



**Unprecedented Threat to Our National Forest**

*by  
Kentucky Heartwood*

The U.S. House of Representatives is currently considering H.R. 2936, the deceitfully-named Resilient Federal Forests Act of 2017. The bill is sponsored by Representative Bruce Westerman of Arkansas, whose largest campaign donor is the timber industry. The Westerman bill truly represents one of the greatest threats to our public national forests since their inception. If you think our public lands should be more than lawless timber farms for the forest products industry, **please read on and then call your member of Congress.**

The bill is extensive, and can be read in its entirety and tracked at [Congress.gov](http://Congress.gov). Below we summarize some of the most concerning provisions that will directly affect Kentucky's Daniel Boone National Forest and Land Between the Lakes National Recreation Area.

**No environmental reviews for logging projects up to 10,000 acres**

The Westerman bill carves out a large number of "Categorical Exclusions" for logging projects on national forest lands. Categorical Exclusions, or "CEs," allow an agency to avoid environmental review under the National Environmental Policy Act (NEPA). What this means is that the Forest Service will be able approve logging projects, including clearcuts, up to 10,000 acres (and up to 30,000 acres in some circumstances) without performing an environmental assessment (EA) or environmental impact statement (EIS) to analyze and

disclose the effects of the project. Public notice and opportunities for public input will amount to a single 30-day comment period over an abbreviated proposal that may provide only a few pages of information. And that's it.

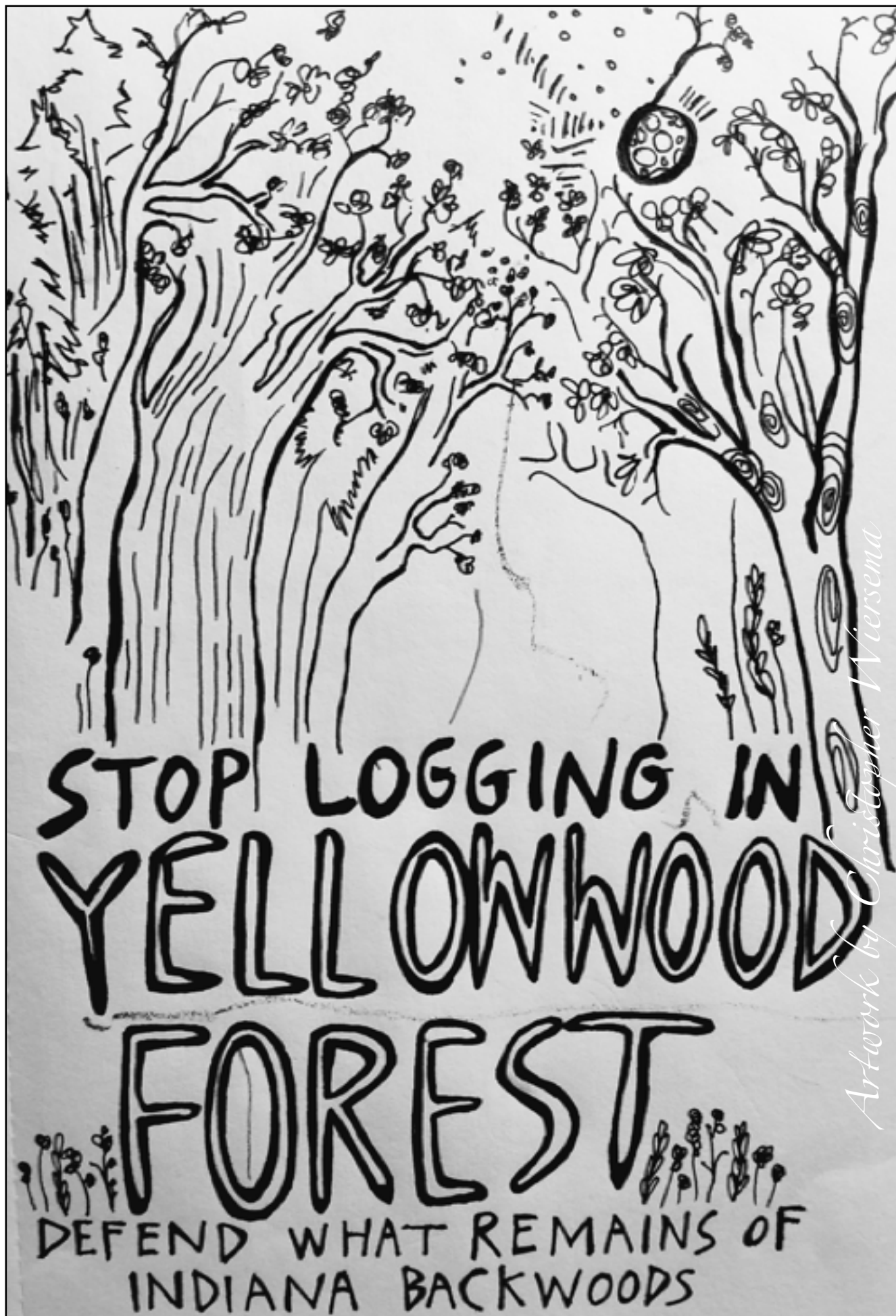
The authorities to use Categorical Exclusions under the Westerman bill are unbelievably broad, and include the purposes of "produce(ing) timber" and "creat(ing) early successional forests for wildlife habitat improvement and other purposes." Early successional habitat means clearcuts and other similar regeneration harvests. Categorical Exclusions are also granted for a wide range of thinning and salvage projects.

**Weakening endangered species' protections**

The bill does away with requirements under Section 7 of the Endangered Species Act that ensure the Forest Service and Bureau of Land Management consult with the U.S. Fish and Wildlife Service to determine if logging projects will negatively impact threatened and endangered species and designated critical habitat. These are crucial safeguards for protecting our most vulnerable species. In Kentucky this could affect the Indiana bat, Kentucky arrow darter, White fringeless orchid, and at least 24 other federally-listed threatened and endangered species that rely on national forest lands in the state. *(Continued page 16)*

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## Why Environmentalists Must Be Antifascists by Skyler Simmons, Earth First! Journal

In this age of Trump, with its rising white nationalism and escalating acts of terror against people of color, there can be no ambiguity when it comes to resisting white supremacists in particular and the Far Right in general. And the environmental movement is no exception.

Unfortunately environmentalists have long flirted with racist and even outright fascist ideas, from kicking out immigrants to totalitarian population control. It's time for the environmental movement to come out as an unequivocally anti-racist and anti-fascist movement. We must show that we are ready to defend human dignity and equality with as much commitment as we defend the Earth.

While many of us within the environmental movement have been taking collective liberation seriously for years, from chasing the Klan out of our communities to answering the calls from communities of color to embrace environmental justice, our movement as a whole has done too little to challenge the racist tendencies both within environmentalist circles as well as society at large. It is time we take seriously the threat posed by racism and the Far Right, and firmly position anti-fascist organizing side by side with our efforts to defend Mother Earth.

### Climate Chaos, Destabilization, and Fascism

Ecological destruction, most notably in the form of global climate change is causing massive disruptions to both ecological and human systems. These disruptions are creating scarcity in the essentials of life like food and water. These scarcities lead to famine, war, and migration, which prepare the ground for a politics of fear that psychopaths like Trump have successfully capitalized on. Many journalists have already pointed out that [climate change was a major factor](#) in creating the conditions for war in Syria. The Syrian war, along with the general destabilization across the Middle East, has led to what many are calling the largest human migration since WWII. It is this massive human migration, a large proportion of which happens to be Muslim, that has whipped up the racist nationalism of everyone from neo-nazi terrorist groups in Germany to the current President of the United States. This new grouping of fascists have ushered in a wave of extreme policies on immigration throughout Europe and the US as well as a shocking rise in rightwing terrorist attacks against people of color. A similar story can of course be found in Latin America with ecological crises in part fueling the massive influx of Latino migrants to the US.

It is impossible to separate the ecological crisis from the humanitarian crisis. We cannot ignore that these humanitarian crises are being used by the right to whip up their white nationalist base. As the effects of ecological meltdown continue to escalate, so will these human crises. It is important for those of us fighting the ecological crises to ensure that the response is one of liberation, not fascism.

### From Malheur to Pikeville: Resource Extraction and the Far Right

The business of resource extraction is not only brutal on the land; it also exacts a heavy toll on the communities that depend on these industries for existence. For a while the jobs are good and the money flows, but eventually the wells run dry, the mountains are mined out, and the trees are all gone. When this happens the corporations pack up and head home, along with all the profits, leaving the mining communities and logging towns with nothing but poverty, poisoned water, and ruined landscapes.

The Right has long done an excellent job exploiting the misery created by these predatory extraction industries by whipping up resentment against everything from environmental regulations to people of color in order to distract people from the real culprits, capitalism and greed. Unfortunately the Left, in its stereotypical elitist ways, has dismissed entire swaths of rural America as being inherently racist and reactionary, allowing the Far Right to go unchallenged in these areas.

We have seen these attitudes manifest in their most extreme with the armed standoffs instigated by the Bundy family and allied militia groups in both Nevada and Oregon. At the heart of both of these confrontations were demands to privatize public lands and to ensure private landowners' "rights" to abuse the land in any way they see fit in pursuit of profit. Like flies attracted to a steaming pile of illegally grazed cow shit, these standoffs attracted a broad swath of Far Right and racist groups including the Oath Keepers, 3 Percenters, and other militias who feed off the rural resentment fueled by the boom and bust cycle of resource extraction.

While these recent standoffs have not been explicitly about race<sup>[1]</sup>, there are others on the Far Right who are targeting poor rural areas dependent on resource extraction with white nationalist politics front and center. A neo-nazi group called Traditionalist Workers Party, led by Matthew Heimbach of Paoli, IN, has [announced] plans for a [two day conference in Pikeville, KY](#) at the end of April in an effort to unite an assortment of white supremacist groups under the banner of the Nationalist Front. It just so happens that Pikeville is a predominately white community where many are struggling to survive the poverty the coal industry has left them in. The TWP [attempted] to exploit the desperation found in this coal town and turn economic resentment into racial hate. In addition to a day of workshops, the TWP [held] a rally in downtown Pikeville for "white working families" in an attempt to spread their hate. We can expect to see more organizing attempts by white supremacists in communities like Pikeville as both Republicans and Democrats continue to fail to provide any real solutions for working class communities. [See also *Charlottesville terrorsim Aug 2017*]

As environmentalists who often find ourselves organizing in rural communities heavily impacted by extraction, it is imperative that we incorporate anti-fascist organizing into our work. We must counter these hollow attempts to organize communities hurt by the extraction industry into racist vigilantes. We need to actively confront racist groups when they come onto our turf as well as engage in long-term anti-racist organizing alongside our efforts to defend the land. (continued on page 5 )

## What Is Heartwood?

We are a network of individuals and frontline, grassroots organizations often in rural communities, who work together to share knowledge and experiences that help communities and people protect the places they love.

By mentoring, educating, sharing, and advocating for each other, we strive to create space at our Forest Councils and Reunions for people to feel comfortable and to heal from the ongoing compassion fatigue we experience from protecting our homes, our families, and our environment. We offer unique and valuable support to fellow activists.

**Join our family.**

## Heartwood Membership

Join Heartwood simply going to [heartwood.org](http://heartwood.org) and clicking on "Support" and selecting Individual or Group membership. Please follow the online instructions and select

- Individual... \$25 per year
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- Frontline Organizations, making less than \$25,000 yr... \$100 per year

**Planned Giving:** Heartwood is a donor-supported organization. We pride ourselves on our member base and the donations which sustain us. Grab a council member and talk with us about estate planning and arranging living wills, planned giving, insurance, and other methods. It is often advisable to consult an attorney before making the decision that best represents your wishes. Please consider Heartwood in your estate plans.

# Overwhelming Opposition to USDA Proposal to Legalize Genetically-Engineered Eucalyptus Trees

Well-Over a Quarter of a Million People Say NO to First-Ever GE Forest Tree

Global Justice Ecology Project

for more information visit [globaljusticeecology.org](http://globaljusticeecology.org)

New Zealand-owned tree biotechnology company, ArborGen faces near unanimous opposition to commercial deregulation of their genetically engineered eucalyptus trees. On July 5th, the US Department of Agriculture received over 280,000 individual comments, as well as comments from 500 organizations representing millions of people around the world, all opposing this deregulation. Only three comments were submitted in favor. This avalanche of comments came a mere 75 days after the USDA publicly released their draft Environmental Impact Statement (dEIS) on ArborGen's request for deregulation. The GE eucalyptus trees are engineered to tolerate freezing temperatures in order to greatly expand their growing range. The approval of these GE trees could set a precedent for future approval of GE forest trees such as poplar and pine.

In the dEIS, USDA downplayed or ignored significant risks posed by these novel GE trees. The agency conservatively predicts commercial GE eucalyptus plantations would cover over one million acres across seven southern states—from coastal South Carolina to eastern Texas. This would have devastating consequences across this region, which is home to some of the poorest counties in the country and some of the world's most biodiverse ecosystems. When comparing the dEIS with poverty statistics from the Bureau of Economic Analysis, GJEP (Global Justice Equality Project) discovered that 23 of the 100 poorest counties are targeted for GE eucalyptus plantations. Eight are in the top twenty. The region is already precariously threatened by climate change and sprawl.

In September of 2016, the U.S. Department of Agriculture designated seven northern Georgia counties as disaster areas because of farmer and rancher losses from drought. Droughts in Georgia and Alabama were comparable to the severe droughts in California. Combining devastating drought with plantations of water-sucking GE eucalyptus is a disaster waiting to happen.

Catastrophic wildfires in Portugal last June that killed dozens were directly blamed on eucalyptus plantations that comprise one-quarter of Portugal's tree cover. In January, Chile experienced the worst wildfires in its history. In both cases, eucalyptus monocultures—well-known for being extremely flammable and for depleting ground water—contributed to dry conditions that combined with heat waves to create the perfect setting for wildfires. The dEIS made no mention of climate change in its proposed approval of these GE eucalyptus trees.

GE eucalyptus is also being pushed for commercialization to help feed the skyrocketing demand for trees for biomass electricity.



Action area for the GE Trees. Figure from the USDA draft EIS, 4/2017

Not only is biomass a major polluter, but climate-stabilizing Southeastern forests are being decimated for the booming European biomass industry. GE eucalyptus plantations will escalate this deforestation.

USDA's assurances that GE eucalyptus will not escape into native forests are fatally undercut by the U.S.'s 30-year experiment with GE crops, which have escaped containment over and over again despite industry and USDA claims they would not. Eucalyptus is already highly invasive, and GE trees are even more likely to escape and spread than GE crops, given their longer lives, pollination distances, and unpredictable changing conditions that can occur over their lifespan.

Beyond ecological impacts are effects on local communities that would result from these GE eucalyptus plantations. "GE eucalyptus trees exemplify the unjust and unsustainable forestry model," explained BJ McManama of Indigenous Environmental Network. "There are already hundreds of documented human rights abuses resulting from unchecked expansion of eucalyptus plantations in Central and South America. Indigenous and traditional communities are poisoned by exposure to deadly chemicals and, in some cases, are violently evicted from their ancestral lands. These abuses demonstrate the forest industry's blatant disregard for both people and the environment."

Public opposition to GE eucalyptus has been consistent and strong. In February of 2013, the government released the results of ArborGen's GE eucalyptus petition for public comment—10,000 to one opposed the GE eucalyptus trees. This was followed by the then largest-ever protest against GE trees at the Tree Biotechnology Conference in Asheville, NC. In April of this year, the USDA finally made public their draft findings recommending approval of ArborGen's petition, which elicited hundreds of thousands of comments rejecting GE eucalyptus trees in the U.S.

The dEIS itself highlights public opposition as creating investor risk:

*"An additional source of risk that extends beyond the scope of this study is the risk of some public backlash against the planting of genetically modified trees. This societal risk could affect investment choices in the same fashion as biophysical risk—i.e., increased risk would reduce the rate of adoption."*

Perhaps because of this, on June 29, both International Paper and WestRock sold their pieces of ArborGen to New Zealand-based Rubicon, making it the sole owner of the company.

## Action Area for GE Eucalyptus

- |  |   |   |  |  |
|--|---|---|--|--|
| <b>Alabama</b><br>Baldwin<br>Geneva<br>Henry<br>Houston<br>Mobile  | (Florida Cnt'd)<br>Orange<br>Osceola<br>Pasco<br>Polk<br>Putnam<br>Santa Rosa<br>St. Johns<br>Sumter<br>Suwannee<br>Taylor<br>★ Union<br>Volusia<br>Wakulla<br>Walton<br>Washington   | (Georgia Cnt'd)<br>Effingham<br>Emanuel<br>East Baton Rouge Louisiana<br>East Feliciana Parish<br>Evans<br>Glynn<br>Grady<br>Irwin<br>Jeff Davis<br>● Lanier<br>Lee<br>Liberty<br>■ Long<br>Lowndes<br>● McIntosh<br>Miller<br>Mitchell<br>Montgomery<br>Pierce<br>● Pulaski<br>● Randolph<br>Screven<br>Seminole<br>Tattnall<br>★ Teffar<br>Terrell<br>Thomas<br>Tift<br>Toombs<br>● Treutlen<br>Turner<br>Ware<br>Wayne<br>★ Wheeler<br>● Wilcox<br>Worth | (Louisiana Cnt'd)<br>De Soto Parish<br>East Baton Rouge Louisiana<br>East Feliciana Parish<br>Evangeline Parish Louisiana<br>Grant Parish<br>Jefferson Davis<br>La Salle Parish Louisiana<br>Livingston Parish Louisiana<br>Morehouse Parish Louisiana<br>Natchitoches Parish Louisiana<br>Ouachita Parish<br>Rapides Parish<br>Richland Parish<br>Sabine Parish Louisiana<br>St. Helena Parish Louisiana<br>St. Landry Parish Louisiana<br>St. Tammany Parish Louisiana<br>Tangipahoa Parish Louisiana<br>Vernon Parish Louisiana<br>Washington Parish Louisiana<br>West Carroll Parish Louisiana<br>West Feliciana Parish Louisiana<br>Winn Parish | (Mississippi Cnt'd)<br>Wilkinson County Mississippi  |
| ● Dixie<br>Duval<br>Escambia<br>Flagler<br>Franklin<br>Gadsden<br>Gilchrist<br>● Glades<br>Gulf<br>● Hamilton<br>Hernando<br>Highlands<br>Hillsborough<br>Holmes<br>Jackson<br>Jefferson<br>● Lafayette<br>Lake<br>Leon<br>Levy<br>● Liberty<br>Madison<br>Manatee<br>Marion<br>Martin<br>Nassau<br>Okaloosa<br>Okeechobee | <b>Georgia</b><br>Appling<br>● Atkinson<br>Bacon<br>Baker<br>Ben Hill<br>Bernin<br>● Brantley<br>Brooks<br>Bryan<br>Bulloch<br>● Calhoun<br>Camden<br>Candler<br>● Charlton<br>Chatham<br>Clay<br>Clinch<br>Coffee<br>Colquitt<br>● Cook<br>Crisp<br>Decatur<br>Dodge<br>● Dooley<br>Dougherty<br>Early<br>● Echols | <b>Louisiana</b><br>Acadia Parish<br>Allen Parish<br>Avoyelles Parish Louisiana<br>Beauregard Parish Louisiana<br>Caddo Parish<br>Calcasieu Parish<br>Caldwell Parish<br>Catahoula Parish   | <b>Mississippi</b><br>Adams County Mississippi<br>Amite County Mississippi<br>Claiborne County Mississippi<br>Forrest County Mississippi<br>Franklin County Mississippi<br>George County Mississippi<br>Hancock County Mississippi<br>Harrison County Mississippi<br>Jackson County<br>Jefferson County<br>Lamar County<br>Lawrence County Mississippi<br>Lincoln County Mississippi<br>Marion County Mississippi<br>Pearl River County Mississippi<br>Pike County Mississippi<br>Stone County Mississippi<br>Walthall County Mississippi  | <b>South Carolina</b><br>Bamberg<br>Beaufort<br>Berkeley<br>Charleston<br>Colleton<br>Dorchester<br>Georgetown<br>Hampton<br>● Jasper<br><br><b>Texas</b><br>Anderson<br>Angelina<br>Cherokee<br>Grimes<br>Hardin<br>Harrison<br>Houston<br>Jasper<br>Jefferson<br>Liberty<br>Montgomery<br>Nacogdoches<br>Newton<br>Orange<br>Panola<br>Polk<br>Rusk<br>Sabine<br>San Augustine<br>San Jacinto<br>Shelby<br>Smith<br>Trinity<br>Tyler<br>Walker |

Counties listed are in the Action Area. Those with a ★ are the top 5 poorest counties, ■ denote counties in the top 20, ● are in the top 100 poorest counties.

## The New Ecofascism

*(Continued from page 3)* Though most of the Right is dead set on militantly resisting any and all efforts to protect the environment, there is a new current in the world of rightwing politics that gives “ecofascist” a whole new meaning. It is well documented, though not necessarily well known, that elements of the German Nazi party had a warped environmental ethic that equivocated protecting the environment to strengthening the “Fatherland”. I’ll spare you the finer points of Nazi ecology, but to get to the point, there is a growing element of the Far Right that is dredging up this forgotten Eco-fascism and bringing it into the modern era. There are now many Neo-Nazi groups that dabble in paganism and nature worship under the guise of reconnecting with their European roots. And some white supremacists groups are taking the radical environmentalist concept of bioregionalism, and warping it into an excuse to create all white enclaves. This vein of fascist thought is most prominent in the Pacific Northwest, or Cascadia as leftwing bioregionalists have long called it, where groups like The Northwest Front and Cascadian Nationalist Resistance seek to appropriate the bioregionalist concept for their fascist ideals. In another example that I recently came across, among all the Traditionalist Workers Party’s racist propaganda, one can find a slick, “Support Renewable Energy” flyer that looks like it could have come straight from the Sierra Club. The world gets stranger every day.

Given environmentalism’s complicated history with white supremacy, and the current climate of armed anti-environment extreme Right militias rising side by side with the attempted cooptation of the environmental movement by some elements of the white supremacists movement, we have no choice but to be explicitly anti-fascist environmentalists. Knowing that the Far Right is using the human collateral damage from ecological crises to whip up their racist base, there must be no ambiguity when it comes to our message of collective liberation. We cannot allow racists to co-opt our efforts to defend the Earth. Nor can we allow the Far Right to continue to go unchallenged in rural areas. This is a call to environmentalists to position ourselves as firmly antifascist.

- **Support the people of Appalachia who have organized against the TWP’s hate gathering in Pikeville, KY. And get organized against other gatherings when they happen in your community.**
- **Publicly condemn and distance yourself and/or your group from any environmental organizations that are anti-immigrant. Make it clear that these views aren’t part of the environmental movement.**
- **Support people-of-color-led environmental struggles. These groups often have less far less access to resources than the big Greens. Kick them down some money, show up to support their events, and amplify their voices by spreading word on the work they are doing on social media, etc.**
- **Engage in anti-racist outreach and organizing in the communities where you are doing environmental work. Don’t let the Right dominate the narrative in our communities. Check out [Redneck Revolt](#) and [Rural Organizing Project](#) to see a couple different approaches to rural anti-racist organizing.**
- **Keep an eye on local and national white supremacist groups so you know if and when they are attempting to organize in your community. If you can stomach it, take some time to read their propaganda so you have a better understanding of their messaging and how they are trying to organize. [Anti Fascist News](#) and [One Peoples Project](#) are both great resources.**

*(1) Though it’s hard to ignore the issue of race when an almost exclusively white group of armed men are talking about their “God-given right” to land stolen from Indigenous peoples of this continent, not to mention the white nationalist rhetoric that many of these groups embrace*

**“One final paragraph of advice:** do not burn yourselves out. Be as I am— a reluctant enthusiast...a part-time crusader, a half-hearted fanatic. Save the other half of yourselves and your lives for pleasure and adventure. It is not enough to fight for the land; it is even more important to enjoy it. While you can. While it’s still here. So get out there and hunt and fish and mess around with your friends, ramble out yonder and explore the forests, climb the mountains, bag the peaks, run the rivers, breathe deep of that yet sweet and lucid air, sit quietly for a while and contemplate the precious stillness, the lovely, mysterious, and awesome space. Enjoy yourselves, keep your brain in your head and your head firmly attached to the body, the body active and alive, and I promise you this much; I promise you this one sweet victory over our enemies, over those desk-bound men and women with their hearts in a safe deposit box, and their eyes hypnotized by desk calculators. I promise you this; You will outlive the bastards.” — [Edward Abbey](#)

## Eco-Blitz Update: Documenting Species Living in our State Forests before Logging

Indiana Forest Alliance

The Indiana Forest Alliance is completing a comprehensive survey of species present in the Back Country area of Morgan-Monroe/Yellowwood State Forest. This summer we are working to characterize the forest age and structure and surveying the species of lichen and moths present. The results of our forest characterization to date indicate that we are past the century mark with at least two magnificent tulip poplars over 150 years old and one northern red oak that’s been standing for over 140 years. An old growth forest is actually a mosaic of trees of different ages: as old giants fall, younger trees emerge in the openings.

We engaged lepidopterist, Dr. Leroy Koehn, to survey moth species using both bait traps and light traps. Moths are important forest pollinators and in the first month of sampling, we identified more than 600 species of moths.

At the same time, lichenologist, Dr. James Lendemer of the New York Botanical Garden, found a total of 108 lichen species present, 64 of which had not been previously reported in Indiana. Compared to surrounding states in the Great Lakes, Mid-Atlantic, and Mid-South regions, Indiana comes in dead last in terms of the amount of information known about lichen diversity present.

We also continue our work on beetles, bats, and birds. As typical of hardwood deciduous forests, there is a great diversity of insects. Dr. Glené Mynhardt and three lab assistants have been working full-time this summer to identify the vast collection of insect specimens collected in malaise traps last summer, when we identified a bat maternity roost. This season, our bat netting work has confirmed the presence of three rare bat species. We found a lactating female northern long ear, an eastern pipistrelle, and a juvenile male of the federally endangered Indiana bat. We also continue to document the nesting success of the state endangered cerulean warbler. Through meticulous daily tracking over the past several months, we were able to document fledglings both in and outside of the nest.

This fourth and final year of the EcoBlitz at this site has yielded remarkable findings so far. We want to thank all the volunteers who helped us with these surveys, especially board members Jim Jean and Curt Mayfield, who spent countless hours in the forest to help track bats and moths. If you’d like to volunteer to help with future survey work, please contact us. The final report for the EcoBlitz studies will not be available until the end of the year.

Check [indianaforestalliance.org](http://indianaforestalliance.org) for updates.

# HEARTWOOD FOREST COUNCIL 2017

If you were there, you know how much fun we had. If you weren't, we hope you'll join us next year in Pennsylvania. You can check all the photos online at <https://www.flickr.com/gp/heartwoodlove/66d872> Another big round of applause to all those who helped make the Strong Roots! Forest Council a great success! We couldn't have done such a great job without you!

The Co-sponsoring organizations: Allegheny Defense Project, Trevor Smith and Family, Indigenous Environmental Network, Dogwood Alliance, Buckeye Forest Defenders, Global Justice Ecology Project (GJEP), Wild Virginia, West Virginia Highlands Conservancy, Sierra Club Tennessee Chapter, Shawnee Forest Sentinels, RACE: Regional Association of Concerned Environmentalists, Southern Illinois Shawnee Audubon, Dave and Carol Howe of Junkyard Pottery, T. Payton and Carol Conyer, Gary Grisby, anonymous donors.

The folks at Camp Spring Creek: Susan and Steve. The farmers who grew the food: Cooper Creek Trout Farm, James at Ula Tortillas, Trager Brothers Coffee Co., Free Reign Farm, Ziegenwald Farm, Dominique's Garden, Hap Mountain Herbals, Double Tree

Farm, Salamander Springs, and Smoke Signals Baking School

The cooks in the kitchen: Seeds of Peace  
The bands: Carolina Wildcats and The Screaming J's

The beer: New Belgian Brewing Co. and home brewers everywhere

The planning Committee: especially Rodney Webb, and equally Sherman Banford, Corina Lang, Myke Luurtsema, Matt Peters, Coleman Smith, Tabitha Tripp, Christina Wulf.

The workshop presenters: Jimmy Betts • David Cooper • Perrin DeJong • Mark Dixon • Claire Hanrahan • John Johnson • Kevin Kamps • Steve Krichbaum • Orin Langelle • Andy Mahler • Joshua Martin • Davis Mounger • Anne Peterman • Dave Pike • Carol Posgrove • Ernie Reed • Coleman Smith • Danna Smith • Rodney Webb • Christina Wulf • Emily Zucchini

All the volunteer work-trade folks, and Coleman Smith for coordinating them all!

**“Strong Roots keep growing. They keep reaching further out, creating new roots. The energy and nutrients still pass from the farthest extremities through the old root structure and up the tree, supporting the whole organism- a part of the bigger community.”**

*~R. Webb*



Camp Spring Creek provided Heartwood with homestyle comfort and great meeting spaces that brought old friends and new together once again to discuss, learn, share, sing, play, and eat together. Sure the torrential downpour and power outage was memorable, but so was the Lorax. *Photo credit Becca Pollard*

## Become a Sponsor

We invite organizations and individuals to help co-sponsor our events, Forest Councils, and Reunions. Funds raised will be used to underwrite the event and make it affordable for those who might otherwise be unable to attend.

With generous sponsorships, we were able to assist 15 Forest Defenders with attending the StrongRoots! Forest Council.

Thank you for your continued supports in bringing the frontline/fenceline folks into the Heartwood Network .

### Sponsorship Opportunities:

**\$500 – Old Growth Sponsor – Organizational logo and recognition on posters, program and at the event; logo and link on Heartwood website and e-mail blasts; food and camping for two for the weekend; opportunity to introduce organization and self and tabling space.**

**\$200 – Secondary Old Growth Sponsor – Organizational logo on program and at event; food and camping for one for the weekend, tabling space**

**\$120 – Community Sponsor – Assistance in covering cost of attendance for low-income folks**

**\$100 – Keystone Species Sponsor – Program listing and shout out (and our deepest gratitude); tabling space**

**\$50 – Heartwood Organizational or Business Membership – Listing on program; tabling space (as available)**

All sponsorship levels include annual Heartwood membership, which includes these benefits:

- Link and logo on Heartwood Webpage
- Listing in Heartbeat
- Heartwood Forest Defense Network

Mail checks to:

Heartwood

PO Box 543, Tell City, IN 47586

For more information, send email to [info@heartwood.org](mailto:info@heartwood.org) or call

812-307-4326



# 22nd Heartwood Reunion, Oct 6-9, 2017



*John Wallace re-enacting John Muir beside the fire during 21st Reunion 2016.*

Please join us October 6-8th for the 22nd Annual Heartwood Reunion! Every October since 1995, activists from across the Heartwood region have convened at the Lazy Black Bear in Paoli, Indiana, for a weekend of food, music, workshops, and connection.

This year we are thrilled to welcome Ross Gay as our keynote speaker on Friday night. Ross teaches creative writing at Indiana University and is a founding board member of the Bloomington Community Orchard. He is the author of three books of poetry. His latest, *Catalog of Unabashed Gratitude*, was the winner of the 2015 National Book Critics Circle Award and the 2016 Kingsley Tufts Poetry Award, and it was a finalist for the 2015 National Book Award in Poetry. More information about Ross can be found at his website, [rossgay.net](http://rossgay.net).

Following Friday evening's keynote, it's time to dance! The music will start with Glitter Brains, a Bloomington-based "bubblegum" rock band that plays songs about spooky hikes, slime molds, magic, and nature. Then, Jefferson Street Parade Band will close out the night with their one-of-a-kind permutation of sounds and rhythms from New Orleans to Eastern Europe to West Africa. Get a sneak preview of these performances by visiting [glitterbrains.bandcamp.com](http://glitterbrains.bandcamp.com) and [jeffersonstreetparadeband.tumblr.com](http://jeffersonstreetparadeband.tumblr.com)!

All of this is in addition to usual fare of Opening Circle, workshops, the world-famous Heartwood No-talent Show, the silent and live auctions, and delicious meals cooked by kitchen wizard Carla Gresham, using the freshest, most local and organic ingredients available!

But we can't do this all on our own! We need lots help getting the Lazy Black Bear ready before the event. If you would like to sign up for work-exchange to help offset registration costs, let us know by emailing [michael.luurtsema@gmail.com](mailto:michael.luurtsema@gmail.com).

We are also looking for co-sponsors! Different levels of co-sponsorships are available to meet the needs of your group or organization. If you or your organization would like to be a Reunion Co-sponsor, you can also email [michael.luurtsema@gmail.com](mailto:michael.luurtsema@gmail.com).

As a reminder, the Lazy Black Bear is a **FRAGRANCE-FREE ZONE!** That means no scented lotions, laundry products, perfumes, hair care, etc. We also ask that you make other accommodations for your animal companions, as there are already an abundance and variety of animals that call this place Home. Thanks for your cooperation!

*Heartwood strives to be as inclusive as possible in all of our events. For more information, our "Safer Spaces" policy is available on our website.*

## Weekend Schedule

### Friday, October 6

- 3:00 pm: Registration opens!
- 6:00 pm: Farm to Table cooking by Carla
- 7:00-7:15 pm: Welcome and Introduction to the 22nd Heartwood Reunion.
- 7:30-8:30 pm: Keynote from Ross Gay
- 9:00- till close: Glitter Brains, followed by Jefferson Street Parade Band

### Saturday, October 7

- 7:30-9:00 am: Breakfast
- 8:45 am: Announcements
- 9:00-10:30 am: Opening Circle
- 10:45-12:00 pm: Workshops
- 12:00-1:00 pm: Lunch
- 1:00-5:15 pm: Workshops
- 6:00-7:00 pm: Dinner
- 7:30- ?? pm Heartwood Awards, Auction, and No-Talent talent show

### Sunday, May 28

- 8:00-9:00 am: Coffee Hour
- 9:00-10:30 am: Breakfast
- 10:15-11:45 am: Closing Circle
- 12:00-1:30 pm: Lunch



*Ross Gay, Keynote Speaker for 22nd Reunion 2017*

## REGISTRATION

**Please Pre-Register!** It helps us prepare sufficient food and a program that will fit your needs.

We have a limited number of **cabins and Airstreams**. Once they are gone, they're gone.

Pre-register online at [heartwood.org](http://heartwood.org), send an email to [info@heartwood.org](mailto:info@heartwood.org) or give us a call at **812-307-4326**.

**No one will be turned away for inability to pay.**  
Work exchange is available.

## What to Bring

- Layers of clothes and rain gear – with climate change weather is unpredictable these days!
- Camp chairs, sleep pads, pillows, cushion for outdoor seating, blankets.
- Bedding for cabins, towel, mug or travel cup, outdoor gear, water bottles, and flashlight.
- Auction items to donate for the Heartwood Auction (jams, preserves, posters, art and crafts, books, jewelry, etc.)
- Musical instruments, poetry, skits for Talent Show
- Special foods or snacks you might want
- Banners, displays, information about your organization
- Carpool! Carpool! Carpool! It's the cool thing to do!

## Work Trade

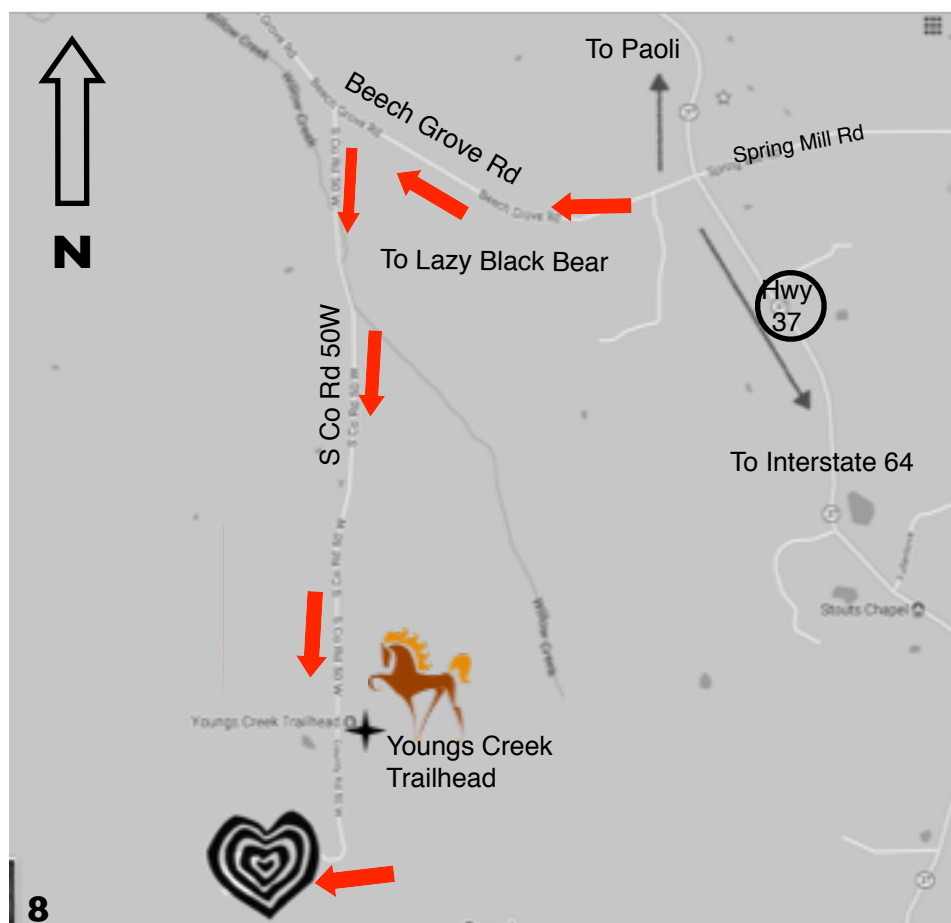
If registration costs are out of your budget, you can request a work exchange assignment. We have changed the program to include blocks of time PRIOR to the event for set up as well as after the event for clean up. You will receive \$10 per hour off your registration costs.

If you are unable to work or would like other options, we can also recommend places to camp off-site and encourage you to bring your own food.

## Accommodations

**Luxury Outhouse and Solar Showers,  
Car and Tent camping.**

**Register early for the off grid airstreams and cabins.**



## Forest Reunion Registration

### Heartwood Member Pricing

- \$95 Package: Full Weekend Heartwood Member Registration, tent Camping, all meals
- \$115 Package: Full Weekend Heartwood Member Registration, cabin, all meals
- \$120 Package: Full Weekend Heartwood Member Registration, Airstream glamping, All meals
- \$70 Two Day: Heartwood Member Registration, tent camping, 5 meals
- \$85 Two Day: Heartwood Member Registration, cabin, 5 meals

### Non-member Pricing

*(Special new or renewing membership \$20 available)*

- \$105 Package: Full Weekend Non-Member Registration, tent camping, all meals
- \$125 Package: Full Weekend Non-Member Registration, cabins, all meals
- \$130 Package: Full Weekend Heartwood Member Registration, Airstream glamping, all meals
- \$80 Two Day: Non-Member Registration, tent camping, 5 meals
- \$95 Two Day: Non-Member Registration, cabin, 5 meals
- Friday night Meal and a Show \$25 per person

If you have questions about these fees or want to register a child, please email [info@heartwood.org](mailto:info@heartwood.org)

## FYI

As a reminder, the Lazy Black Bear is a **FRAGRANCE-FREE ZONE!** That means no scented lotions, laundry products, perfumes, hair care, bug spray, etc. We also ask that you make other accommodations for your animal companions, as there are already an abundance and variety of animals that call this place Home.  
Thanks for your cooperation!

## Directions

Lazy Black Bear Lodge, 3875 S County Rd 50 W,  
Paoli, IN, 47454

Paoli is 50 miles south of Bloomington on Highway 37 and 50 miles west of Louisville, Kentucky, on US Highway 150.

**-From Paoli:** Go 2.5 miles south on Highway 37. At the first crossroads (watch for a brown and white sign that says: Hoosier National Forest Youngs Creek Horse Trail), turn right on CR 250 S. After you turn on C.R. 250 S: Go west 1 mile. Watch for another horse trail sign. Turn left (south) on County Road 50 W; go past the horse camp (one and a half miles). Go straight through the open gate to the Lazy Black Bear.

**-From I-64:** Take Highway 37 North exit to English. Go 13 miles past English. Watch for a brown and white sign that says: Hoosier National Forest Youngs Creek Horse Trail. Turn left on CR 250 S (look for blue & white mile-marker 52) then follow directions above.

Google map <https://goo.gl/maps/UaBqsm9jUr32>



# 8th Annual Ferdinand Folk Festival

Saturday, September 16  
11:30am-9:30pm ET  
Ferdinand, IN

The free, family and environmentally friendly festival, set in beautiful 18th Street Park, features nationally and regionally acclaimed singer-songwriters/musicians, artisan and food vendors, and environmental advocacy booths.

Children's activities include live theatre featuring Nicholas Oldland's story "Big Bear Hug", concerts, a nature program by The Talon Trust, a harmonica workshop, an opportunity to hold baby animals, playgrounds, and much more.

Adults can take part in songwriting and music workshops, yoga, multiple Tent Talks, and more.

Special features this year will include aerial circus dancers and giant nature-inspired puppets. Heartwood members will meet numerous other kindred spirits. For details, visit

[www.ferdinandfolkfestival.com](http://www.ferdinandfolkfestival.com)

## For Sale!

We have plenty of soft t-shirts for sale! **"Strong Roots!" Heartwood** T-shirt Get yours now before they are all gone. They are dark olive green with brown ink. Visit the website or send us an email.



## Auction Items

One of the ways we are able to keep on doing the "good work" is the Benefit Auctions at our events. Do you have art, handmade goodies, local craft beverages, honey, books, gently used camping gear, something special and unique that comes only from your hometown? All these things make great auction items, and we would be ever so grateful if you wanted to bring one to the next auction. Can't make it to Paoli? You can send us the items and we'll get 'em there.

## Beaver Cracker Plant

By Michael Badges-Canning, Marcellus Outreach Butler

If you've been following the news of late, you know that

- the Democrats have "saved" healthcare with the "heroic" efforts of three Republicans
- a recent study found that there is enough plastic waste floating around that, were it dumped on Manhattan, it would form a mountain two miles deep, and
- climate change is driven, in part, by methane (gas—the "clean" fossil fuel that, in the short term, is a more potent greenhouse gas than its "dirty" cousin, carbon dioxide).

What you may not realize is that these issues are woven into a "cracker" plant slated for Beaver County, PA.

We're not talking biscuits. In the gas industry, a cracker plant "cracks" the gas (methane) into its component parts and Royal Dutch Shell's cracker plant in Monaca will then turn out the building blocks of plastic—so we can buy more junk to pile onto Manhattan.

It will also produce 2.25 million tons of carbon dioxide per year, up to 484 tons per year of volatile organic compounds, 30 tons per year of hazardous air pollutants like benzene, toluene, and formaldehyde. The plant will also release 159 tons of particulate matter per year.

The air in Beaver County is already bad, earning an "F" from the American Lung Association. It would contribute to the already badly polluted air of the region. Pittsburgh is rated as the eighth worst region for air quality in the country, and air pollution is implicated in many serious health problems.

This plant will also institutionalize fracking in nearby counties, spawn pipelines, increase diesel spewing truck traffic, endanger ground water, and rob future generations of a stable and pollution free future.

How did we get here? Just like the healthcare debate, Pennsylvanians have been sold down the river by Democrats and Republicans. In many ways, the issues mesh nicely.

Obamacare was essentially a Republican plan written by the wasteful and profiteering insurance and PHARMA industries and the "replacement" proposed by Republicans was a meaner and nastier version written to benefit these same insurance and big-Pharma interests, the 1%.

The cracker plant was "lured" to Pennsylvania by \$1.65 billion-in-tax-credits over a 25 year period. Shell claims it will employ up to 500 workers. Those tax credits work out to about \$132,000 per year per employee for the next 25 years.

Our two most recent governors, Toxic Tom Corbett (R) and Toxic Tom Wolf (D) have been cheerleaders for the plant. "Jobs!" they yell. "Economic development, sustainable growth!" they scream.

What they don't verbalize is more telling.

- Sacrifice zones (communities decimated by extraction, health ruined, property values degraded) in fracked communities
- Pipeline construction and habitat destruction, eminent domain for private gain, and the industrialization of rural areas
- A degraded community around the plant
- Health fallout from both fracking and cracking

What's also not spoken is the "fracking" of our government by both Democrats and Republicans who have been bought and paid for by lobby money. Our Department of Environmental Protection (DEP, aptly called Don't Expect Protection) is, according to the PA Auditor General, underfunded, understaffed, and ill-equipped to handle its mandate. A recent Senate bill (with the support of Democrats and Republicans), no doubt hatched in industry offices, would, purportedly, close budget shortfalls by privatizing the permitting process—where, literally, "constables" will be deputized to give out drilling permits while the agency is defunded—in exchange for a 2% severance tax—a double whammy. Not only would "we" abdicate oversight of the industry, we'd institutionalize fracking because our budget for state services would depend on the revenue. The state budget also contains additional regressive proposals that raise taxes on essential services like utility and phone bills while remaining silent on taxing the corporations and wealthy.

Republicans have no qualms about being aligned with industry, but Democrats have hypocritically tried to paint themselves as advocates for the little guy.

Democrat Wolf wants to be a champion of healthcare while silent on the ravages and profiteering of health care insurance companies and never mentions the savings and benefits that would come if we had a single-payer health care system. His policies put communities throughout the Commonwealth in harm's way.

Wolf wants to be a climate hero, "The science of climate change is settled," he says, but he governs as if it didn't matter. To both medical professionals and climate experts who have warned him of the dangers of fracking (sent to his office by Pennsylvanians Against Fracking), Wolf has prattled, "I think it can be done safely."

The question is, "Safely for whom and at what cost?"

**"The air in Beaver County earning an 'F' from the American Lung Association."**

# Shell's Tactical Community "Meeting"

by Mark Dixon

Through slick tactics and a host of friendly-looking faces, Shell managed to turn a community "meeting" in Beaver into a sophisticated one-way propaganda delivery mechanism. I put the word "meeting" in quotes because it did not fit with my traditional conception of community meetings. A couple of attendees attempted to voice concerns via open dialogue in front of the entire audience, but they were quickly shut down by Shell's team as they directed attendees to take their questions to the various Shell-staffed booths in the back of the room.

Shell did not allow the public to voice concerns about a host of issues that many citizens wouldn't even know to ask:

- Why did Shell choose to swap NOx with VOC air pollution credits, which may result in a notable increase in VOC pollution if the plant begins operation?
- Will the Shell facility be able to operate at all if the global community takes the Paris Climate Agreement seriously and grows intolerant of the massive carbon emissions generated by the facility?
- Why does Shell seek to build a local facility based on fracked gas knowing that fracking has been banned in New York, Maryland, and Vermont? Does Shell believe that Pennsylvania deserves to be polluted more than our neighboring states?
- Shell indicates that their facility's emissions are "governed by state and federal regulations." Does that mean they will increase their emissions if regulations are weakened under the current presidential administration?
- Will Shell agree to 24/7/365 fenceline monitoring of all hazardous air pollutants in a manner that is conveniently accessible online by the public in real-time and separated by pollutant? If not, how will the public know they are not being put at risk?
- Will Shell agree to shut down their facility to address leaks of hazardous air pollutants if they exceed federal, state, and/or local limits? Or will Shell simply seek to continue operations and pay a fine, expecting the local residents to put up with any illegal pollution?
- How will Shell address the fears that many Beaver County residents have of publicly voicing their concerns about the facility? How does Shell's massive economic footprint impact local democratic processes?
- Will Shell attempt to show its "good neighborliness" the same way that it did in Ogoniland, Nigeria, where a scathing 2011 U.N. report found extensive contamination of land and drinking water, even in locations that Shell had indicated were "remediated"?

As a filmmaker, I would show you a video of how last night's "meeting" was handled, but the only thing I was allowed to film or even take a picture of was this sign. (photo)

Shell spent most of the "meeting" attempting to convince the sizable crowd that good neighbors can

10

ok because they bought permission to do so, fixed up your swing set, picked up some garbage, and bought a house nearby. Apparently good neighbors will also send at least three uniformed policemen to "keep the peace" when they tell you all that stuff.

After traveling the country for various film projects and interviewing hundreds of people across the United States about their environmental challenges, I have learned that the petrochemical industry is built upon the premise that "sacrifice zones" are required for industrial progress. I have learned that poisons regularly leak and people suffer unfairly from those leaks. And I have learned that massive corporations are really good at making you feel as if they're telling you the truth when they are just using your land, water, and air to make a buck for people who don't care about you. Indeed, they are required by law to take as much advantage of your "pollutability" as your laws allow. Sometimes more.



*Shell wanted to make sure that there were absolutely no recordings of all the things they said and showed during their public "meeting" in Beaver County. Why so secret?*

What the petrochemical industry does not generally tell you is that additional safety measures are often attainable for small additional costs that they are unwilling to pay. The industry does not often tell you that there are many other ways to develop a resilient economy than to burn hydrocarbons. The industry does not tell you that a little creativity can go a long way in completely eliminating the need for most plastic usage.

Finally, I believe that in order to be a good neighbor, you have to be a human being. Shell is not a human being. Shell is a multinational corporation that pays people to tell you they will be good neighbors so that you let them pollute your body to increase their profits. That doesn't sound like a good neighbor to me. No wonder Shell worked so hard to control the message at yesterday's "meeting".



## Time to Celebrate 10 Years!

It's the ten year anniversary of Lost River Market and Deli in Paoli, IN.

They've been a huge supporter of Heartwood!

There will be celebrations all month long.

Folks coming to the Reunion are welcome to join the fun on 10/7. There will be plenty of food including vegan and gf options.

HW wishes you many more years of success!

## Deference Doctrine *by Carol Polsgrove*

*Author of Divided Minds: Intellectuals and the Civil Rights Movement; former member of the board of the Indiana Forest Alliance, professor emerita, Indiana University, gives a recap of the group presentation from the Strong Roots! FC17*

Judicial deference to federal agencies is common in the federal courts. A series of Supreme Court rulings has established the idea that if statutes are ambiguous, federal courts will defer to the agencies' judgments.

To educate all of us who might be considering lawsuits against federal agencies, I invited views from Perrin de Jong, an Asheville attorney and former coordinator of Kentucky Heartwood, and Beyond Nuclear's Kevin Kamps, who drove in from DC to share Beyond Nuclear's experience as a plaintiff in a lawsuit against the Department of Energy.

Perrin began with a PowerPoint introducing the most important Supreme Court decision establishing the deference doctrine: *Chevron v. the National Resources Defense Council*. In that judgment, the Supreme Court laid out a two-step process:

1. First, the court decides whether Congress unambiguously stated how the agency should carry out the law in question. If Congress made its intent clear, the Court would decide whether the agency had carried out that clear intent.

2. If Congress left the agency room to decide how to carry out the law, then judges would defer to the agency's regulations unless they are "arbitrary, capricious, or manifestly contrary to the statute."

Drawing on his own experience in a lawsuit he filed against the U.S. Forest Service, Perrin made the point that environmental lawyers need to educate judges on the standards they ought to follow before they defer to an agency. Deference should not be automatic.

Kevin presented a PowerPoint describing a US District Court judge's rejection of environmental groups' argument that since trucking highly radioactive liquid shipments is unprecedented and could lead to severe environmental impacts, the DOE needed to produce an environmental impact statement. Instead, the judge accepted the DOE's claim that its earlier studies of shipments of powdered waste sufficed.

To give a bigger picture of the role that deference doctrine plays in environmental lawsuits, I presented the findings of a 2008 scholarly study of three judge appellate cases that turned on the Chevron Doctrine. That analysis suggested that judges were more likely to affirm agency judgment in general—and almost always affirmed agency judgment if judges considered the statute ambiguous. The study found that conservative judges were less likely to reverse the agency, but the authors suggested that may be because the cases studied arose during the Bush era.

This brings us up to the present, when the deference doctrine may play a key role in a lawsuit to overturn Obama-era rules limiting power plant emissions of carbon dioxide. That lawsuit, *West Virginia v. EPA*, now in the DC Circuit Court, is in abeyance as the Trump Administration reconsiders the Obama rules. The case illustrates the fact that the deference doctrine may help or hurt environmental causes depending on who is running federal agencies.

In another current development, the arrival of Neil Gorsuch on the Supreme Court could lead to a retreat from the deference doctrine, which Gorsuch has called "an abdication of judicial duty." As various judicial experts have pointed out and the cases presented in our workshops suggest, weakening the deference doctrine could turn out to work either for or against environmentalists—depending on whoever controls the executive branch.

An important practical point raised in our workshop discussion: environmentalists need to get important facts and considerations into the agency's record during the agency's decision-making process, since judges are inclined to decide whether the agency's decision is reasonable given the facts known and questions raised during that process and, as in the waste shipments case, may refuse to consider facts not already on the record.

For links to the powerpoints, see <http://www.beyondnuclear.org/home/2017/5/27/beyond-nuclear-presents-at-heartwood-re-courts-deferring-to.html>

## A Tennessee Walk in the Forest\*

*by Sheryl Campbell, TN Heartwood*

In The Early Winter

Old Growth

Pristine Forest

Diversity in Species

A Creek

Gorges

Waterfalls

a concave Ledge Circles Behind

Water Plunges 80 feet

Falling Into The Pool Below

Picturesque

Emptying in the Flowing River

Scenic

Ecological Significant

Tall and Magnificent Trees

Mixed Mesophytic Forest

Biotic Community

Geologic Features

A Sudden Wisp of Wind

Dancing of The Leaves

Falling to The Ground

Leaf Covered Path

Crackling Sound of Leaves

Under My Feet

Crunching Twigs

The Rustling of Foliage All Around

Occasional Scurrying of Squirrels

Birds Singing Their Poetic Songs

The Splendor of The Forest

Reminded Me That Beauty

Lays Within The Heart

And Forest

*\* reprinted due to missing line. Sorry, Sheryl.*



*Waterfalls © Sheryl Campbell*

## Challenging FERC

on Atlantic Coast Sunrise Pipeline Project

Ryan Talbott,

Allegheny Defense Project

On March 23, 2017, Allegheny Defense Project and Heartwood joined six other conservation and landowner organizations in challenging the Federal Energy Regulatory Commission's (FERC) decision to approve Transcontinental Gas Pipe Line Company's (Transco) Atlantic Sunrise Pipeline Project. The challenge was filed in the D.C. Circuit Court of Appeals. See *Allegheny Defense Project, et al. v. FERC*, No. 17-1098 (filed Mar. 23, 2017).

Through the Atlantic Sunrise Pipeline Project, Transco plans to construct nearly 200 miles of large diameter pipeline from the shale gas fields of northern Pennsylvania to an existing pipeline in southern Pennsylvania which would be reconfigured to transport fracked shale gas to the Southeast and Gulf Coast regions. If completed, gas companies fracking in northern Pennsylvania will have increased access to higher priced foreign markets via liquefied natural gas (LNG) export terminals on Chesapeake Bay and along the Gulf Coast.

During its environmental review of the proposed pipeline, FERC refused to consider the indirect and cumulative effects of increased fracking to supply gas to the pipeline. According to FERC, it doesn't have to consider the potential for increased fracking because it claims that its approval of the pipeline will not lead to increased fracking. This was contradicted by one of the gas production companies helping to finance the pipeline when it stated in an investor presentation that it would hold off further fracking operations until FERC approved this pipeline. FERC simply ignored this fact and refused to consider how Pennsylvania's forests, watersheds, wildlife, air, and quality of life is being sacrificed for the gas industry.

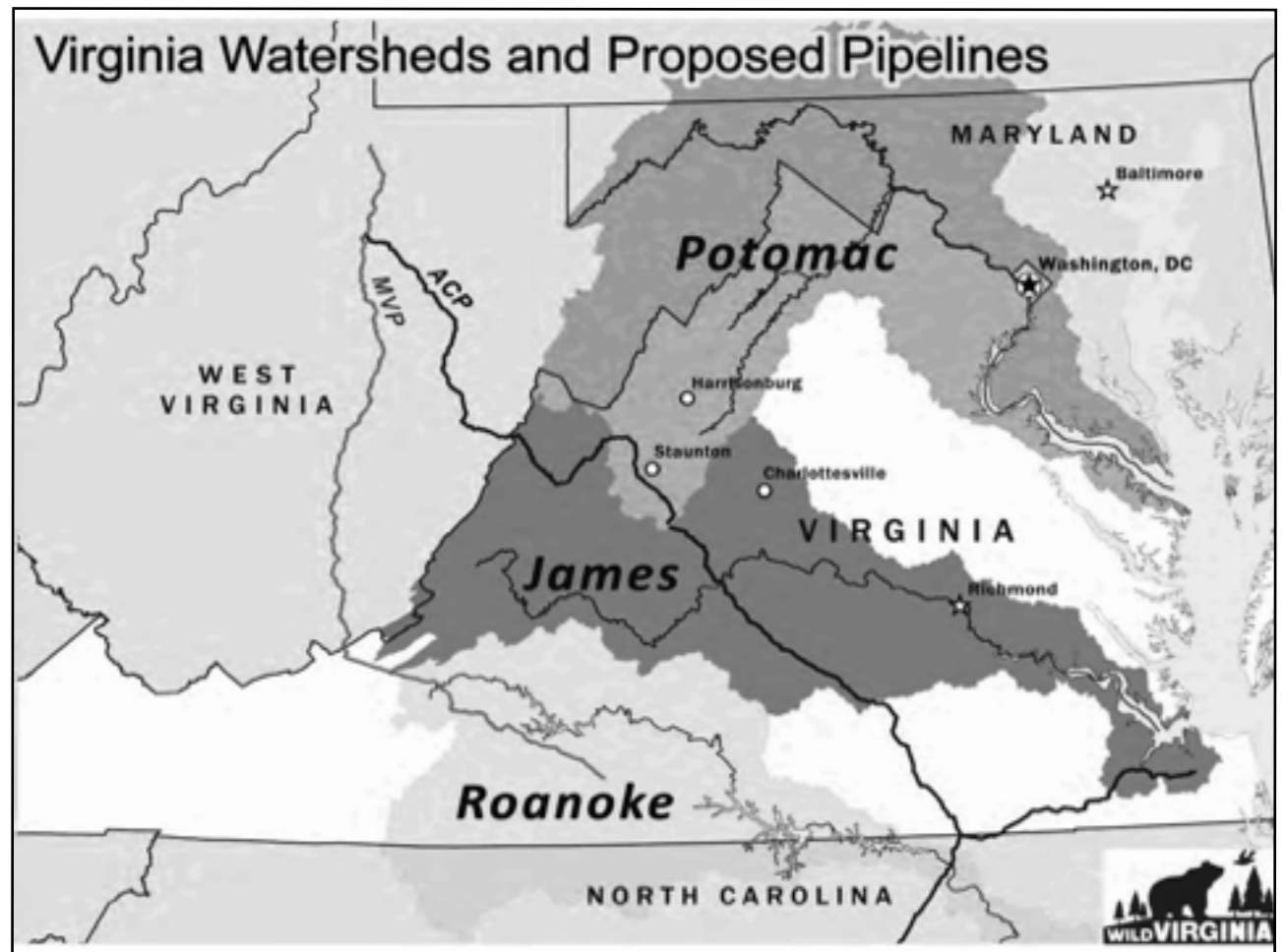
On April 28, 2017, FERC filed a motion to dismiss. On May 8, 2017, our coalition of groups filed a response to FERC's motion to dismiss. At the time of this writing, the motion to dismiss is still pending before the court. If the court denies FERC's motion to dismiss, we will move on to the merits and have an opportunity to make our case to the court.

## The ACP and MVP

Ernie Reed, Wild Virginia

Heartwood and Wild Virginia are among the dozens of local, regional, and national organizations and groups aggressively opposing the construction of two natural gas pipelines in Virginia. This article is specific to the proposed Atlantic Coast (ACP) and Mountain Valley Pipelines (MVP) that together would comprise 900 miles of 42" high compression pipeline proposed to transport fracked natural gas from Doddridge and Wetzel Counties in West Virginia across Virginia. By the time that you read this, it is possible, if not likely, that one or both of these pipelines could have been permitted by the Federal Energy Regulatory Commission. (Note that many more pipelines and pipeline proposals are equally egregious but are not referenced here.)

These pipelines combined would cross 24.5 miles of national forests, destroying 513 acres of standing forest. They require 16 different forest plan amendments presented as exemptions to existing forest plan standards in the Monongahela National Forest in West Virginia, and to the George Washington and Jefferson National Forests in Virginia. Draft Records of Decision to create these amendments have been issued.



Separate and concurrent administrative objection process could take up to 120 days to complete and then a final Record of Decision may be issued. Heartwood and Wild Virginia have filed (or will file) objections. This will be the only opportunity that the USFS has to avoid litigation. If these decisions allow these pipelines to proceed, litigation will follow.

Because the new administration has issued an executive order expediting pipeline projects, the aforementioned federal documents are premature, incomplete, and irredeemably flawed. FERC and the United States Forest Service have failed to analyze the need and demand for the gas. They fail to analyze the combined impacts of these pipelines, although they have identical proposed purposes, occupy identical timelines, and are in physical proximity to each other. Impacts would include lifecycle climate impacts, two crossings of the Appalachian National Scenic Trail, thousands of waterbody crossings, unmitigatable forest fragmentation, over 50 miles of ridge-top leveling and removal, and irreparable damage to eight threatened or endangered species and their habitat. Yet, the Final Environmental Impact Statements for the ACP and MVP state that the impacts would be "less than significant." Compared to what?

The documents admit to incomplete consultation with the US Fish and Wildlife Service on endangered species, unfinished biological inventories, and inconsistency with state water quality standards. Furthermore, in North Carolina there are clear violations of the rights of the Haliwa-Saponi Indian Tribe by FERC.

These unnecessary projects are now under numerous microscopes revealing all the reasons that these pipelines won't stand up under the light of day. The media has awakened to the legal consequences of collusion among elected officials, Dominion and Duke Energy, and anti-trust allegations. They realize that eminent domain for private gain is unjust. Everywhere people are questioning the benefits and becoming aware of the costs.

Join the fight! For updates visit the Wild Virginia ([www.wildvirginia.org](http://www.wildvirginia.org)) and Friends of Nelson ([www.friendsofnelson.com](http://www.friendsofnelson.com)) websites and their respective Facebook pages.

## Ohio's Only National Forest in a Pipeline's Crosshairs by Becca Pollard, Keep Wayne Wild



*Eroded hillside near the Wayne National Forest, the result of deforestation and mismanagement. Photo by Becca Pollard*

Before European settlement, 90% of the area we know today as Ohio was covered in old growth hardwood forest. Over the course of 200 years, the agriculture, mining, and timber industries virtually eradicated these complex woodland ecosystems in favor of large-scale farming, resulting in significant soil nutrient depletion. Between the late 1800s and early 1900s, efforts to restore and preserve Ohio's forests began, and in the 1930s Ohio's only national forest was established. Today, a patchwork of public and private land spread across three non-contiguous units in the Appalachian foothills of southeastern Ohio is known as the Wayne National Forest.

The Wayne has a long way to go before it resembles the forest that once thrived in its place, but today it is home to approximately 120 species of trees, at least 45 species of

mammals, 158 species of birds, 28 species of reptiles, 29 species of amphibians, and 87 species of fish—including some endangered species, such as the Indiana bat and American burying beetle. It also provides its surrounding communities and visitors with many recreational opportunities, including hiking, backpacking, fishing, hunting, camping, picnicking, kayaking, horseback riding, birdwatching, and mushroom foraging.

This beautiful, sensitive, and scenic area along the notoriously polluted Ohio River is vitally important to the health and well-being of the people and wildlife who live around it. But that means little to the Bureau of Land Management (BLM). Last fall, the agency announced that it planned to conduct auctions on up to 40,000 acres of the 60,000 acre Marietta Unit of the forest to gas and oil companies for horizontal hydraulic fracturing (fracking) leases. Despite protests, petitions, and letter writing campaigns, the BLM has already held two auctions, which resulted in the leasing of about 2,000 acres, much of it along the Little Muskingum River, a popular recreation area and tributary of the Ohio River. A third auction is scheduled for September 21.

In response, Heartwood and three other non-profit conservation organizations—the Center for Biological Diversity (CBD), the Ohio Environmental Council, and the Sierra Club—filed a lawsuit, which, according to a press release from CBD, “charges that the agencies failed to analyze threats to public health, endangered species, and the climate . . .”



*Rock formations along Archers Fork Loop Trail, Wayne National Forest. Photo by Becca Pollard*



*Well pad development on private lands inside the WNF. Photo by Becca Pollard*

Concerned citizens and grassroots organizations are working to raise awareness about the threat and build support to oppose both fracking in the national forest and construction of Energy Transfer Partners' Rover Pipeline, which is being built under the Ohio River and through private land within the Wayne National Forest Proclamation Boundary.

Keep Wayne Wild, a volunteer-operated organization dedicated to celebrating and protecting the national forest, is conducting outreach activities around the region and organizing events to encourage people to visit the Marietta Unit of the national forest and learn about its value. A coalition of forest and water protectors are starting a camp called Defend the Wayne to develop an intentional community that will stand in opposition to these threats to the Wayne National Forest.

You can learn more about these efforts and how to support them and get involved at [www.KeepWayneWild.com](http://www.KeepWayneWild.com) and [www.DefendWayneForest.com](http://www.DefendWayneForest.com).

## Remembering

We honor three powerful women deeply tied to our Heartwood family.

Annemarie Mahler, mother of Andy Mahler, served as a consistent beacon of love and support at our annual Heartwood Reunions. Accompanied by her dog Leah, she exuded a progressive and artistic passion for life, evident to all who knew her.

Delphine Reed, mother of Ernie Reed, walked this earth for an entire century. She witnessed unfathomable changes during her life and especially adored travel and family time.

Jody Schaub, botanist and eco-friendly business owner of "Dirt Works," was a dear friend of Heartwood. Her adventurous spirit and commitment to our planet was inspiring to all who knew her.

## When Death Comes

by Mary Oliver

When death comes  
like the hungry bear in autumn;  
when death comes and takes all the bright coins from his  
purse  
to buy me, and snaps the purse shut;  
when death comes  
like the measles-pox  
when death comes  
like an iceberg between the shoulder blades,  
I want to step through the door full of curiosity, wondering:  
what is it going to be like, that cottage of darkness?  
And therefore I look upon everything  
as a brotherhood and a sisterhood,  
and I look upon time as no more than an idea,  
and I consider eternity as another possibility,  
and I think of each life as a flower, as common  
as a field daisy, and as singular,  
and each name a comfortable music in the mouth,  
tending, as all music does, toward silence,  
and each body a lion of courage, and something  
precious to the earth.  
When it's over, I want to say all my life  
I was a bride married to amazement.  
I was the bridegroom, taking the world into my arms.  
When it's over, I don't want to wonder  
if I have made of my life something particular, and real.  
I don't want to find myself sighing and frightened,  
or full of argument.  
I don't want to end up simply having visited this world.



## A Bird's Eye View

Reflections From Camp White Pine, PA  
by Sylvia Wood\*

A lone ant crawls across the platform we both call home and for a moment consumes my mind. A thought enters into my brain. How long will it be until they come to finish their destruction? How much longer are we going to be living in these trees? What will this place look like in a month, a year, even ten years?

The feeling in this valley used to be different. The woods, the water, the silence. But they're coming now. I hear the groaning of their ecocide machines echoing against the hills. I watch them lay out a path of destruction, foot by foot, turning a forest into a wasteland, scoring a line through the land into which they place a dirty vein of industrial society.

Isolated from technology, fifty feet up in the branches of a white pine tree, a space for reflection opens. In a bizarre way, so high in the air, I find myself feeling grounded in my mission. The reasons I spend my days and nights in a lonely tree (in a graveyard of its brothers and sisters) become clear.

For two and a half years, we've struggled through this daily reality of looming destruction. Infuriated by insecurity and injustice, resisting every urge to quit, rebuffing every criticism of our purpose, we've hung in there. Literally. Against impossible odds, we stand, or we sit like stones refusing to be crushed under the forces of capitalism: exploitation, greed, power.

It's no easy task taking on a 50 billion dollar corporation. Many would concede to such an adversary, given the slim chances of success. Some regard a campaign like Camp White Pines a fool's errand. In a world regulated and ravaged by corporations day after day, the sense of powerlessness permeates our whole lives at every turn. However, throughout history, there have always been small yet mighty forces of resistance. There have always been slivers of hope among those who refuse to let darkness dominate. There have always been survivors who understand that water does not cut through rock with power, but rather with persistence.

The funny thing about life is that, given even a minuscule chance, it will persist. On the edges of that wasteland, it will survive, and it will spread like wildfire. Like the buds on the trees I have watched fall, still reaching for the sun, not yet knowing they were dead. Like the stumps sprouting, refusing to acknowledge that they are destined for a second death, taunting, "You can tear me up, but you can't kill me." That's the difference between martyrs and warriors. Warriors will survive. Warriors will live. Warriors will laugh at you, because you are weak enough to believe that you are winning. *Camp White Pine* is a forest-defense based pipeline resistance camp in south-central Pennsylvania. We are resisting the construction of the Energy Transfer Partners/Sunoco Logistics Mariner East 2 pipeline. Since March 2016, we have used our elaborate tree sit (which connects the remaining trees in the midst of Sunoco's clear-cut) to protect the water, and fight for our lives. For more information, visit [facebook.com/campwhitepinepa](https://facebook.com/campwhitepinepa). Donate to our legal and bail fund at [fundrazr.com/campwhitepine](https://fundrazr.com/campwhitepine).

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*\*Sylvia Wood is the pseudonym for a tree-sitter at Camp White Pine, who is putting her body on the line to resist the Mariner East 2 Pipeline.*

Photo by Rock Emmert

Davis Mounger from Tennessee ManagementHeartwoodeartwood shares his knowledge on Forest Management tactics used to log, burn and spray public lands. In this photo, he is describing how to determine the density of the forest using a prism. Workshop participants also learned about handy tools one can download on one's phone or tablet to compare what the agency is proposing versus on-the-ground evaluations. For more information on a forest defense training workshop, please contact us at [info@heartwood.org](mailto:info@heartwood.org)

## Over Burdened *by Tabitha Tripp*

I don't rest anymore. Exhausted, I sat at the dining table in a small ramshackle house along a rocky creek in the hollers of the Appalachia Mountains of so-called West Virginia.

The Hillbilly from down the road came to share beer, smokes, and stories with the "Northerners".

"Bear is good eatin'—you ever try it?"

"I don't believe in eating spirit guides," I responded to what I only assumed was a devoted faith follower of Sunday sermons, Bible thumping and holy rollin'.

Puzzled, he looked at me and said, "Let me tell you a story. It doesn't have a happy ending."

I accepted.

"I worked down the road for Patriot Coal Company. I drove a bulldozer and land movers for 'em. My job was to move all the topsoil, trees, and stuff to the edge of the mountain and push it down the side. They would tie off the ass end of my 'dozer to a cable and winch me back up. Talk about a rush. Scary as shit."

Hillbilly continued, "One day I came to work early and saw two baby bear cubs playing down the mountain. Climbing trees, chasing each other, playing tag, just the cutest things. They went back into the den when folks started coming to work. The foreman come over and gave the day's orders. He said to push off the trees and shit over there, pointing to the far side in the direction of where the bear cubs was playing."

His sobering story continued, "I said, 'I can't do that. I'll kill them babies and their mama.' Bossman said, 'Do it or lose your job.' I said that weren't very Christian to go killing a bear and her babies while they still hibernating. That bossman would hear none of that. Calling me a bleeding heart liberal tree hugger, he waved over one of the other dozer workers and told him what to do. Bossman went over to his truck and wrote me my pink slip. I was fired right then and there."

Hillbilly said he thought about trying to stop the other dozer operator but figured he would have been pushed over the edge and buried along with the bear cubs and their mama.

I think about why I am persistent as hell, why I don't take breaks, why I don't completely unplug from the world, and I remember this story.

I do not rest for fear I will be buried alive by overburden and deemed a cost of doing business on the path to progress. Of course the word progress should be debated. Is it progress to poison an entire region's water supply by blowing off mountain tops for coal, or injecting lethal levels of chemicals into your aquifer to get gas and oil, so you can turn on your lights, turn down the AC while watching your plasma screen TV, drive your car to the malls to buy plastic shit made in slave labor companies?

Is it progress to blow up a mountain, dump all that coal into train cars, ship it to a seaport, load it onto a barge, ship it halfway across the earth, deliver it to a factory that fires the melting pots of steel, dumped into molds stamping out weapons and ammunitions shipped to enemy lines that kill the child soldiers who enlisted because their hometown in the mountains is so economically depressed there are no jobs from coal mining becoming automated?

Have we rural people become overburden, pushed off the mountainside, not stopping to critically analyze what we are being asked to do before we are shoved off the side to our deaths? Do we stop to consider if our actions are burying someone resting below?

I can promise you that when you are pushed off the mountain, they won't winch you back up. Best you carry a shovel to help all those who were buried before you.



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### Recipe for Non-Toxic Defoliant Herbicide

*from Miriam Van Zant*

Improved cooking oil recipe for each 32 oz spray bottle:

- 16 oz of 30% vinegar
- 1 full oz of Dishmate dish soap (1 oz = 2 TBSP)
- 6 oz cooking oil
- 9 oz of 5% vinegar

I used Schnuck's 100% canola oil. It was right out of the bottle, not used/strained. It was slightly past the expiration date too, though I doubt that either matters. It seemed to work better than the 10 oz oil formula as well as better than 4 oz of oil. Perhaps it was taken up better than the 10 oz formula. It has more vinegar and soap than the previous oil formulas, though I had added a little extra 30% vinegar to compensate for so much oil with 10 oz.

It is possible that we can improve it further. Recently I heard that tea tree oil is a good additive. I have to read what I was just sent about that and then may have something to share on it. This new formula is also free of the more expensive additives. It is possible that adding orange oil soap, tea tree oil, or one of the other additives I've told you about may make it even more effective. We still have a way to go on this. If you are using concentrated vinegar as a defoliant, please let me know how it's working for you. [ccbgsi@gmail.com](mailto:ccbgsi@gmail.com)

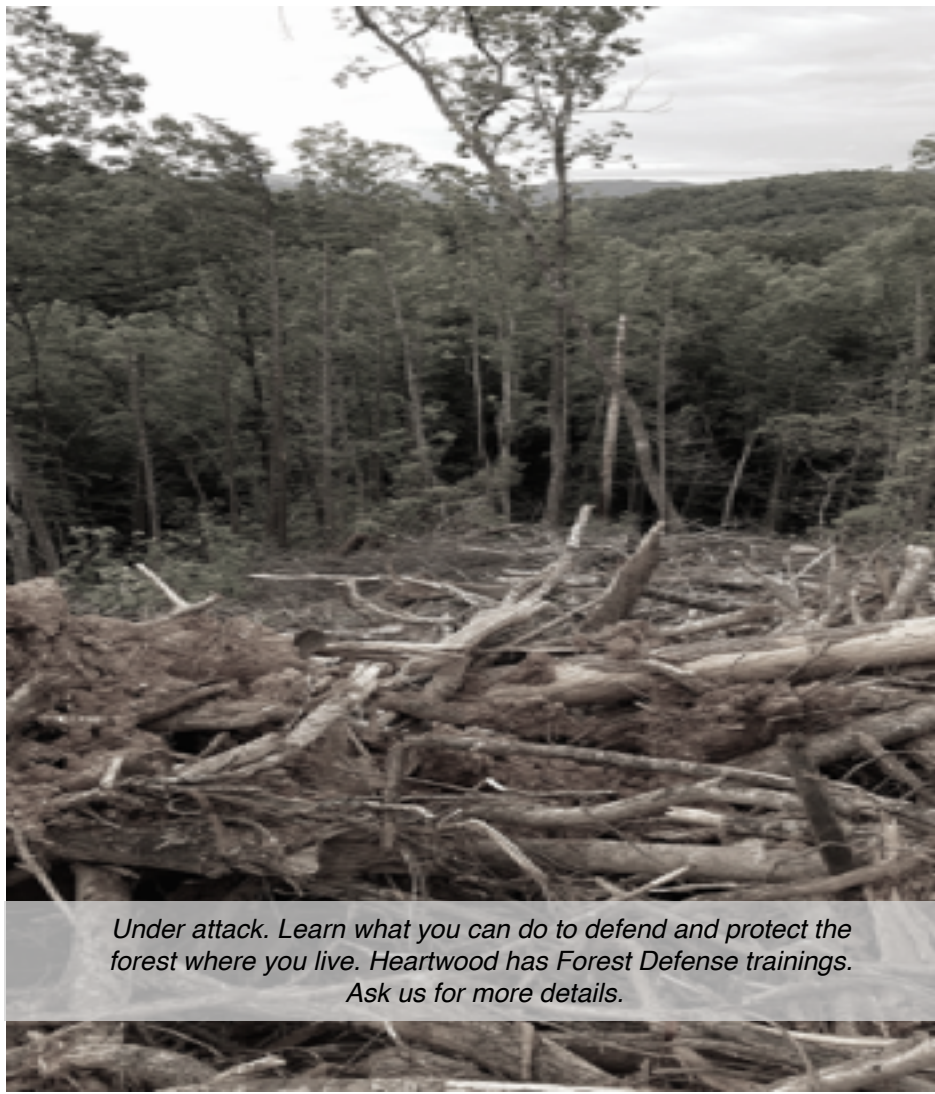
(Cover story continued)

## Reallocating restoration funds to timber projects

National forest counties currently get financial support through the Secure Rural Schools and Community Self-Determination Act to make up for the fact that national forests do not pay property taxes. Title II of the Secure Rural Schools act provides support for restoration work that improves watersheds and forest health, and currently cannot be spent on timber projects or road construction. On the Daniel Boone NF, Title II funds have been used to support treating hemlocks to save them from the hemlock woolly adelgid, addressing erosion from poorly constructed roads and trails, renovating campgrounds, and building trailhead kiosks. The Westerman bill requires that 50% of the funds currently being allocated to these restoration and recreation projects be allocated instead to projects that include the sale of timber.

### Blocking access to the courts

Because of the broad use of Categorical Exclusions under the Westerman bill (which limit opportunities for public input and administrative challenges), going to court may be the only option left to the public for seeking redress. But the law allows the Forest Service to bypass the courts by requiring complaints to go through a binding arbitration process. And if the Forest Service is found to have violated the law (either through judicial review or arbitration), the bill exempts the Forest Service from complying with the Equal Access to Justice Act – meaning that plaintiffs cannot be awarded any attorney’s fees or recuperate other costs if they win. While litigation over timber sales is infrequent, recouping legal costs is often crucial to organizations and attorneys who work to protect our public lands.



*Under attack. Learn what you can do to defend and protect the forest where you live. Heartwood has Forest Defense trainings. Ask us for more details.*

And it can't be stressed enough that if the Forest Service loses a case in court, it means that they broke the law.

And that’s all just for starters. There are a great deal of other provisions that affect other aspects of national forest management, our national monuments, roadless areas, and other public lands.

### Other analysis found here:

<http://www.andykerr.net/kerr-public-lands-blog/2017/7/28/the-westerman-bill-the-timber-industrys-wet-dream>

The Resilient Federal Forests Act of 2017 has already passed committee, and is expected to come up for a full vote in the House after the August recess. It’s not clear how companion legislation will come about in the Senate, but a bill recently introduced in the Senate by Senator John Thune of South Dakota called the "Forest Management Improvement Act of 2017" mirrors some of the provisions of the Westerman bill. The 2018 Farm Bill may also be used as a legislative vehicle for passage in the Senate.

## Please call your Congressional Representatives today!

Your representative's contact information can be found here:  
[www.contactingcongress.org](http://www.contactingcongress.org)

Ask them to oppose H.R. 2936, the Resilient Federal Forests Act of 2017. This bill is bad for our public lands, and it's bad for Kentucky.

**Thanks for calling and helping Heartwood groups everywhere to protect public lands!**

# heartwood

**22nd Annual Reunion**  
October 6-8, 2017  
Lazy Black Bear, Paoli, IN

Friday night keynote speaker  
**Ross Gay**  
*Catalog of Unabashed Gratitude*  
Winner of the National Book Critics Circle Award, 2015,  
and Kingsley Tufts Poetry Award, 2016

Friday entertainment provided by  
**Glitter Brains**  
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**Farm-to-Table Culinary Arts**  
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