. The Buffalo Springs “Restoration” Project includes at least 5,124 acres of logging with more than 1,300 acres to be clearcut, 15,100 acres identified for repeated burning, 771 acres of chemical treatment with herbicides/pesticides, and the creation or re-creation of 19 miles of road in the Hoosier National Forest in Orange County.

Indiana

Indiana is the smallest state west of the Appalachian Mountains at just over 23 million acres. With a population of nearly 7 million, it is also among the most densely populated.



At the time of European settlement, more than 90% (approximately 21 million acres) of the land base in Indiana was forested. By 1900, that amount had been reduced to only about 1.5 million acres, with 19 million acres of virgin forestland denuded in just 80 years. Only about 2,000 acres of the original forest has remained uncut.

Forest cover has now increased to approximately 4.7 million acres of forestland (just over 20% of Indiana's land base), mostly in the rugged and hilly south central portion of the state. Nearly 87%, or 4.1 million acres, of Indiana's forests are privately owned by approximately 190,000 private landowners.

The Hoosier National Forest

Within a designated purchase area of 644,000 acres, the Hoosier National Forest consists of 204,000 acres, one of the smallest and the most heavily fragmented national forests in the country. It represents less than 1% of the land area of the state (4% of the forestland) but almost half of the public ownership.

National Forests in the eastern half of the country were authorized by the Weeks Act of 1911. The land that became the Hoosier National Forest was marginal farmland that had been heavily cut over, rutted by hogs and grazed by cattle, and frequently burned.

continued on page 9

Hoosier National Forest Rich in History



by Steven Stewart

INDIANA – In the heart of the southern part of the state lies Orange County and a large section of the Hoosier National Forest (HNF). This area, renamed Buffalo Springs by the US Forest Service, is located in South Central Indiana's rugged hill country and is recovering from massive logging and poor agricultural practices in the 1800s. Due to its rugged terrain, the area is unusually blessed with a beautiful forested landscape that includes a rich historic and prehistoric cultural and material heritage. The ancient Buffalo Trace, a primeval road, historically bisected the county and provided a thoroughfare from Kentucky to Illinois and westward through the dense Indiana forests for ancient migratory beasts, Native Americans, and later, American settlers moving west. Areas alongside the Trace were utilized for centuries by travelers, culminating in the settlement of Indiana during the early 19th century.

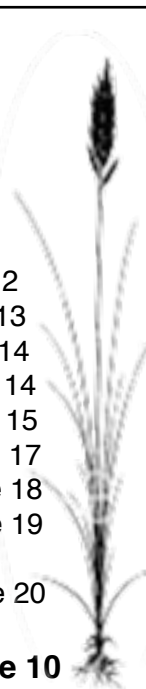
It is said that one cannot separate people from the land where they live. Such is the case with those who use the Hoosier National Forest in the Buffalo Springs area. I grew up here from 1974-1999. I was always interested in talking with my elderly family and neighbors, hearing their stories of the forest and those who had called it home for generations. In 2018, I learned that the Buffalo Trace crossed very near my childhood home and may have gone right through the land of my 4th great grandfather, Jonathan Lane.

Already an avid outdoorsman and lover of history, I determined I had a mission and would find the trace. I remembered finding a deep roadbed in the HNF when I was young that none of the older folks had any recollection of. I made a trip to my old home and went to the woods. I found the roadbed just as I remembered. I contacted the HNF office and met with their archaeologist. They confirmed it

continued on page 9

Inside This Issue:

Tribute to Henry.....	page 2
Redbird Lawsuit	page 4
LBL.....	page 5
WV Coal	page 6
Clinch Mtn, VA.....	page 7
Senator Braun.....	page 8
Pisgah Rally.....	page 12
Federal Issues.....	page 13
Coal to Diesel.....	page 14
Hydrogen Hub.....	page 14
Inflation Reduction Act.....	page 15
Technology and Democracy.....	page 17
Shawnee Climate Preserve.....	page 18
Biomass and CLT	page 19
Photo Essay from the 30th Heartwood Forest Council...	page 20
Heartwood Reunion Invitation and Registration...	page 10





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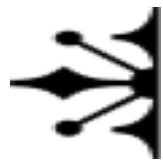
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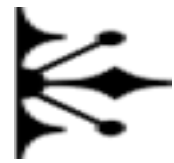
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No possums were harmed in the making of this publication.



The Ballad of Hero Henry

by Andy Mahler and Linda Lee
to the tune of "The Ballad of Davy Crockett"



This is the story of a man named Steve
Who went to the forest to get a PhD
A Doctor of Philosophy in Herpetology
He took along his faithful dog Henry
Steven, Steeeeven Krichbaum
Working on a PhD
Will he get a PhD?

He went to the woods with his dog Henry
Looking for wood turtles for his field study
Then he saw a sight that he was unprepared to see
A couple baby bear cubs no taller than his knee
Steven, Steeeeven Krichbaum
Working on a PhD
Working on his field study

The mama bear she charged and she threw him on his back
He was the victim of a mama bear attack
She bit him on the leg and she bit him on the arm
He knew from her eyes that she meant to do him harm
Steven, Steeeeven Krichbaum
Forgot about that PhD
No thought about his field study

She bit him and she bit him and she bit him some more
He began to think that his life would soon be o'er
Then something happened that made the fight more fair
Henry charged out of the forest and attacked that mama bear
Henry, hero Henry
No thought about his own safety
He was trying to save that PhD

The mama bear she turned and she gave poor Henry hell
She gave an awful bite and he gave an awful yell
He ran off a-yelping and he ran into the trees
Steven didn't know if Henry evermore he'd see
Henry, hero Henry
No thought about his own safety
He was trying to save that PhD

When Henry bit the bear Steven felt and found a rock
Then when she turned back he gave her head a mighty knock
He hit her pretty hard but she didn't seem to care
She thought she'd better go and find those little baby bears
Steven, Steeeeven Krichbaum
He was worried about his dog Henry
Would he ever see Henry?

They were way back in the forest, they were in there awfully far
He was bleeding pretty badly so he had to reach his car
He was worried about poor Henry but he didn't dare to wait
If he didn't get some help soon death would likely be his fate
Steven, Steeeeven Krichbaum
He was worried about his dog Henry
Would he ever see Henry?

As he walked and he walked a thought was running through his head
If not for hero Henry, Steven Krichbaum would be dead
He never would forget how Henry'd saved him from that bear...
But when he reached his car, his faithful dog was waiting there
Henry, hero Henry
Give that dog a PhD
He deserves the PhD
We're all grateful for Henry!



THE LOVE DRAGON

by Steven Krichbaum



The Love Dragon. That was the moniker conferred on Henry by Jody Schaub. It was she who rescued him and brought him home after encountering him as a tiny starving puppy in the middle of Vinton Furnace Experimental Forest in SE Ohio. On that day in June after the 2008 Forest Council when for the first time I visited Jody's cabin on her property, The Dam Farm, Henry was there and it was love at first meeting. His affection and endearing beauty were the embodiment of his and Jody's heart and soul.

Imagine, if we were quadrupeds, that somebody was so happy to see you that they'd spring up onto their rear legs and turn pirouettes! That's the greeting I was blessed with so many times, be my absence hours or weeks. Topped off by that sweet smiling face.

I said it so many times before and I meant it: "I'm the luckiest man in the world."

He was the epitome of a free spirit. He lived free virtually his entire life, not confined by chains or fences. A couple of hundred acres at The Dam Farm and 160 at Currents (an intentional community outside Athens, OH). If you lived free, safe and loved your entire life, you'd be happy too. He was the eternal puppy. Even when he was 18 people would still ask me "How old's your puppy?" I'd tell them 18 and they'd go "Oh, 18 months."

We walked for a thousand hours together at Currents (his final resting spot in Athens County, OH), five hundred at the Dam Farm,

and at least another five hundred in Staunton, VA. On top of that we swam, hiked and camped in each other's company in forests, wetlands, fields, and beaches in Virginia, West Virginia, Ohio, Indiana, Kentucky, Tennessee, North Carolina, Georgia, Florida, Alabama, Pennsylvania, New York, and Massachusetts. He loved the water. I'll never forget that time after a recent Forest Council when a bunch of us went canoeing on the Blue River in Indiana. He must have swam at least five miles that day, on top of climbing up banks and over big debris jams and running along the shore. A truly olympian performance. He was the big white and furry Mud Puppy.

And never in the history of the world has there ever been anybody easier to love than Henry. He was the exemplar of "To know him is to love him."

He bestowed his grace on me without question, judgement, or expectation. I was simply The Receiver of his radiant joy and love. He didn't let any of my pettiness or meanness stop him. If it's possible to be a "Perfectly Realized Being" on this planet, he was it. The Doghisattva.

And now that he's gone I've never felt so wretched and empty. What a gap in the world, with the disappearance of that sweet smiling face, the Earth is a much poorer place.

The outpouring of love and sympathy from everyone upon his demise shows without a doubt the reality of his radiant joy and love. I was not imagining it, you saw it and felt it. I am so glad that all of you who were there got to spend time with him at this year's Forest Council in Kentucky.

As detailed in "The Ballad of Hero Henry", he didn't fail me when I needed help. Forty pounds and fearless. Henry, you are the reason I'm living today to write these words. You are The Key.

People often think that that experience must have really changed my relationship with Henry. In some ways it really didn't. Some people understand me when I say this and some don't. But I already loved Henry as much as it's possible for me to love anybody. Nobody knows where their heart is going to lead them. And when you find your beloved, it doesn't matter what sex they are, or what color they are, it doesn't even matter what species they are. Love is love.

And you should have seen him that last week, 18 years old and actually running and jumping. Three times he leaped out of the truck with the doors closed and the windows down. Will we be able to do that when we're a hundred? I was so optimistic. We were going to beat that cancer!

Although I knew I loved him with all my heart and knew I'd miss him terribly when he was gone, I really didn't realize how much I depended on him. How much I depended on his very presence, the energy, inspiration, joy and love he radiated was a living real force. He kept me young and happy.

Now, he may need whatever positive energy I can muster to help him on his journey into The Great Mystery. Although I can never atone for what I've done, for the rest of my time here on Earth I dedicate my life to Henry. To somehow in some way make this world a better place. In his infinitely giving spirit, I say this: Thank you my friends, I love you.



The love of wilderness is more than a hunger for what is always beyond reach, it is also an expression of loyalty to the earth, the only home we shall ever know, the only paradise we shall ever need...
 ~ Ed Abbey

Thank You!

to our many donors, supporters, member groups, and community builders!

Find a list of our member organizations on our website, <https://heartwood.org/> and donate to ones doing work in your area!



Sign your organization on to the Stand4Forests national platform!

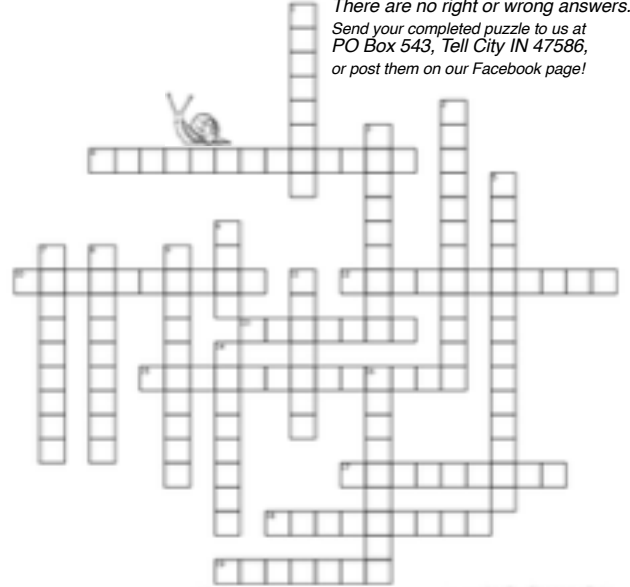
Read it in full and add your name online at

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Ecology crossword puzzle

There are no right or wrong answers. Send your completed puzzle to us at PO Box 543, Tell City IN 47586, or post them on our Facebook page!



- | | | |
|---|--|---|
| <p>Across</p> <p>4. Representation of energy flow</p> <p>10. An organism that gains energy from deceased organisms</p> <p>12. Animal that gets it's energy from autotrophs</p> <p>13. Complex combination of food chains</p> <p>15. The maximum quantity of organisms in an area</p> <p>17. Organisms that make their own food</p> <p>18. An organism that only gains energy from other animals</p> <p>19. Form of biology</p> | <p>Down</p> <p>1. Organism that eats meat and plants</p> <p>2. The variety of species in an ecosystem</p> <p>3. The area on earth where organisms live</p> <p>5. An object or organism that limits the growth of a population</p> <p>6. An organism that is hunted by a predator</p> <p>7. An organism that only gains energy from plants</p> | <p>8. A simple diagram that represents the consumption of organisms in an ecosystem</p> <p>9. amount of organisms in one species</p> <p>11. Organic matter that derives from living or recently living organisms</p> <p>14. An organism that hunts another organism</p> <p>16. All the organisms in a habitat working together</p> <p>17. Who Bombed Judi Bari?</p> |
|---|--|---|

See page 10 for your invitation to the annual Heartwood Reunion



Heartwood welcomes nominations to join one of our standing council committees to help with the work of making Heartwood happen! Forest Watch, Events, Technology, and more. Contact us for more information on how to get involved.
info@heartwood.org

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Kentucky Heartwood Files 60-Day Notice of Intent to Sue over South Red Bird Project

by Lauren Kallmeyer

BEREA, KY — On April 28, 2022, Kentucky Heartwood sent the US Forest Service and US Fish and Wildlife Service (USFWS) a 60-day notice of intent (NOI) to sue over violations of the Endangered Species Act (ESA) in the South Red Bird project in the Daniel Boone National Forest. The NOI is part of our ongoing efforts to protect endangered species

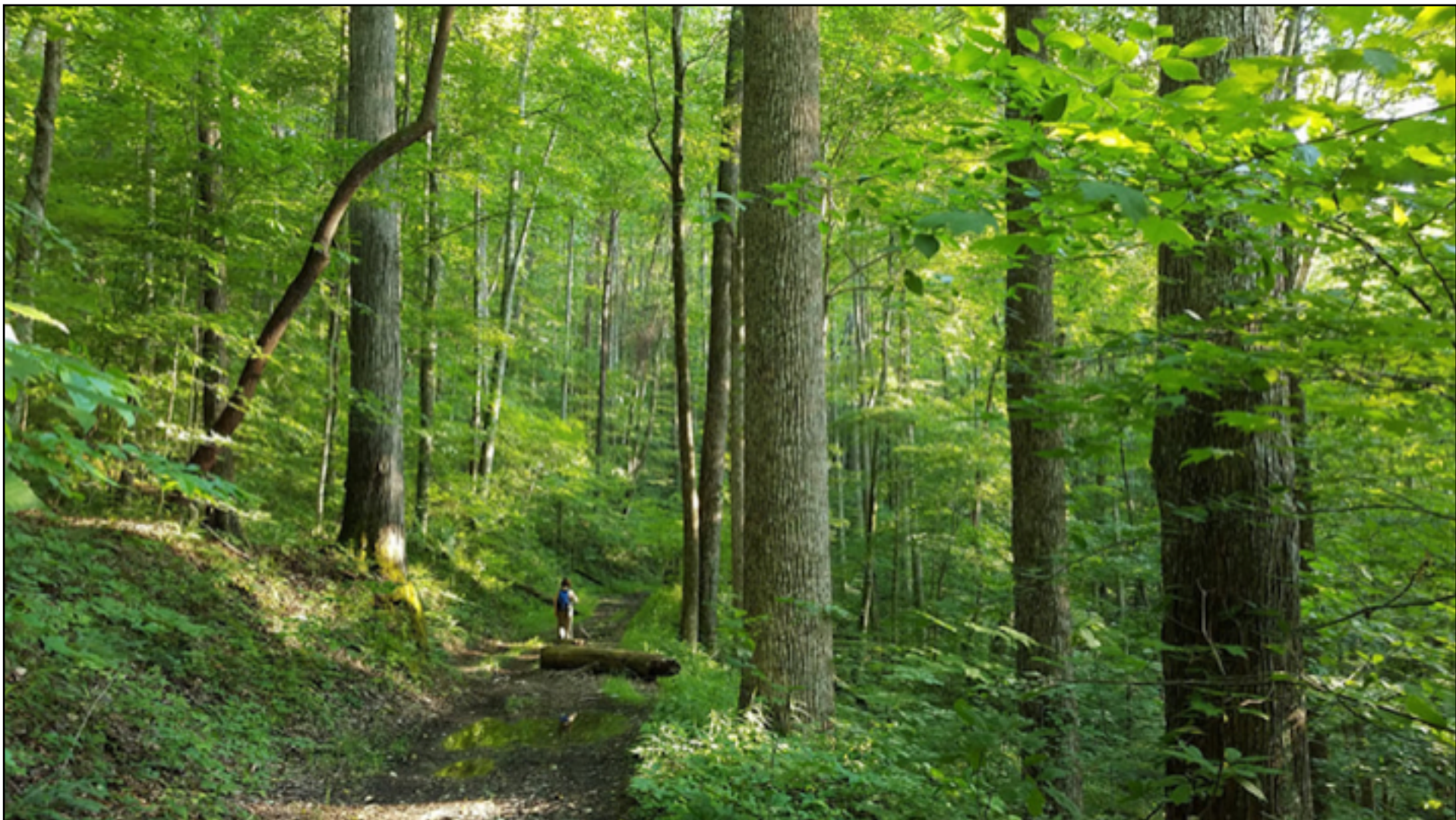
and old-growth forests in the Redbird District, and is a requirement for litigation under the ESA. The NOI focuses on the agencies' failure to adequately consider impacts to the Kentucky arrow darter, snuffbox mussel, and Indiana northern long-eared, and gray bats.

Regarding aquatic species and critical habitat, the Forest Service refused to consider the impacts of landslides to the arrow darter and snuffbox, despite our providing overwhelming evidence that landslides were likely to result from the approved logging actions. In addition to our documentation of numerous large landslides in the Group One project (immediately north of the South Red Bird area), we uncovered, through the Freedom of Information Act, documents revealing that the Forest Service has long known that logging on steep slopes in Redbird frequently results in landslides. Despite this evidence, Forest Supervisor Scott Ray said, during a meeting over our predecisional objection, that he considered landslides to be "a non-issue". Ray argued that an analysis of landslide impacts to imperiled species was unwarranted, as were any changes or limits to the logging proposal that could limit the risk of landslide occurrence.

We also raised issues regarding the analysis and effects on imperiled bat species. Of particular concern are effects to the northern long-eared bat (NLEB). Kentucky Heartwood conducted acoustic surveys in the project area last summer and found evidence of at least two NLEB colonies. The USFWS recently proposed changing the status of the NLEB from "threatened" to "endangered" under the ESA. The specific design of the South Red Bird logging proposal could result in significant effects to the species well beyond those described in the project analysis, including the destruction of occupied maternity roosts and maternity habitat. Our acoustic surveys indicated a high probability of Indiana bats in the project area. Further investigation uncovered the fact that the Forest Service may have historical information about a maternity colony in the project area but failed to disclose that information. Our surveys also indicated gray bat presence at several sites. The Forest Service did not analyze the effects of logging on the gray bat, claiming that the project was "outside of the historical range, the species has no documented occurrences, or suitable habitat does not exist". However, the Kentucky Division of Fish and Wildlife range map for the species includes Clay County, which represents part of the project area.

Submission of the NOI came six weeks after Kentucky Heartwood submitted a 46-page supplemental information letter to the Forest Service with a wide range of new, detailed information and findings relating to the South Red Bird project. In that letter we insisted that the new findings require a pause to project implementation pending a supplemental analysis. In addition to the results of our bat surveys and new landslide information, the letter describes our findings of significant old-growth in the project area, with centuries-old forests approved for cutting. Also described in the letter was our documenting of the largest-known red hickory (*Carya ovalis*) in existence in a harvest unit. The Forest Service argued in their analysis of the project that no old-growth existed in the project area, and conservation of old-growth was unneeded. Kentucky Heartwood had a meeting with Redbird District Ranger Bobby Claybrook a month after we sent the letter to discuss our findings and learn the Forest Service's response. Ranger Claybrook had no comments on any of the information presented in our letter and said that his staff would let him know if they found anything new.

Kentucky Heartwood is working with attorneys from Denver-based Environmental and Animal Defense, with assistance from the Southern Environmental Law Center. For more information on the South Red Bird project, visit our website and Forest Blog at kentuckyheartwood.org.



This area along the Redbird Crest Trail is approved for logging by the Forest Service. Most of the trees in this photo would be cut under the Forest Service's plan. Photo courtesy of Kentucky Heartwood

Let Trees Grow, Protect the Climate



by Chris Karounos

BEREA, KY – On March 1, 2021, more rain fell on the Daniel Boone National Forest than ever before in recorded history. The inundation caused landslides on slopes with unstable geology that never should have been logged in Redbird Ranger district. The floodwaters rose the Kentucky River to levels that were thought to be impossible since a set of dams were installed for flood prevention of populated areas. Countless farms and homes, including my own in Beattyville, Kentucky, were destroyed in the flood. Landslides dumped soils into sensitive streams where a fish called the Kentucky arrow darter teeters on the brink of extinction. Past logging has repeatedly turned the normally crystal-clear stream brown with sediment, choking out the Kentucky arrow darter and causing their numbers to dip dangerously low.

If the Forest Service continues logging without adapting to the reality of these heavier rain events, it could put several endangered aquatic species over the edge to extinction. According to the EPA, heavy rainfall events in the Southeast have increased by 27%. The increasingly extreme rainfall events are causing a slew of alarming records like in Olive Hill, Kentucky, which experienced two 500-year floods in a single year. Without climate change's influence, the odds of that occurring are 2,500 to 1. By not changing how we manage our forests, we are betting a lot more than just endangered species on those horrible odds.

The logging of forests can make climate change even worse. This stems from the incredible process of photosynthesis. The green pigments in trees' leaves allow them to combine carbon dioxide and sunlight into sugars that trees can use to grow woody trunks, stems, and roots. For every pound of woody material in a tree, two pounds of carbon dioxide are taken out of the air to create it. This makes trees far better and cheaper than any carbon sequestration technology imaginable. The Carbon Forest Coalition found that the climate costs from cutting a tree are 40 times greater than the value of the timber! Their report found it cost society a staggering \$700,000 an acre to harvest timber in western Oregon on public land. These costs come in the forms of increased wildfires, lower crop harvests, lost jobs, and flooded homes. The costs quickly add up when you factor in the massive scale of the logging that is going on in Daniel Boone National Forest. With 3,650 acres marked for logging in the Redbird Ranger district, this could cause at least half a billion dollars of damage in the form of worsened climate change.

If we don't start including the costs to the climate in National Forest management plans, this is going to be a bill that is very hard to pay off. We are already seeing a small step in the right direction with President Biden's recent Earth Day executive order requiring the Forest Service to manage old-growth forests on public lands to retain and enhance carbon storage. However, the executive order doesn't explicitly say to accomplish this by stopping the logging of old-growth forest on public lands. As a part of the Climate Forest Campaign, a national coalition of environmental groups working to protect mature and old-growth trees and forests from logging across America's public lands, we will continue to press for a more lasting rule than an executive order to end logging in old-growth forest on public lands.

Past mistakes by the Forest Service have created a situation in the Redbird Ranger district where old-growth forests are slated to be logged, and the Forest Service has repeatedly ignored Kentucky Heartwood's requests to resolve these issues. Therefore, government watchdogs like ours will be an important part of making sure the executive order is followed with the force of law. Our future is dependent on these public forests. All we have to do is leave them be.



Flooding in eastern KY. Photo from internet. AP/UPI

Public Pressure Results in Bill to Protect Land Between the Lakes



by David Nickell

PADUCAH, KY — Potential changes may be coming for Land Between the Lakes National Recreation Area (LBL). The LBL has been a matter of contention since it was established in the 1960s by the forced removal of nearly 1,000 families by the Tennessee Valley Authority (TVA), many of whom had lived on their family farms since the Revolutionary War. When TVA decided in the 1990s that it no longer had any interest in managing LBL, it proposed adding a golf course, theme park, hotel resort, and condominiums along the shoreline, transforming the area into a money-making venture. The public response, led by the former residents, was intense and resulted in the Land Between the Lakes Protection Act of 1998, which took the LBL away from TVA and transferred it to the US Forest Service. The Protection Act mandated that LBL be managed in accordance with the original mission of LBL: outdoor recreation, environmental education, and stimulation of the surrounding economy by bringing tourism to the region.

The Forest Service quickly demonstrated that it had no interest in that three-pronged mission. Massive logging projects were planned, and the funding levels coming from the Forest Service were reduced to the point that LBL trails were no longer maintained. The roads, many leading to family cemeteries, became impassable, and the remaining educational programs were slated for closing. In response, again led by former residents, the LBL Coalition was formed. This was composed of representatives from all user groups of LBL — hikers, campers, paddlers, ORV users, horseback riders, mountain bikers, and environmental groups. This improbable coalition brought enough pressure to get a temporary logging moratorium and delayed closing the educational facilities. But funding levels for educational programs and facilities maintenance remained low.

Because of the impact the decaying infrastructure and programs were having on tourism, which was affecting the economies of the surrounding counties, county officials, all Republican, got involved. It was through their efforts, working with Senator Mitch McConnell's office and Representative Comer's office, that access was finally gained to the budgeting situation, along with FOIA'd email exchanges between the LBL managers and the regional office. The regional office of the Forest Service had deliberately been underfunding the recreation and education programs at LBL to force their closure. They wanted to manage LBL like a standard Forest Service unit with a focus on sustained yield of board feet.

Now, after years of effort, a proposed amendment to the LBL Protection Act has been drafted. The coalition, including the local elected officials, requested that it include limits on the level of logging that could occur in LBL. The federal officials refused to even consider that option, but a minimum funding level from the Forest Service to LBL — sufficient to rebuild the recreation and education programs and repair the roads in LBL — was included. The proposed amendment also strengthened the public's role in the management of LBL and gave the former residents and their families a direct role in a more robust heritage program at LBL.

The bill, *LBL Recreation and Heritage Act*, was included in a national recreation funding package and passed out of Committee in the Senate, but, at the last minute, the minimum funding level provision was removed and replaced with a maximum funding level that is not to be exceeded. The portions giving the public a stronger involvement in management and the stronger emphasis on recreation and heritage are still in the bill...so far. Senator McConnell's office said the change was insisted upon by Democrats, specifically Joe Manchin. This has not been confirmed. The House Committee has not yet voted at the time of this writing.

As the process of moving the legislation forward continues, we feel some relief that at least part of the concerns at LBL may finally be addressed but also great frustration that the most vital parts have been removed.

Coal Companies Running Amok, Polluting Left and Right



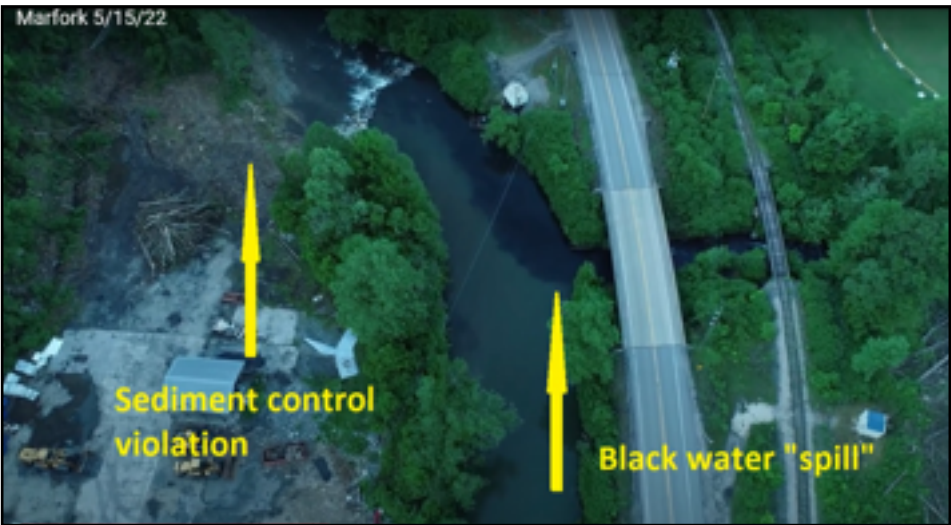
by Vernon Haltom

ALMOST HEAVEN – On the 12-square-mile Twilight complex on Cherry Pond Mountain, Lexington Coal Company (LCC) operates a jigsaw puzzle of mountaintop removal permits, mostly in “active-reclamation only” status, which can and sometimes does change to “moving coal”. Across the complex, LCC continues to violate regulations, fail to pay their fines, negotiate Consent Orders, and violate some more.

On February 25, 2022, Coal River Mountain Watch (CRMW) requested that the West Virginia Department of Environmental Protection (WVDEP) issue a Show Cause order to LCC for multiple patterns of violation on the Crescent #2 permit. WVDEP issued the order on March 31, 2022, and resolved it with a weak Consent Order on July 25, 2022, the same day as three more violations were issued. Since the Show Cause order, LCC has run up two more patterns of violation, all the while continuing to extract coal at this site. The Show Cause order and resulting Consent Order were based on 17 violations from March 2021 through March 2022. Since WVDEP issued the Show Cause order on March 31, LCC has accumulated nine more violations on the Crescent #2 permit. And LCC received 13 delinquent civil penalty letters for this permit this year.

But wait, there’s more! The Twilight III-A permit, which was up for renewal in March, also had a stack of seven violations since July 2021 and, at that time, six delinquent civil penalty letters from the WVDEP. The March 29 delinquency letter was for \$22,500 and stated, as they all do, “The Director is prohibited from issuing any permit or permit revision to this company . . . as long as this or any other civil penalty remains delinquent.” WVDEP then issued the renewal on April Fools’ Day. And then LCC ran up six more violations and two more delinquent fines. This permit now has three patterns of violation within the past year, including a pattern of three sediment control violations since June 26. This permit is also subject to a Consent Order issued February 3 for unabated reclamation violations. The order includes the provision: “The DEP shall immediately initiate permit revocation/suspension proceedings . . . if during the term of this Order, LCC experiences an additional pattern of related violations...” Surely the sediment control violations are related. So CRMW requested WVDEP revoke the permit.

But wait, there’s even more! LCC applied for renewal of the Twilight MTR permit, which accumulated eight violations from July 29, 2021, to



A plume of black water pollution in the Big Coal River. Photo by CRMW

July 5, 2022 — some of which constitute a pattern of violations for which CRMW requested WVDEP issue a Show Cause order. This permit also has two civil penalty delinquencies. We have yet to compile our comments to oppose the permit renewal, but they’ll be along the lines of, “Mountaintop removal is a deadly public health threat and the cradle of the climate crisis, and LCC has demonstrated that they can’t mine responsibly, so WVDEP should deny this permit renewal.” If you’d like to join our opposition, please do so via an email to Permit Supervisor DAVID.R.WAGNER@wv.gov. Be sure to state that you OPPOSE renewal of Lexington Coal Company’s permit number S502396.

Not to be outdone, Alpha Metallurgical Resources had a “black water” spill on May 15, turning at least 25 miles of the Big Coal River black. They received a total of \$2,625.50 in fines, not nearly enough to deter future incidents. While filming the spill via drone, CRMW’s site monitor Junior Walk caught another violation at Alpha’s Black Eagle site across the river at the same site where he caught another in March. This site also has a pattern of violations.

For the latest, please follow Coal River Mountain Watch on Facebook at <https://www.facebook.com/CRMWSTOPMTR>, Twitter @CoalRiverMtn, or Instagram @coalrivermountain. Our website is www.crmw.net.

Flyover of Cherry Mountain. Photo courtesy of CRMW



The Clinch Coalition Releases Report on the Environmental Impacts of Southwest Virginia's Trail Economy



by The Clinch Coalition

WISE, VA — The Clinch Coalition (TCC) has released a comprehensive report detailing environmental impacts from state-funded trail development in the region, including a roadmap for moving current and future trails in a more sustainable direction.

The 20-page report, *On the Wrong Track: Moving Towards a Responsible Trail Economy in Southwest Virginia*, comes on the heels of more than four years of work by TCC to address environmental damage occurring on recreational trails in several local counties.

Since 2018, TCC has become a clearinghouse for public complaints of environmental damage on the Spearhead Trails system, a 600-mile network of off-road vehicle trails across multiple Southwest Virginia counties managed by the Southwest Regional Recreation Authority and funded annually by the Virginia General Assembly. Complaints have included streams and wetlands in the Clinch, Russell Fork, and New River watersheds being developed into ATV play areas, as well as erosion and runoff concerns by local residents living downstream of the trails. Most of the complaints have come from locations within or near underrepresented environmental justice communities throughout Virginia's coalfield counties, with numerous complaints from trails on properties included in The Nature Conservancy's Cumberland Forest Project.

"TCC supports recreational development as a tool to improve the quality of life and economy of Southwest Virginia's communities, but that development should proceed in a way that respects and protects our natural resources," said Sharon Fisher, TCC President. "The damage that has occurred on the Spearhead Trails system is a disappointing failure of responsible recreation development, especially considering that it has occurred using taxpayer funding, in some of our most vulnerable communities, and on properties that are being promoted as flagship examples of effective resource conservation in action."

In 2020, regulatory officials investigating complaints forwarded by TCC confirmed widespread environmental damage and potential regulatory violations on portions of the trail system, citing "significant stream impacts" and providing trail officials with a list of more than 15 regulatory provisions that were potentially being violated on the trails. Among the issues cited by Virginia Department of Environmental Quality (DEQ) inspectors were a lack of state and federal stream and wetland disturbance permits, improper erosion and sediment control feature installation, and allowing sediment and runoff from the trails to be deposited onto downstream properties.

Despite those findings, DEQ has yet to undertake enforcement action to formally require repairs to problem areas on the trail network. Instead, the agency opted for a voluntary agreement with trail officials in 2021 to address problems on the trail network after two state legislators contacted then DEQ Director David Paylor to intervene in DEQ's investigation, as was reported by The Virginia Mercury earlier this year. Since that time, numerous locations on the trail network highlighted in state inspectors' reports have remained open to continued damage, while others have been voluntarily closed to new ATV use but with no repairs required by DEQ. Meanwhile, both TCC and DEQ have continued to receive a large number of new complaints from the public about continued environmental damage.

"Virginia DEQ made it abundantly clear in their own inspection reports and communications with trail officials that serious environmental damage is occurring on the trails," Fisher stated. "There is no excuse for locations highlighted by state inspectors to remain open to new damage from ATVs for nearly two years since their discovery, especially since closing these particular trail segments and repairing the damage they have caused would not require shutting down

the entire Spearhead Trails network. We feel it is time to make a public call for reform to ensure that local residents' concerns get addressed and that unnecessary damage from future taxpayer-funded trail development can be prevented."

TCC's report details the situation occurring on Southwest Virginia's public trail systems, discusses existing research on the environmental impacts from trail development, and provides a roadmap for reform to address ongoing environmental issues on the region's trails. Among the organization's recommendations are clarifications to public funding agencies' regulatory requirements for economic development projects and reforms to Virginia DEQ's handling of public complaints related to recreational trails. The report also includes several environmental best practices and steps towards greater public engagement that can enhance the sustainability and transparency of state-funded trail management organizations. Steps that individual citizens can take to monitor local trails and advocate for more responsible trail management are additionally included in the report.

The report can be viewed on TCC's webpage at <http://clinchcoalition.org>.

A poorly maintained trail for motor vehicles erodes sediment into the Upper Camp Branch near Breaks Interstate Park. Photo by TCC



Senator Mike Braun Brings USDA Undersecretary Wilkes to the HNF

by Jeff Stant, Executive Director, Indiana Forest Alliance

INDIANAPOLIS, IN — Residents of the Hoosier National Forest (HNF) living in the watershed of Patoka Reservoir have been organizing furiously to take on the Forest Service over the destructive proposed Buffalo Springs Restoration Project, which they have aptly dubbed the “BS project.” The BS project is unprecedented in size and scope for the HNF. It would burn every acre of public forest land in the project area — at least 15,000 acres, several times — and log more than 5,000 acres, including more than 1,200 acres by clearcutting, within the next 10 years. *See the Spring 2022 Issue of Heartbeat for more.*



These residents have revamped the Protect Our Woods organization and created another one, Save Hoosier National Forest. Both organizations are working with Indiana Forest Alliance (IFA) and other groups, such as Hoosier Chapter Sierra Club and Hoosier Environmental Council, to organize a broad coalition of opposition to the BS project.

On the morning of July 29, 2022, six representatives of this coalition met with US Senator Mike Braun and his staff; Dr. Harold Wilkes, US Department of Agriculture Undersecretary for Natural Resources and the Environment; Erick Deeble, USDA Deputy Assistant Secretary for the Office of Congressional Relations; and at least eight officials of the Forest Service. They included Elrand Denson, USFS Eastern Region Acting Deputy Regional Forester; Mike Chaveas, the Supervisor of the HNF and Shawnee NF (in IL); and six other field staff members. The meeting was held at a trailhead in the Tucker Lake Recreation Area, which would be heavily logged and burned as part of the BS project.

Forest Service officials started trying to lead a dog and pony show with their experts to tout the merits of the BS project to Senator Braun and Undersecretary Wilkes. Given we had made the request originally for a delegation to meet with Senator Braun, we objected to the meeting being hijacked this way.

Fortunately, Senator Braun took control of the meeting. Rather than going on a nature walk with the Forest Service, we set up chairs in the shade of the forest. There, Braun gave our delegation two hours to explain why a new Land and Resource Management Plan is needed for the HNF. Occasionally, when the conversation would divert into a back-and-forth argument with the Forest Service over the BS project, Senator Braun steered it back onto a larger picture discussion about what management of the HNF should be about.

To be certain, both Undersecretary Wilkes and Senator Braun stated in this meeting that the Buffalo Springs Restoration Project will go forward. They conditioned this statement, however, by repeatedly asserting that we are being heard and that our views will matter in the project decision.

Rather than more pro forma comment periods where all input adverse to the Forest Service’s proposal is officially rebutted and dismissed, coalition leaders asked Senator Braun and Undersecretary Wilkes for assurance that they will have genuine input into the Buffalo Springs Restoration Project — input that would result in the current proposal being withdrawn or modified substantively to significantly reflect this vision for a new HNF Management Plan. At the least, we asked that the Forest Service be compelled to look at alternatives to the current proposal that would 1. substantially reduce the logging and burning, 2. protect the cultural and archaeological resources, the Patoka Reservoir water supply, and the natural character of the area, and 3. promote the recreational value of the region. In fact, Senator Braun stated several times that most of the folks he knows who live around the HNF value it for recreation much more than providing timber. He went so far as to state that even if logging is necessary to improve forest health, maybe the recreational value of the HNF to his constituents is so important that it should have higher priority than forest health considerations.

Senator Braun’s Chief of Staff Josh Kelly asked that the Forest Service’s official response to comments on the Draft Environmental Assessment for the BS project tabulate how many comments were made behind each concern and outline how they are being addressed in the project. In response to repeated assurance by the Undersecretary that our input would be addressed, Braun said, “We will be watching and holding you to this.” Time will tell if Senator Braun does hold the Forest Service accountable to genuinely incorporating our input. He certainly made the members of our delegation feel as if this will be the case.

Most importantly, both Undersecretary Wilkes and Senator Braun committed to start the process of revising the HNF Management Plan in that meeting. They both acknowledged the high recreational value of the HNF. Both agreed that working in partnership with private landowners was necessary to accomplish meaningful objectives in the HNF and its surrounding landscape. Both agreed that there is much new information (e.g., the climate crisis, proliferation of nonnative invasive plants, tree diseases and pests like emerald ash borer, plummeting bat populations, and changing public attitudes about public land) that was not considered in the 2006 HNF Plan and needs to be incorporated into a new Plan. Both said it may take some time. But both committed to revising the HNF Land and Resource Management Plan.

We MUST hold them accountable to this commitment.

A NEW VISION FOR THE HOOSIER NATIONAL FOREST

Presented to Dr. Homer Wilkes, Undersecretary for Natural Resources and Environment, USDA, and US Senator Mike Braun, July 29, 2022

1. More Forestland on Public and Private Lands in the Hoosier National Forest

Develop programs and incentives to encourage proforestation, address forest health, protect wildlife populations and water supplies, and meet other objectives. The US Forest Service, working in partnership with the Natural Resources Conservation Service, coordinates with and assists nonpublic landowners in managing their lands within the Hoosier National Forest (HNF). Restoration funding is used to acquire more land for the HNF or to be directed to restoration of forest on private land.

2. A New Plan for the Hoosier National Forest

The New Plan reflects changing conditions, evolving public attitudes, and the critical role mature forests play in moderating climate, protecting biodiversity, filtering water and air, nurturing healthy and productive soils, and sequestering carbon. The New Plan evaluates the role of public ownership in the context of the entire landscape, watershed by watershed, taking into consideration the role surrounding private, corporate, utility, and agricultural entities can play in meeting critical conservation objectives. The New Plan emphasizes management strategies and authorizes projects that:

- Protect the ecological resources in the HNF and provide for the restoration of much more old growth forest on a landscape scale. Comply with the 30 By 2030 directives and the Sentinel Landscape project.
- Protect the two largest surface water supplies in southern Indiana, Patoka, and Monroe Reservoirs.
- Promote public awareness of the archaeological, historical, and cultural resources of the HNF, such as the Lick Creek African-American Settlement, established in 1811, the Buffalo Trace, native American sites, and pioneer homesteads throughout the HNF.
- Provide opportunities for dispersed recreation, including long-distance horseback riding, backpacking, hunting, and mushrooming that are popular in Indiana yet are limited elsewhere in the state.
- Maximize the sequestration and storage of carbon.
- Monitor and continue research on forest diseases and blights, carbon sequestration rates, and natural regeneration, succession, disease resistance, and other ecological processes in older and old-growth forests. Include outreach that documents public attitudes towards management of the HNF. Place the highest priority on understanding and incorporating the views of residents who live proximal to the HNF in management decisions affecting their daily environment. Contract with independent sources such as state universities and Indiana’s congressional delegation to conduct polls of public attitudes towards the HNF and the purposes it should serve.
- Commit to undertaking the following inventories of HNF tracts proactively to inform management decisions so that important resources are identified and protected from human degradation:
 - Biological inventories of native plant, fungi, and animal communities and hibernacula; roosting and nesting areas; denning sites; vernal pools; foraging corridors; and other important habitats for rare, threatened, and endangered forest-dependent species, including troglodiles in karst environments.
 - Archaeological, historical, and cultural resources.

3. A New Sense of Mission, Values and Funding for the Forest Service

Transition the agency from its current dependence on cutting down the public forest to fulfill its mission. Recognize the importance of the Hoosier National Forest as the largest public forest in a populous state with limited public land. Include the needs of underserved communities and non-traditional users for recreation and spiritual renewal. Recognize the crucial contribution that the HNF makes in the quality of life for those who reside in urban settings, and the HNF’s role in meeting public needs that are not met on private lands.

Buffalo Springs BS continued from page 1

Population in the area that became the Hoosier National Forest peaked in the 1890s. By 1930, the population had decreased to just 57 percent of the 1890 population. In June 1934, the State of Indiana asked the federal government to buy land for the eventual creation of a National Forest. The first parcels were purchased in 1935.

By 1951, with just over 100,000 acres in federal ownership, the Hoosier National Forest was formally established. The US Forest Service at that time practiced custodial management to stop timber theft, rehabilitate the damaged land, and control wildfires. They planted pine trees to stop massive erosion problems. Now they want to clearcut the pines on highly erodible sites, repeatedly burn the forest, and cut down the biggest and oldest trees, and keep the money from the sale of the timber.

For more information, please go to www.savehoosiernationalforest.com.



Hoosier History continued from page 1

was the trace as recorded by surveyors in 1804-1806!

Since that fall in 2018, I have located the 1818 Allen gristmill location, the abandoned townsite for Williamsburg established in 1842 by a War of 1812 veteran, several abandoned early pioneer cemeteries, many farmsteads, quarries, abandoned roadways, two furnaces used to process sorghum and maple syrup, a homestead foundation built into the bedrock where limestone had been quarried circa 1815-1820, a possible mid-18th century French site, and many more historic sites.

In addition, I found a beautiful, ancient terrain with caves, sinkholes, springs, creeks and the Patoka (Padokee) River whose drainage supplies residents of 11 counties with fresh, clean drinking water. I found large deep lush hollers, wide panoramic views, property "border" trees with 12- to 16-foot circumferences likely some 200-300 hundred years old, endangered bat roosts, copious amounts of mushrooms, and some rare native plants. There I found healing, spiritual solitude, companionship, new friends, tangible links to my ancestors, and a stirring of forest life that heals my heart, mind, and soul, just as the Hoosier National Forest itself is healing from its near destruction in the 1800s.

The US Forest Service now wants to timber and burn nearly 20,000 acres of this recovering forested landscape. Residents and avid users of the Hoosier have a different plan. The Forest Service says management, restoration, and harvest. We say care, protection, and preservation. To learn more of the "intangibles" of the forest and the struggle to save the Hoosier National Forest, visit us at www.savehoosiernationalforest.com and on Facebook. Areas like this one are rare indeed and just what the world needs. Some places are just worth saving.

Steven Stewart is co-founder of Save Hoosier National Forest, founder of the Buffalo Trace Preservation Group, wild edible educator, and historian living in Bloomington, Indiana.

1800 Portland Avenue, Louisville, KY 40203
<https://newroots.org/>

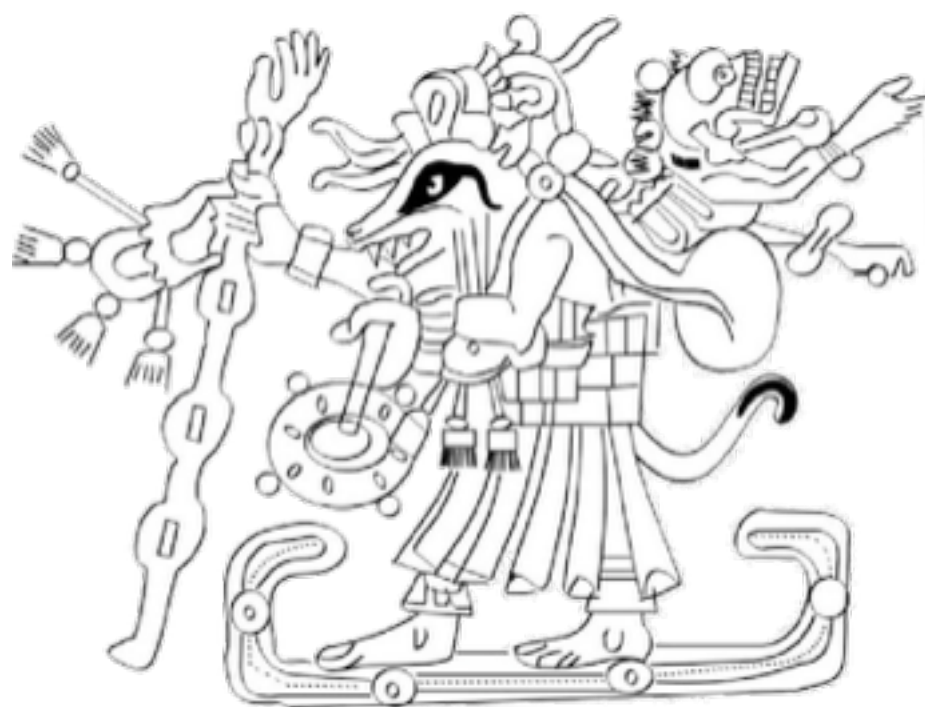
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or donate online at <https://heartwood.org/support/>.

Join the Heartwood Network!

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 raise funds for costs associated with a direct action campaign or other hard-to-fund necessities of activist life, or to help match funds from another grant, or pay for your Forest Watch expenses. You can find more information about the program guidelines and how to apply online at <https://heartwood.org/minigrants/>.

Heartwood offers **fiscal sponsorship** to grassroots organizations that need 501c3 status to be able to get grants from foundations and green donors. Heartwood takes a small administrative fee for non-member groups 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. See <https://heartwood.org/minigrants/index.html> for more.

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 benefits 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. 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!

Forever Wild,

The Heartwood Coordinating Council



The Jim Beam distillery, the corporate crown jewel of Kentucky's bourbon industry, is the driving force behind a proposed gas pipeline that would cut through forests protected under conservation easement in the popular Bernheim Forest and Arboretum. If this pipeline were to be built, it would set a dangerous precedent that would undermine the power of Conservation Easements to protect habitat nationwide, and expand the use of eminent domain to disrupt the lives of homeowners and private citizens for the sake of multinational corporate profits — all while raising the rates on your monthly gas bill! Find out more, look for **Stop the Jim Beam Pipeline** on Facebook.

Support a Black-owned artisanal distillery instead!

<https://www.whiskyadvocate.com/black-owned-whisky/>



Things to bring:

CAMPING: Tent and sleeping bag, ground pad
or **CABIN:** Pillow, sheets and bedding for cabin bunks

NO FRAGRANCES PLEASE! wash your clothes with baking soda before you leave home
toothbrush and other personal grooming items extra mask just in case seeds or perennials to swap

towel, **Auction Item**, clean socks and underwear, money for a new T shirt
sun hat, helmet for falling walnuts, bag for collecting walnuts

stories of the places you love and defend!

walking boots, wallet, water bottle, favorite stick, flashlight
rain gear, evening chill gear, late night stargazing gear
early morning birdwatching gear



We welcome contributions of garden produce or other food for the kitchen. Please contact us in advance so we can weave that into the menu. Donations of auction items for the Sunday Night Live Auction, cash donations to help underwrite the costs of the event and provide scholarships for activists who can't afford the cost of registration, all help Heartwood raise operating funds for the year's campaigns ahead! **Ask about volunteer opportunities to help defray the cost of registration fees.**

Service and support animals must be under strict control by their human at all times.

that friend who likes to go hiking

that friend who has never been to a Heartwood gathering

that friend who hasn't been to one in years

extra money for the Saturday Night Live Auction

your latest poem, or an interesting pebble

your vision for a forested future for all!

Lots of extra business cards



Heartwood Reunion Registration Form

Please mail your registration well before **September 23** so that we can plan to feed you.

Contact Corina about accommodations for elderly or medical needs, scholarships, and volunteering: corinalang@yahoo.com or (618) 201-1784.

Mail this form with your payment ASAP/USPS or register online by September 30 at <https://heartwood.org/reunion>.
Late comers will please add \$25 gate fee, or \$5 per meal, to cover additional food expenses and other administrative costs.

No one will be turned away for lack of funds!

Name _____

Address _____

Phone _____ Email _____

___ **Full Weekend: \$95** tent camping, Friday afternoon through Sunday morning ___ + \$10 cabin bunk

Children age 5-12*, \$60 ___ + \$10 cabin bunk (*children under 5 FREE!)

___ **One Overnight:** ___ Friday night \$45 ___ Saturday night \$55. ___ + \$5 cabin bunk (if available)

Children age 5-12*, \$30 ___ + \$5 cabin bunk (*anyone under 16 must be accompanied by a parent or guardian)

___ **One Day, no overnight stay: \$30**

Children age 5-12*, \$20 ___

___ **New/Renew Annual Membership: \$25**

___ **Donate to the Scholarship Fund \$** _____

___ **Yes, I am interested in volunteering to help defray costs.**

Mail this form with your payment

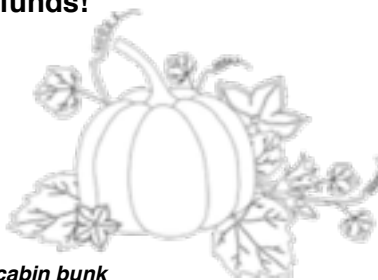
BEFORE September 23 to:

Heartwood Reunion

PO Box 543

Tell City, IN 47586

TOTAL: \$



Heartwood Safer Spaces Guidelines

• Heartwood maintains zero tolerance regarding any form of abuse, sexual harassment, intimidation, assault, discriminatory language, oppressive behavior, exclusion, or marginalization.

• Heartwood's members have respect for others' physical and personal boundaries, opinions, beliefs, and differing points of view. Heartwood members will trust, respect, and acknowledge each other's experiences, not making assumptions about others' experiences.

• Heartwood believes in the safety, health, respect, and well-being of all of its members, all of the time.

• Heartwood believes, honors, and trusts survivors, respects their voices, and acknowledges their need to heal.

• Heartwood will deal promptly with any perpetrators of above-listed violence. Heartwood will insist that perpetrators acknowledge and make amends for any violations that impact the safety and well-being of other Heartwood members. Heartwood will not make or accept excuses for hurtful behavior, and will expect perpetrators of such behavior to actively work to resolve situations, always respecting the requests of the survivor.

• Active steps will be taken immediately to protect the physical and emotional safety of children when potential abuse is observed, or is alerted by either child or parent/guardian.

• Heartwood members will share time and space in circles, workshops, and meetings, not dominating or interrupting each other. Heartwood members are expected to think before speaking or acting, and will strive to not offend others, especially when telling questionably appropriate jokes or stories.

• Heartwood promotes a culture that is constantly questioning itself, growing, and learning; Heartwood discourages stagnation and assuming that we've "got it all figured out."

• Heartwood Core Council members shall have the responsibility to enforce this policy, err on the side of caution, and immediately, temporarily, or permanently remove any person violating this policy from Heartwood Community events.





Join us for the 27th Annual

Heartwood Reunion

at the Lazy Black Bear

just past Youngs Creek Horse Camp, Paoli, IN, Hoosier NF

Friday, October 7 through

Sunday morning, October 9, 2022



vegan and vegetarian meals by Chef Carla Locally sourced food from the Paoli cooperative Lost River Market & Deli, and local farmers

Friday evening **music with Sarah Grain and the Billions of Stars**

Sunday morning with the

*Troubadours of
"Dine Blue"*

Strategy Roundtable on National Forest Defense across the Heartwood region

Friday: Deep Dives into Caves and Karst Ecology with

Dr. Tracy Branam, Research Geologist and

Dr. Sam Frushour, Research Affiliate in Hydrogeology
Indiana University



Saturday Night Live Auction! Campfire Music! Owls!

Full schedule of activities online at <https://heartwood.org/events>

Register online at <https://heartwood.org/reunion/>

\$95 full weekend
\$30 Dinner and Show



Thank You to these Cosponsoring Organizations!



Protect Pisgah Rally Draws Hundreds and Surrounds the Forest Service Headquarters with 34,000 Hearts



by Will Harlan

ASHEVILLE, NC — I expected only a few folks to show up at the Protect Pisgah Rally. After all, it was scheduled for a drizzly Monday afternoon in a parking lot. How many people would actually take time out of their busy schedules to attend a forest rally?

More than 500, as it turns out.

The first day of August will be remembered as being the largest forest rally ever in North Carolina. I was stunned by the turnout — and so was the Forest Service.

But perhaps it should not have been so surprising. After all, the Pisgah-Nantahala National Forest is the most popular national forest in the country. More than six million people visited the forest last year, and most forest users want to see stronger protections for Pisgah.

The one-million-acre Pisgah-Nantahala is also one of the country's most biologically diverse national forests. It shelters more salamander species than any national forest, and it's home to some of the last and largest old-growth forests in the East.

Unfortunately, the U.S. Forest Service has targeted 44,000 acres of old-growth forests for logging in its proposed Pisgah-Nantahala Forest Plan. The plan will also increase logging 400% to unprecedented levels, open most of the forest to timber harvest, and authorize up to 300 miles of road building while reducing protections for water, trails, and biodiversity.

As a result, the plan has drawn widespread opposition. More than 34,000 public comments have flooded the Forest Service, including a record-setting 14,000 legal objections filed against the forest plan.

Yet the Forest Service has forged ahead with its draft plan. They are also moving forward with the Buck Project — one of Climate Forests' 10 worst logging projects nationwide. The Buck Project is a massive logging project in the Pisgah-Nantahala that targets old-growth forests and rare salamander habitat.

The Protect Pisgah Rally was the last chance for the public to weigh in on the forest plan. And they made sure their voices were heard, loudly and clearly. Hundreds arrived in front of the Forest Service headquarters with hand-made signs, chanting: "Our Forests! Our Future!"

The Mayor of Asheville, youth leaders, and indigenous elders urged the Forest Service to protect the ancient forests of the Pisgah-Nantahala.

The Forest Supervisor spoke briefly, but he and more than a dozen Forest Service employees huddled together for most of the rally as crowds swelled on their doorstep.



It was an intentionally positive, love-themed rally, and the message was simple: we love Pisgah and want to see a lot more of it protected. The love fest culminated with the unfurling of a nearly quarter-mile-long banner of 34,000 hearts — one for each of the 34,000 comments supporting more protections for Pisgah. Rallygoers surrounded the Forest Service building with the banner, chanting: "Pisgah-Nantahala: Worth More Standing!"

The rally was organized by the Center for Biological Diversity and the

I ♥ Pisgah coalition, with support from eight additional conservation organizations. But it ultimately was led by the people who attended. An open mic at the end of the rally allowed anyone to speak. Teenagers with quivering voices spoke courageously. So did veteran forest activists who warned of tree-sits and direct action if the Forest Service failed to protect the ancient forests and biodiversity of the Pisgah-Nantahala.

The rally played a pivotal role in forest plan objection meetings that began the next day. The three-day meetings concluded with an objector telling the Forest Service: "This plan does not have social license. It faces widespread public opposition. You have betrayed a decade of public input. The good news is that you have a simple, easy solution: protect more of Pisgah, especially its old-growth forests."

The Forest Service will issue a final plan this fall.

Will Harlan is a biologist with the Center for Biological Diversity and organizer for the I ♥ Pisgah campaign.



all photos by Will Harlan



Nantahala NF Old-Growth Logging Threatens Imperiled Salamander

The Forest Service is moving forward with a 98-acre logging project in North Carolina's Nantahala National Forest, including inventoried old-growth forests and imperiled green salamander habitat. The 98-acre swath is the first of several timber sales that are part of the Southside Logging Project near the headwaters of the Chattooga River. The Brushy Mountain portion of the timber sale is especially controversial and sensitive. The Forest Service has acknowledged that old-growth forests and rare green salamanders are present, but they are proceeding with the logging project anyway.



Report: Federal Logging Projects Put 10 Climate-Saving Forests on Chopping Block



by Randi Spivak

PORTLAND, OR — Federal agencies are targeting mature and old-growth forests for logging, according to a new report, despite these trees' extraordinary ability to curb climate change and President Biden's directive to preserve them.

The report, *Worth More Standing* — which spotlights the 10 worst logging projects on federal lands across the country — was released in July and details federal logging proposals targeting nearly one-quarter of a million acres of old-growth and mature forests overseen by the U.S. Forest Service and Bureau of Land Management. In it the Climate Forests coalition outlines “a pervasive pattern of federal forest mismanagement that routinely sidesteps science to turn carbon-storing giants into lumber” and calls on the Biden administration to pass a permanent rule to protect these big, old trees.

“The best way to protect these carbon-storing giants is to let them grow, but our federal agencies keep turning them into lumber,” said Randi Spivak, public lands director at the Center for Biological Diversity. “The Biden administration can help curb climate change by permanently protecting mature and old-growth trees. It takes centuries to make up for the carbon that's lost when these trees are chopped down, and we don't have that kind of time.”

The threatened forests are in North Carolina, Vermont, Wisconsin, South Dakota, Wyoming, Montana, Arizona, California and Oregon.

Mature and old-growth forests hold enormous amounts of carbon. Preserving these trees is a meaningful, cost-effective measure the Biden administration can take immediately to mitigate climate change. Biden issued an Earth Day executive order directing an inventory of old forests and policies to protect them.

“Without a federal rule in place to restrict logging of these critical forest tracts, these mature and old-growth trees could be lost, along with the opportunity to make significant progress toward addressing climate change,” said Blaine Miller-McFeeley, senior legislative representative at Earthjustice.

Also in July, more than 100 groups sent a letter to the U.S. Agriculture and Interior departments requesting an immediate start to a rulemaking process to ensure permanent protections for mature and old-growth trees and forests across federal lands, while allowing for necessary measures to reduce wildfire risk. Large, older trees are more resistant to wildfires, and studies show logging them doesn't reduce the risk of climate change-driven fires.

“This report highlights what we have, but also what we stand to lose,” said Alex Craven, senior campaign representative at the Sierra Club. “Our old and mature growths are a natural climate solution, and we must protect these trees if we wish to tackle the intersecting climate and biodiversity crises.”

Scientists have pointed to forest preservation

as one of the most effective ways to remove carbon from the atmosphere. U.S. federal forests sequester 35 million metric tons of carbon annually, a number that could rise steadily with new conservation measures.

Protecting older forests also safeguards clean water, clean air, wildlife habitat, biodiversity, and recreation opportunities.

USFS Redefines Old-Growth, Mature Forest

The Executive Order Strengthening the Nation's Forests, Communities, and Local Economies, issued on Earth Day 2022, requires USDA and DOI to define old-growth and mature forests on Federal lands; complete an inventory and make it publicly available; coordinate conservation and wildfire risk reduction activities; identify threats to mature and old-growth forests; develop policies to address threats; develop Agency-specific reforestation goals by 2030; develop climate-informed reforestation plans; and develop recommendations for community-led local and regional economic development opportunities.

Public comment was extended by request from those commenting until the end of August. Heartwood and our member groups will be following this closely as it develops.

Executive Action Could Bypass Senate Climate Compromises



by Brett Hartl

With five key executive actions, President Biden can use the tools of his office, the Environmental Protection Agency, Department of the Interior, and other federal agencies to advance crucial climate protections:

1. Declare a national climate emergency under the National Emergencies Act to unlock key climate powers, including reinstating the ban on crude oil exports.
2. Expand use of the Defense Production Act for a manufacturing moonshot expanding electric transportation, including public e-buses, high-speed rail, and passenger vehicles.
3. Direct the EPA to establish national limits of greenhouse gases at 350 ppm of carbon dioxide under the National Ambient Air Quality Standards program of the Clean Air Act.
4. Require DOI to end all new oil and gas leasing and phase out the production of oil and gas on public lands and waters.
5. Order the US Army Corps of Engineers to cease the use of nationwide permits and all approvals of new fossil fuel infrastructure projects.

The Center for Biological Diversity, along with Heartwood and more than 1,200 groups in the People vs Fossil Fuels coalition, have called on President Biden to declare a national climate emergency and take swift executive action to reject new fossil fuel leases, infrastructure, and exports.

Statement from Dogwood Alliance: WV vs EPA



by Scot Quaranda

This summer's Supreme Court ruling restricted the EPA's power to regulate dangerous carbon emissions from power plants. This disastrous ruling comes on the heels of unprecedented heat waves that swept across the planet before it was even officially summer.

With climate legislation mired in Congress, we know at the end of the day the power to fix this ecological crisis lies in the hands of the people. We are in the fight of our lifetime. It's going to take every last person who cares about the most vulnerable, who cares about nature, and who cares about the life we leave to the children of today to stand up.

Dogwood Alliance has long held the belief that we need broad-sweeping, transformative change to a society that puts the health and well-being of people and the planet ahead of corporate profits. That happens at the local level through creating on-the-ground solutions and through grassroots political power building to hold government and corporations accountable. The real solution for our climate, for environmental justice, and for nature and biodiversity is people power.

We organize, we rise, and together we win.

Communities matter. Science matters. Your voice and your actions matter. Yes, we are disappointed by the ruling from SCOTUS. But it only motivates us even more to work like hell for what we love. We won't stop organizing. We won't stop standing with communities on the front lines. We won't stop holding the government and corporations accountable.

Now is not the time for fear or regret. Now is the time for action. And when you need a break — because we all do — try heading into the woods or sitting under a tree. Catch your breath. Listen to the birds and your heart. And then get back at it. Together we are building the most powerful grassroots movement the world has ever seen.

Citizens Continue Fight against Coal-to-Diesel Refinery

by Rock Emmert



DALE, IN — Southwestern Indiana Citizens for Quality of Life (SWICQL) and Valley Watch continue their successful advocacy for clean air and public health. They have been fighting since 2017 against the construction of a massive, first-of-its-kind-in-the-Western-hemisphere, coal-to-diesel refinery in rural Dale, Indiana (population 1,442) — a few miles from Abraham Lincoln's boyhood home. The Nazis used the technology during World War II when in desperate need for diesel fuel.

Greg Merle, president of Riverview Energy, has stated his intentions to build multiple such refineries where coal is still present in the US, claiming that such plants would revitalize the industry and provide ultra low sulfur diesel for the shipping industry. Dale is hundreds of miles from the nearest port.

Stopping this refinery is especially urgent as the need to transition away from burning fossil fuels is more severe than ever to prevent global climate breakdown. If built, this refinery would annually add about 14 million tons of CO₂ and other toxins into the atmosphere.

On June 8, 2022 — two days before Riverview Energy's already extended air permit expired — workers cleared a tiny square of a huge cornfield and began construction of a tiny "guard shack" on the proposed 500+ acre field in Spencer County. However, Riverview has not yet purchased even that little piece of land; a hopeful landowner permitted the construction.



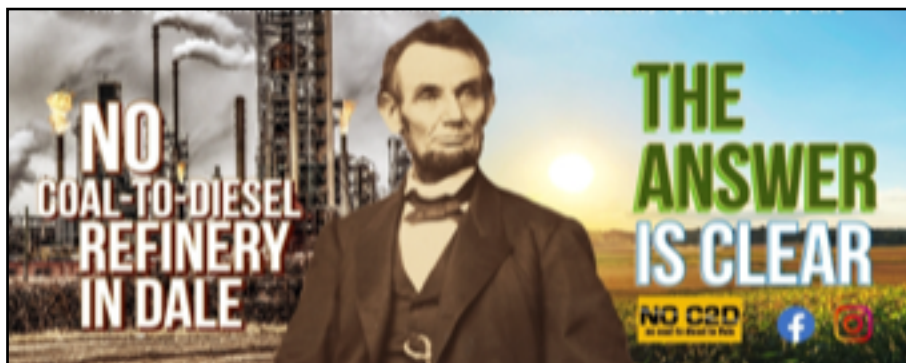
photo by Rock Emmert

Citing provisions in the Clean Air Act, SWICQL and Valley Watch question the integrity and legality of the Indiana Department of Environmental Management (IDEM) allowing Riverview to call such a tiny building "commencing construction" of such a huge industrial facility. The guard shack is finished, but no refinery site plan has been submitted to local or state authorities, and no work on the refinery itself has begun in the subsequent months.

In a legal hearing in the Marion County Superior Court in Indianapolis, on August 30, 2021, SWICQL and Valley Watch, represented by Earthjustice, appealed IDEM's granting of Riverview's air quality permit. A year later, the judge has yet to rule. The groups have also petitioned the EPA to review and reconsider its prior Trump-administration endorsement of the permit and are awaiting a decision from current EPA authorities.

Riverview has in the meantime been trying to find a source for the large daily volume of water the refinery would need to operate. In the fall of 2021, the nearby town of Santa Claus issued a memorandum of understanding to Riverview stating that, if the company wants Santa Claus to secure the water, Riverview will need to pay Santa Claus the roughly \$350,000 for the preliminary engineering study. So far Riverview has not done so.

The grassroots groups and Earthjustice will remain vigilant and continue to monitor the situation. Citizens remain confident in the success of their effort to protect their communities from further sources of pollution. Spencer County already ranks in the worst one percent in toxic emissions in the US, according to the EPA Toxic Release Inventory. Yet, Indiana Governor Eric Holcomb and many local elected officials have praised Riverview's proposal, ignoring citizens' health concerns and regional healthcare professionals' warnings. Given Riverview's multiple unfulfilled promises and extended deadlines, citizens are hopeful that some of the original enthusiasm for the refinery may be waning.



This billboard greets motorists in the Dale area.

Does Hydrogen Have a Role in Our Energy Future?

by Matt Kelso, FracTracker Alliance



The Carbon Problem

EARTH — Humans continue to heat our planet with nearly unfettered emissions of greenhouse gasses to our atmosphere.

The most serious emissions come in the form of carbon dioxide (CO₂) and methane (CH₄).

According to the US Environmental Protection Agency (EPA), CO₂ accounts for about 79% of all human-caused greenhouse gas emissions in the United States, and most of that is derived from the combustion of coal, oil, and gas for energy and transportation purposes. Methane is the main product from gas drilling activities, and it is often associated with oil and coal deposits as well. Methane accounts for about 11% of greenhouse gas emissions in the US, but it also has a global warming potential 25 times higher than that of CO₂ over a 100-year timeframe. As enormous as the problem of CO₂ emissions is, these data point to methane being about three and a half times larger.

Carbon-Free Solutions

Understandably, the world is now frantically searching for energy sources that don't pollute carbon into our atmosphere in the form of CO₂ or methane. Nuclear power generates 19% of electricity in the US without carbon emissions, but the problem of waste disposal remains, as well as the threat of accidents such as Chernobyl and Fukushima. Hydroelectric sources create around 6% of our electricity and don't emit carbon, either, but they do have a substantial impact on the environment in other ways. Wind (9%), solar (3%), and geothermal (0.4%) power will continue to play ever-increasing roles as infrastructure continues to be built out, which will have to include energy storage solutions, among other things. Other than gigantic nuclear powered naval vessels and a few creative solar projects, however, none of these options have yet been shown the ability to work on mobile applications at scale.

Does Hydrogen Have a Role?

Hydrogen is a carbon-free and combustible fuel source that is starting to emerge as another important source of energy. Hydrogen can be produced from applying an electrical current to water with a dissolved electrolyte, such as table salt. This is hardly new technology, as the process was first discovered in 1789, by Jan Rudolph Deiman and Adriaan Paets van Troostwijk, just two years after the US Constitution was ratified and a few years before the invention of the carbon-spewing internal combustion engine that played a pivotal role in fueling the Industrial Revolution, and is largely responsible for our atmospheric carbon predicament as a result.

The resulting hydrogen gas could then be put in huge tanks for combustion when it is convenient, thereby solving some of the storage issues of renewable energy sources like wind and solar. What's more, hydrogen is portable, meaning that it can be used in mobile applications, such as cars, trucks, and heavy machinery. Unlike fossil fuels, it doesn't have other dangerous compounds associated with it, like benzene or radium.

Politicians at every level are energized about hydrogen as a fuel source, and billions of dollars have been set aside for the creation of a network of hydrogen hubs. So why are environmentalists concerned about it? It's because oil and gas companies have entered the hydrogen market like a wolf in sheep's clothing, threatening to scoop up all the clean energy incentives with what is essentially just a rebranded continuation of polluting fossil fuel extraction. Let's talk about it.

The Hydrogen Color Wheel

The process of water electrolysis discovered by Deiman and van Troostwijk can be done in a carbon-neutral way. By applying a clean energy source such as solar power, water molecules are split into hydrogen and oxygen molecules, resulting in zero carbon emissions. However, hydrogen gas can be produced in many ways. To distinguish this from other sources, hydrogen made from electrolysis via clean energy sources is known as green hydrogen.

In 2020, about 95% of hydrogen production was formed by fossil fuels in one way or another. These processes also have colors attributed to them in this hydrogen color scheme. Gray hydrogen is the most common method and is formed by methane reformation. In this process, steam heated to between 700° and 1,000° Celsius, along with a catalyst, converts the

IRA Climate Claims Raise Hackles, Hopes

Two views on a new federal bill



The Inflation Reduction Act (IRA) is a distraction from the need to declare a Climate Emergency, while allowing polluting industries to continue business as usual.

The IRA is a Trojan Horse

By co-opting the language and demands of environmental justice and frontline communities toward environmental and climate justice, the IRA is a wholesale package to distract the public from the inaction of the federal government and ensure our path to climate catastrophe. It does not adequately address the root cause of the climate crisis and ban extractive industries from exploiting the Earth.

Instead, it relies heavily on climate criminals to solve the interlinked climate and economic crisis. This will, however, perpetuate social injustice and intensify the planetary crisis.

The timing of the IRA is NOT a coincidence!

Despite persistent pressure to call for the federal government to declare a Climate Emergency, the Biden Administration has continued to delay urgent actions to address the climate crisis. Instead, they are pushing for a bill that would not only ensure the continued reliance on fossil fuels, but also exacerbate social injustice and climate change.

This bill does not absolve the President from the responsibility to declare a Climate Emergency.

The IRA increases the leasing of public land for fossil fuels extraction and production.

Instead of phasing out the fossil fuels industry, the IRA set up a quid-pro-quo framework where wind and solar development is tied to increased oil and gas leasing to build out fossil fuel infrastructure.

- Touted as “energy security,” for the next ten years, the IRA prohibits any offshore wind lease sales unless the DOI has held at least one offshore oil and gas lease sale within a year before the wind lease sale. The oil and gas lease sale must be at least 60,000,000 acres
- This is of particular concern for BIPOC communities, especially Alaska Native, communities in the Gulf South, coastal communities, and communities near federal-owned lands.

The IRA makes misleading Environmental Justice promises

The package promises to provide over \$60 billion in funding for “environmental justice priorities”. However, the bill offers no criteria for what qualifies as an Environmental Justice (EJ) provision. As a result, there is no clear way to verify the promised amount of investment. Moreover, a provision that has no positive impact can claim to have “EJ priorities”.

Furthermore, the language and scope of some the “EJ provisions” are framed in a way that risks perpetuating injustice to disadvantaged communities, particularly to Tribal Nations and Indigenous Peoples.

- Eligibility guidelines for EJ provisions allow corporations and large NGOs, detached from on-the-ground realities, to apply for the grants.
- Because receivers of the grants and funds are chosen on a “competitive basis”, NGOs backed by large corporations and polluters can apply with the resources to gain an advantage.
- The provisions do not establish a minimum or maximum number of grant recipients. This means that NGOs and for-profit companies with a competitive edge can acquire large chunks, or the entirety, of the available funds.
- Projects can be taken over by for-profit interests of investors even though they go through non-profit organizations.
- Application of “zero-emission” projects with the involvement of the private sector risks the proliferation of false solutions like CCS and

continued on page 16



by Amanda Shepherd
Sierra Club Hoosier Chapter

Many of us in environmental and justice spaces have been dreaming of legislation that addresses the ongoing climate crisis for decades. President Biden signed into law the Inflation Reduction Act on August 16, which includes provisions for many issues — climate among them. And I celebrated because it has been a long, slow, agonizing road to get to this point. As someone who has been working in this space for many, many years, I will admit that I was hungry for something — anything — that resembled a win. But as the past couple of weeks have passed and I have listened to others who exist in these spaces, I realize how deeply flawed this bill is. So I am coming to terms with holding two truths:

1. The Inflation Reduction Act is the largest investment in climate, justice, clean energy, and jobs, ever. It will help slash climate pollution in the US by an estimated 40% by the end of the decade. It supports critical programs to improve health care, and cleans up legacy pollution.
2. It is a deeply flawed bill, with provisions that will further harm frontline communities, particularly in the Gulf Coast. And it must not be the last step on climate. This should be the low bar — and we need to keep raising it because the stakes are immense.

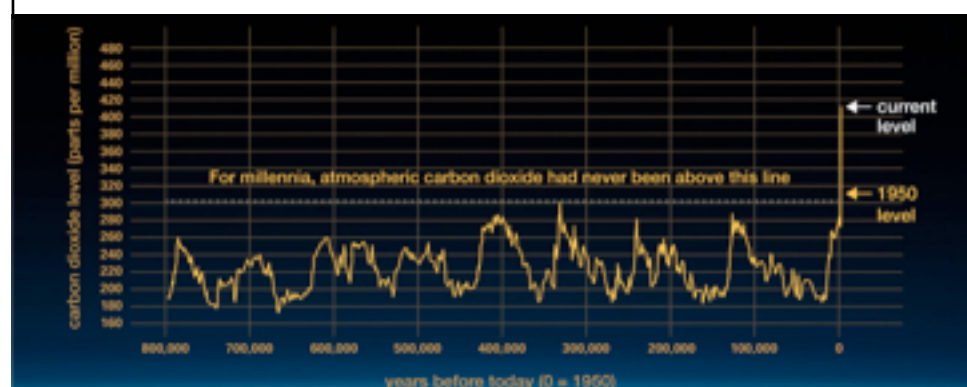
Among the many good climate and environmental justice provisions in the bill:

- Investment of hundreds of billions of dollars in tax credits for clean energy like solar and wind, clean transportation, decarbonized buildings, and clean energy manufacturing here in the US.
 - Methane Emissions Reduction Program, which will improve methane monitoring, fund environmental restoration, and help communities reduce the health effects of pollution and increase their climate resilience.
 - Funding for effective review and community engagement on proposed infrastructure projects under NEPA.
 - Funding for urban parks and resilience for tribal communities, new resources for Environmental Justice communities to clean up legacy pollution and for rural communities to take advantage of lower cost, cleaner energy sources.
 - New greenhouse gas reduction fund to provide low-cost financing for clean energy projects, with at least 60% of the benefits of these investments flowing to disadvantaged communities, in line with the president’s Justice40 commitments.
- Unfortunately, Democrats like Senator Manchin — a fossil fuel millionaire — along with the entire Republican Party fought to block investments in climate, care, jobs, and justice while catering to fossil fuel interests at the expense of frontline communities.

Let’s be very clear: it is absolutely unacceptable that oil and gas leasing provisions will be tied to clean energy development — reinforcing the outsized influence of fossil fuel interests on frontline communities who continue to be offered up as sacrifice zones. Black, Indigenous, low-income, and communities of color are out of time and need investment now.

The struggle for a more just world is a complicated, long-haul struggle. This act encompasses so much of our fight — holding within it both progress and setbacks. The path forward must see all of us showing up over and over again to demand more.

For the planet. For the people. And for our future.





Top: The IRA includes provisions to expedite permits for the Mountain Valley Pipeline. Outraged residents and Heartwood member groups vow to continue the fight to stop this project. Photo from Appalachian Voices.
Bottom: A climate rally in Washington, DC. Photo from internet. AP/UPI



IRA from page 15

goes in tandem with the push for ESG reporting in Sec. 60111: Greenhouse Gas Corporate Reporting. This gives corporations, not EJ communities, credit for implementing green energy projects to make “sustainability” claims.

The IRA funds false solutions

The great majority of the dressed-up climate provisions are investments into false solutions like CCS, nuclear, hydrogen, biofuels, and carbon trading. This bill continues where the *Infrastructure, Investment, and Jobs Act* left off by propping up the same harmful industries BIPOC and frontline communities have been fighting for decades.

The primary beneficiary of these provisions will be the fossil fuel industry, since they are major players within the development of these unproven technologies. Public money will be increasingly funneled to polluting companies through the expansion of the tax breaks and tax credits.

The IRA financializes carbon

The IRA is setting up legislative infrastructure to support a carbon market for carbon offsets. Carbon offsets are bought by fossil fuel and other private industries to falsely claim they are “net-zero” or “carbon neutral”. The first step to build a carbon market is to measure the carbon.

Not surprisingly, provisions on agriculture award investments to projects that quantify carbon and continue the work of setting up agriculture carbon offsets called “climate-smart agriculture”. The provisions on forestry aim to increase funding for the “participation of underserved forest landowners in emerging private markets for climate mitigation or forest resilience...”. The “emerging private markets for climate mitigation” are to be used to prop up carbon markets that benefit the fossil fuels industry. This is neither environmental justice nor climate mitigation.

For further analysis into the IRA and its impact on environmental and climate justice, visit IENearth.org.

Hydrogen from page 14

methane molecules to hydrogen carbon monoxide (CO), and CO₂. The poisonous CO gas is then reacted with water, producing more hydrogen and CO₂. In gray hydrogen, all this carbon dioxide is released to the atmosphere, contributing to our climate problems.

Blue hydrogen is the exact same as gray hydrogen, except that the oil and gas industry promises to sequester the CO₂ gas in the former case. Unfortunately, this promise is riddled with problems. For one thing, it still relies on the same energy intensive processes of drilling and fracking to get the methane in the first place. Each well will still require thousands of diesel-belching truck trips, thousands of tons of sand transported from mines in the upper Midwest, millions of gallons of water, and more.

Uncounted Emission Sources and Loss of Natural Carbon Sinks

The gas will still have to travel through a network of millions of miles of leaky and accident-prone pipelines, powered by a network of polluting compressor stations that emit an estimated 50.7 billion cubic feet of methane per year just from transmission lines.

These pipelines travel through a variety of terrain – in the US, about 36% of the land is forested and averages 81 metric tons of carbon per acre. Whether through decay or combustion, almost all of this carbon will eventually combine with oxygen and wind up in the atmosphere as CO₂, increasing in weight by a factor of 3.67, meaning that each acre of forested land that is cleared will add around 297 metric tons of CO₂ to the atmosphere, on average. Additionally, that area will no longer act as a carbon sink. On average, US forests remove an average of 0.84 metric tons (1,852 pounds) of carbon dioxide every year from the atmosphere, which is taken offline with infrastructure construction.

At a minimum, transmission and gathering lines require that a 50-foot right-of-way be cleared, with some pipelines being three to four times that width. This means that on average, a one-mile stretch of pipeline with a minimum right-of-way through forested land will cost 1,800 metric tons for the one-time cutting, and 5 metric tons every year thereafter.

All of the above describes atmospheric carbon emissions that are not being avoided by continuing to use fracked gas a source for methane. We still must account for the process of getting the steam super-heated to between 700° and 1,000° Celsius. Then we have to account for new pipelines and infrastructure for CO₂, essentially repeating the cycle with gas pipeline leaks and incidents, this time with CO₂ instead of methane, and the same clearing costs and carbon sink removals as before, for a massive proposed network that is almost entirely yet to be built.

And then what do we do with all of that sequestered CO₂? Of the 230 million metric tons of carbon dioxide (MtCO₂) currently sequestered, chemical fertilizer uses the most, at 130 MtCO₂. Second place goes to oil and gas, with 70-80 MtCO₂. CO₂ is injected in one well to help push hydrocarbons to a different well to increase production yields in a process called enhanced oil recovery, thus continuing the carbon extraction cycle. The industry advertises that 90-95% of that CO₂ stays underground, meaning that 5-10% of it does not, eventually finding its way to the atmosphere.

Conclusions

It is our view that the prospect of clean green hydrogen is being used as a bait-and-switch tactic to get people (and politicians who control the purse-strings) excited about hydrogen. As always, it is important to follow the money, and see who is getting these tax breaks. In the early going, it seems to be dominated by oil and gas extraction companies armed with equations that on paper point towards improved carbon emissions over current practices, but don’t consider the convoluted, carbon-heavy steps along the way necessary to produce this hydrogen gas.

Nor does it consider the inefficiency of the process. In a recent peer-reviewed publication, authors Robert Howarth and Mark Jacobson note:

While carbon dioxide emissions are lower, fugitive methane emissions for blue hydrogen are higher than for gray hydrogen because of an increased use of natural gas to power the carbon capture. Perhaps surprisingly, the greenhouse gas footprint of blue hydrogen is more than 20% greater than burning natural gas or coal for heat and some 60% greater than burning diesel oil for heat, again with our default assumptions.

And lower energy efficiency means even more fracking than before.



photo courtesy FracTracker Alliance

Modern Technology and the Sunshine Act

Government Accountability in a Post-Covid Era

by Lena Constable



Following the Watergate Scandal in 1972, the federal, state, and local governments were looking to instill trust by increasing transparency and accountability through regulation. The Federal Sunshine Act was passed in 1976 to combat the distrust of the government and foster cohesion throughout the country. This Act states that, “every portion of every meeting of an agency shall be open to public observation.” While there are exceptions, most government agency meetings are subject to Sunshine Laws, which vary by state. For example, in Ohio, a public body must give notice of the time and place of its meetings, the meeting must be open for the public to attend in person, and the public body must promptly prepare, file, and maintain meeting minutes, making them available to the public.

In April 2020, COVID-19 lockdowns indefinitely suspended many Sunshine Laws throughout the country. Courtrooms began to hold virtual hearings and trials over telecommunication platforms like Zoom, Skype, and Teams. Public bodies were no longer required to hold in-person meetings, hearings, and trials; rather, many public meetings and hearings became virtual. While numerous states have reinstated their Open Meeting/Sunshine Laws, others have continued to utilize telecommunications and hold most of their meetings, trials, and hearings virtually.



Photo courtesy Fair Shake Legal Services

Virtual meetings can increase access to many in the community, eliminating many transportation, financial, and time barriers. However, this sentiment was not shared equally due to lack of reliable internet access. For instance, more than 300,000 households in Ohio (1 million people) lack access to high-speed internet. Additionally, West Virginia is ranked 45th out of the 50 states in the United States for broadband penetrations with 30% of its residents living without broadband access.

Today, information released on virtual platforms notifying the public about important health and safety issues struggle to reach rural communities with limited broadband access, posing a threat to public safety.

As a result of this lack of internet access, the shortcomings of civic engagement in federal, state, and local environmental agencies are more prevalent than ever before. Attorneys, engineers, and public officials have hundreds, if not thousands, of environmental compliance violation cases coming across their desks every

year, making it easy for cases to go unattended. Internet access allows interested parties to file an online complaint, track the progress of their complaint, and contact attorneys, engineers, and public officials to ensure their complaint is investigated, a difficult task to accomplish with limited internet access. Additionally, environmental compliance violation cases are time-sensitive. Therefore, the longer these environmental compliance violations sit on dockets and wait to be heard by judges, there is increased likelihood that there will be irreversible environmental damage and long-term health complications. Ground water contamination, exposure to PM2.5, asbestos, and surface water contamination from oil spills are examples of environmental issues that create detrimental effects if not attended to promptly. It has now become increasingly important for people to protect themselves and their communities from dangerous and burdensome environmental hazards.

A report drafted by the United National Environment Programme in 2019 states, “While environmental laws have become commonplace across the globe, too often they exist mostly on paper because government implementation and enforcement is irregular, incomplete, and ineffective.” Due to the exponential growth in environmental regulations, governmental transparency has become increasingly important. However, federal, state, and local environmental enforcement agencies lack the necessary resources to require sufficient compliance. Many agencies struggle to foster the necessary coordination across government activities, rarely engage in public involvement, have weak institutional capacities, and are severely underfunded. These shortcomings are why it is essential for civil society to continue holding government agencies accountable, a task only possible through enforcement of Sunshine/Open Meeting Laws and equal access to knowledge and information – for those with and without broadband access. Improvements to environmental regulations and enforcement begins with civic engagement, often enabled by Sunshine Law compliance.



Matt Peters holds a government agency accountable. Can a virtual meeting replace the range of experience that public testimony in person provides? Photo by Brian Conway/PublicSource.org

Victory for Democracy and the Environment in Georgia



by Rita Frost

ADEL, GA — Residents of Cook County and advocates of free speech everywhere won a big victory in Georgia when the Georgia Environmental Protection Division (EPD) announced they will begin holding public comment periods on “synthetic minor” air pollution permits. This is the first time that EPD will hold comment periods for these permits in more than 20 years.

This is a victory for basic democracy.

The Georgia public finally has a chance to comment on proposed permits. Public comments can make the permitting process more fair and democratic. Individual comments can inform agency policy choices. This may help them change course before it's too late.

Heartwood joins our partners in Georgia to celebrate this important announcement. Dogwood Alliance, Environmental Integrity Project, Concerned Citizens of Cook County, Georgia Interfaith Power and Light, and several other close allies have been pushing the Environmental Protection Division. Since 2020, we've been demanding that GA EPD include comment periods for synthetic minor air pollution permits.

This is a victory for our communities and will lead to victories for our climate and forests.

The wood pellet biomass industry often needs these synthetic minor air pollution permits. In a cluster, so-called minor sources can have a large impact on air quality. In the Southeastern United States, industrial facilities set up shop in marginalized communities of color. Now communities will be able to give their own views. This brings more voices to the decision-making table. GA EPD's response will finally take into account the public view on these types of permits.

This victory is because of the tireless work of advocates. This decision brings us closer to a vision of environmental justice.

But the fight isn't over. In the same announcement, the GA EPD opened a comment period for the Spectrum Energy wood pellet production facility. Spectrum Energy hopes to build a 1.32 million ton production facility in Adel, Georgia. If built, it will be the largest wood pellet manufacturing facility in Georgia. It will lead to clearcutting 31,680 acres of Georgia forests per year, in a region where industrial logging is already bombarding forests.

This facility will also be a disaster for our climate. Wood pellets this facility produces will be burned in Europe for energy. That burning will add thousands of tons of carbon dioxide to the atmosphere, equal to 472,683 cars on the road.

Residents in Cook County will face air pollution like particulates, carbon monoxide, nitrogen, and hazardous air pollutants. This sort of air pollution causes many health harms, from asthma attacks to cancer to heart attacks, resulting in emergency room visits, hospitalizations, and premature deaths. Furthermore, wood pellet producers like Spectrum Energy promise jobs and prosperity to local communities, but these promises have never panned out. Poverty rates in many areas where there are wood pellet facilities are stagnant or have even increased since these facilities came to town.

It's time to take advantage of this new opportunity to raise our voices!

The Shawnee National Park and Climate Preserve



An Executive Summary

ILLINOIS — Situated at the juncture of five natural divisions, the Shawnee National Forest contains some of the most outstanding natural features found in Illinois, including 90 Illinois Natural Areas Inventory Sites, approximately 29,000 acres of designated Wilderness, four National Natural Landmarks, and a National Historic Trail, the Trail of Tears. At 289,000 acres in size, the Shawnee represents the largest single ownership of land in the state.

Mature forests, including eastern deciduous forests, provide the best-known mechanisms available on land for mitigating climate change through sequestration and storage of atmospheric carbon. The largest and best examples of mature forests in Illinois are found on the Shawnee. Studies now show that logging greatly contributes to the nation's release of climate-changing carbon dioxide.

The US Department of Agriculture Forest Service, which manages the Shawnee, has recently issued decisions to commercially extract timber off more than 9,000 forested acres, with more logging proposals in various planning stages. Future exploratory drilling for oil and gas is a distinct possibility for the Shawnee.

The USDA Forest Service manages natural communities with a mandate of sustaining "productivity", while the National Park Service has a mandate to preserve natural and cultural resources as "unimpaired". Creating the Shawnee National Park and Climate Preserve would involve an Act of Congress to transfer this existing federal land out of the US Department of Agriculture's oversight and into that of the US Department of Interior Park Service.

The National Park Service System Plan identifies numerous gaps of unprotected and underrepresented natural resources and ecosystems that should be considered when new areas are being proposed for addition into the national park system. The Shawnee contains several such natural resource components and ecological functions. The Shawnee's central location along the Mississippi Flyway and its diverse natural communities provide important migratory stopovers for avian species. The Shawnee's varied geology and aspects as well as mild climate also contribute to its rich plant and animal diversity. These unique natural resource components support key ecological functions in a variety of ecosystem types which should help fill some underrepresented natural resource gaps for future units of the National Park System.

National Preserves are areas often associated with national parks, where Congress permits expanded recreational opportunities, including continued public hunting, trapping, fishing, and backcountry camping, among other traditional uses.

A National Climate Preserve is a new concept of preserving areas where forests grow as intact ecosystems, free from CO₂-releasing activities such as logging, mining, and drilling. This "proforestation" approach encourages carbon sequestration and storage, helping to stabilize atmospheric CO₂ levels, thereby reducing climate change, while continuing to provide ample recreational activities. The Shawnee deserves to be the 64th National Park, and the nation's first Climate Preserve.

For more information, visit shawneeforestdefense.org.



Photo by John Wallace

Impacted Communities Demand Governor Cooper Stop the Expansion of the Wood Pellet Industry



by Scot Quaranda

AHOSKIE, NC – On August 16, North Carolina's Department of Environmental Quality's Division of Air Quality held a public hearing on the draft Title V air permit renewal for Enviva Pellets, LLC's wood pellet manufacturing plant in Ahoskie. Enviva is requesting permission to increase production of wood pellets at its facility from 481,800 tons to 630,000 tons per year. This massive increase means more forest destruction, more dangerous truck traffic on rural roads, and more dust pollution.

"I pass the facility every morning on my way to work, and I see the thick clouds of smoke on my way home from work in the afternoons," said Dr. Ruby A. Bell, an educator from the University of Mount Olive, at the hearing. She recalled visiting a member of the community who lives nearby the plant for about 20 minutes earlier in the month. "The next morning, I woke up with lots of mucus in my throat, coughing, burning eyes, and a runny nose."

The day before the hearing, the Impacted Communities Against Wood Pellets, a coalition of NC residents impacted by the wood pellet industry, held a press briefing to discuss their concerns.

"We are not anti-development, and we are not anti-investment," said Dogwood Alliance Director of Community Engagement Emily Zucchini during the briefing. "What we are pushing for is investment in clean jobs that don't make people choose between their health, their environment, and their livelihood."

At the meeting, the coalition explained that the state exports more wood pellets than any other in the nation. Enviva alone clearcuts 60,000 acres of forests in the state per year, which amounts to 164 acres every day. Also, the company has received nearly \$10 million in subsidies from the government, and Governor Roy Cooper's administration has continued to approve permits as well as the funding for the industry.

Because of a lawsuit filed in 2019, Enviva is also expected to install air pollution controls that will lower many harmful pollutants – however, not dust. Wood dust pollution has been linked to respiratory illness, heart disease, and cancer. Even with these controls, which should have been installed a decade ago, there is no safe level of these air pollutants.

Enviva has been operating without pollution controls since 2011. By operating without controls, Enviva has pocketed at least \$100 million at the expense of the local communities across all four of their plants in North Carolina.

Enviva already operates three other plants in North Carolina: in Richmond, Sampson, and Northampton counties. They also have a facility just across the border in Southeastern Virginia in Southampton County.

Photo courtesy Dogwood Alliance



Cross-Laminating Timber Construction

A Dangerous New Technology Consuming Forest Habitat



by Nataly Perez Manrique

The construction industry is one of the biggest polluters. They're one of the largest producers of solid waste in the world. They contribute between 33% and 39% of all

global greenhouse emissions. New materials and sustainable technologies are in high demand. One new possibility is mass timber or "cross-laminated timber" (CLT). But how much do we really know about CLT?

What is Cross-Laminated Timber?

Cross-laminated timber, or CLT, is a special type of manufactured lumber, also known as mass timber. It consists of layered lumber boards that are stacked, glued, and pressed into place. This manufactured wood product forms large wood panels that are used in floors, roofs, and walls. Manufacturers claim that this building material will help developers create wood construction multi-floor buildings.

Promoters push cross-laminated timber as a green alternative to concrete. After water, concrete is the most widely used substance on Earth. The concrete industry is one of the biggest producers of solid waste. For example in Brazil, construction and demolition waste represent between 50% and 70% of the total solid waste produced. Just take a look at Brasilia, Brazil's capital, which is sometimes referred to as the concrete city.

Is Cross-Laminated Timber beneficial for the environment?

Cross-laminated timber is starting to gain popularity in the United States. Its promoters say that CLT panels are a sustainable material and generate fewer carbon dioxide emissions. They say that CLT could replace concrete or other building materials. They also say that it requires less fossil fuel consumption during manufacturing, transport, and construction.

This would be true if the wood used to fabricate the CLT came from sustainably managed forests, or better yet from the enormous amount of lumber that goes to the landfill. Unfortunately, most of the wood used for CLT is harvested from forests that are not managed sustainably. CLT may incentivize logging more frequently and create even larger clearcuts.

What about the glue?

Boards that make CLT are glued together. The glue used in the production process gives off massive quantities of formaldehyde and other VOCs. These two substances are very dangerous pollutants. They're linked to cancer and other illnesses. For now, states don't have strong guidelines to ensure that chemical adhesives from CLT production will not endanger the health of people living close to those facilities.

CLT promoters claim that this material consumes less energy and its emissions are lower. One effective way to measure the energy consumption and emissions of a process is through a life cycle assessment (LCA). Currently, the data is still unknown as to how much CO₂ would be emitted in the logging, manufacture, and transport of the wood products used in the CLT production.

Also, emissions from the glue used in the CLT production haven't been accounted for the LCA yet. More detailed information needs to be collected to run a complete LCA. A complete life cycle assessment needs to happen before wood manufacturers can claim that CLT is good for the environment.

CLT is only beneficial to the environment if the wood used to produce it is logged sustainably. Forests in the US are not always managed sustainably, and certification schemes are little more than greenwashing. A complete life cycle assessment would also be critical to determine the real values of CO₂ emissions. In this case, having the full data would be decisive.

Does CLT have other potential risks?

It certainly does. There are two important risk concerns: fire risks and safety risks.

A fire resistance test on CLT was conducted, and the results showed that it would take around two hours before the fire reached the inner layers and destroyed the complete panel. Yet, many firefighters agreed that more fire testing is necessary to really determine how CLT would perform in the real world. For example, it's unknown how CLT would perform with a building full of synthetic materials like carpets, blinds, or particle board furniture.

In 2018 part of a CLT floor under construction collapsed after it "unglued". This incident raised concerns about the security of CLT. It's unknown to what extent the glue that binds CLT together is susceptible to water damage. Also, stress due to heavy weights can cause a CLT panel to crack.

The pressure causes inner layers in the panels to break down and separate, similar to what happened in the Florida condo complex that collapsed in June 2021 where engineers warned about cracked columns.

So what can we do about Cross-Laminated Timber?

Below you can find some actions you can start doing right away.

- Demand more research and studies about the life cycle assessment of mass timber buildings. Currently, the US Forest Service and several universities are conducting studies about mass timber but may not be as focused on the impacts that you care about.
- Request that companies that manufacture CLT secure certifications that ensure that the source wood comes from sustainable harvest practices.
- Contact your city council representatives. Demand that they require certifications before any investments of public funding in building projects that use CLT or mass timber building materials.
- Urge your local Department of Environmental Quality not to exempt CLT production facilities from pollution standards. We need to ensure that CLT production secures compliance with environmental and health standards.
- If you're buying wood products for construction, try to make sure they were sourced in a sustainable way. Remember, wood innovation doesn't necessarily mean good for you or the environment.

To fully determine the benefits and impacts of CLT in the environment, more studies and analyses must be conducted. That is the only way to define if this new material is sustainable and a possible solution to climate change. Otherwise, we'll be cutting down entire forests for nothing.

Photo courtesy Dogwood Alliance



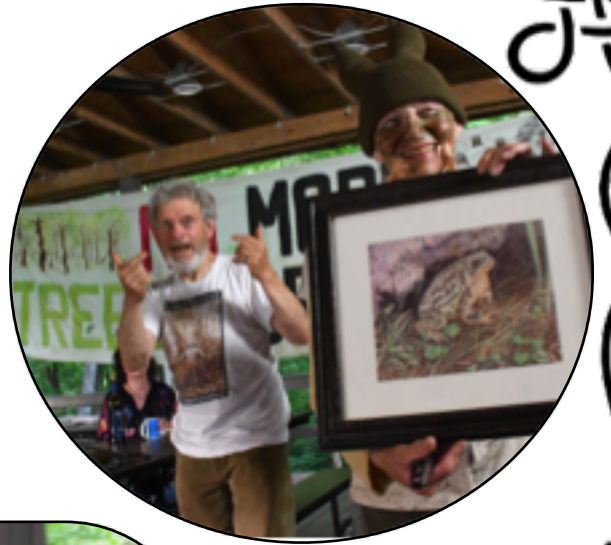


Above: John Blair, President of Valley Watch, gives the keynote address Friday evening.

Below: Council members Don Scheiber and Roberta Schonemann enjoy the moment.



Heartwood celebrated 30 years of defending places we love at our annual Forest Council event, held each year over the Memorial Day Weekend. This year's event was held at YMCA Camp Piomingo near Brandenburg, KY, surrounded by hundreds of acres of beautiful ancient forest on the bluff above the Ohio River. Gathering together after two years' hiatus due to the pandemic offered a time for renewal of spirit, and we hope these photos share a bit of that with you.



Above: Ernie Reed, auctioneer, and council member Corina Lang, costumed as the endangered Bluff Vertigo snail, a species endemic to the Bernheim Forest, live up the Live Auction.

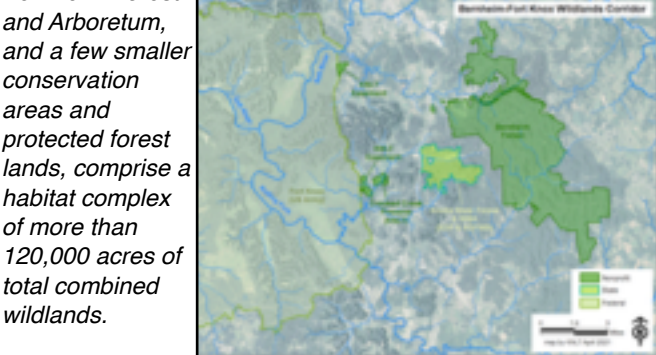


The weekend featured a panel discussion about the Bernheim Forest and a proposed pipeline that would sever a protected conservation area to provide natural gas to a Jim Beam distillery. From left to right, Council member and Bulleitt County resident Christy Collins; Andrew Berry, Director of Conservation for the Bernheim Forest and Arboretum; and Tierra Curry, senior scientist with the Center for Biological Diversity. Below: The view of the Ohio River.

Below: David Nickell, chair of Heartwood's Coordinating Council, and Sam Stearns of Friends of Bell Smith Springs, at one of the open air workshop discussions.



The forests at Camp Piomingo and the surrounding Otter Creek Recreation Area, along with those of the adjacent Fort Knox Military Reservation, the Knobs State Forest, the Bernheim Forest and Arboretum, and a few smaller conservation areas and protected forest lands, comprise a habitat complex of more than 120,000 acres of total combined wildlands.



Photos from the Forest Council event by Orin Langelle and Matt Peters

"Whoever knows how to speak with trees, whoever knows how to listen to them, can learn Truth."
~Herman Hesse

Please join us for the annual
Heartwood Reunion
October 7-9 at the Lazy Black Bear Lodge
See pages 10 and 11 for more



Louisville band Zu Zu Ya Ya gets us all dancing on Saturday night, as film maker Steve Taylor captures the event on film. Left to right: Karen Frailey, John Wallace, Steve Krichbaum, Corina Lang

