

# Tennes-Sierran

The monthly state newsletter for the Tennessee Chapter Sierra Club

Volume 44, Number 5 - September/October, 2013

## National Coal to Exit Surface Coal Mining Business

*Settlement results in first of their kind selenium protections in Tennessee*

Nashville, TN – Yesterday, Sierra Club, Statewide Organizing for Community eMpowerment (SOCM), Tennessee Clean Water Network, and National Coal LLC reached an agreement in pending litigation surrounding Clean Water Act (CWA) violations at three sites owned by the mining company – Zeb Mountain Mine (also known as Mine 7), Mine 14 and the Jordan Ridge Refuse Disposal Area – as well as challenges to the Clean Water Act discharge permit for the Zeb Mine. This settlement will effectively end National Coal's participation in surface coal mining in Appalachia. The major points in the agreement require National Coal to stop mining at Zeb and Mine 14 within the next 90 days, to refrain from seeking new mining permits for surface mines, to come into compliance with its permit limits, to pay penalties for its past permit violations, and to modify its permit for the Zeb Mine to include selenium limits on those discharges that do not already have them. In exchange, the groups have agreed to dismiss their Clean Water Act enforcement suits and their administrative permit challenge, and to not pursue claims against the company based on violations of the Endangered Species Act at the Zeb Mine.

“National Coal's commitment to stop surface coal mining, like Patriot Coal before them, provides still more confirmation that mountaintop removal mining is not in the best interest of Appalachian communities and is no longer economically viable,” said Mary Anne Hitt, Director of Sierra Club's Beyond

Coal Campaign. “This settlement is another step on the path towards ending years of destruction on our mountaintops, mining pollution in our waterways and injustice for the people of Appalachia.”

At Jordan Ridge, the groups argued that National Coal has violated the Clean Water Act due to its discharges of high levels of mining pollution, including selenium, into nearby waterways. The groups argued that National Coal was violating the Clean Water Act at Zeb Mountain – the largest surface coal mine in Tennessee – and Mine 14 by exceeding the allowable limits for the discharge of certain forms of mining pollution. National Coal will pay penalties of \$60,000 to resolve those violations, with the vast majority of those funds going to the Tennessee Parks and Greenways Foundation to fund land acquisition and conservation in the region. National Coal will also agree to pay higher “stipulated” penalties if it continues to violate its permit limits in the future.

“Discharges of sediment, heavy metals and other pollutants have been a concern to us ever since these mining operations began,” said SOCM member Cathie Bird. “The conditions of this settlement can move us in the right direction toward protection of streams and surrounding communities from negative consequences of water pollution.” Cathie is a member of SOCM's E3 (Energy, Ecology, and Environmental Justice) Committee.

A key provision of the settlement is the implementation of selenium limits at Zeb Mountain. Selenium, a toxic element that

causes reproductive failure and deformities in fish and other forms of aquatic life, is discharged from many surface coal-mining operations across Appalachia. At very high levels, selenium can pose a risk to human health, causing hair and fingernail loss, kidney and liver damage, and damage to the nervous and circulatory systems. Regulators in Tennessee have been slow to implement limits on selenium, and this settlement represents a key step in the reduction of this toxic pollutant in Tennessee waterways.

“This resolution sets a new standard for regulating toxic metal discharges from coal mines in Tennessee, one we hope will be implemented at other mines in the future,” said TCWN Attorney Stephanie Matheny.

“The Tennessee Chapter of the Sierra Club is immeasurably pleased to finally be able to close the books on the Zeb Mountain mine,” said Axel Ringe of the Tennessee chapter of Sierra Club. “We have fought against the mine since it opened ten years ago. “This settlement will help ensure that National Coal takes appropriate measures to address unlawful pollution from its Zeb Mountain mine -- a victory for all Tennesseans.”

National Coal is the second firm to exit the mountaintop removal mining business. National Coal's decision was preceded, last November, by Patriot coal, which settled with the Sierra Club and its allies over Clean Water Act mining pollution violations in West Virginia. National Coal owns three surface coal mines in Tennessee: Zeb Mountain, Mine 14 and Mine 3B.

This agreement was filed in the U.S. District court for the Eastern District of Tennessee at Knoxville. Joe Lovett and Mike Becher from Appalachian Mountain Advocates and Gena Lewis of the Law Office of Gena Lewis represented the groups in this matter. Stephanie Matheny of Tennessee Clean Water Network also represented the groups in their challenge to the Zeb Mine permit.

**Sean Sarah, Regional Communications Manager (NE, SE)**

**Beyond Coal Campaign**

**O: 202 548-4589, C: 330 338-3740**

## Tennessee Chapter Call for Nominations for At Large Delegates (2014-2015 Term)

The Tennessee Chapter will elect four (4) at-large delegates for a two-year term beginning in January 2014. Members are requested to give serious consideration to running for these important offices on the Chapter Executive Committee (ExCom), which manages the fiscal, legislative, environmental and other appropriate responsibilities for our Chapter.

Requirements of the office of at-large delegate are as follows:

- Commit to attending the four chapter ExCom meetings each year. These meetings require an at-large delegate's presence for the meetings each quarter.
- Commit to study issues confronting the ExCom from a Chapter or statewide perspective.
- Commit, for the term of office, to vote electronically by e-mail on emerging issues that require a Chapter ExCom vote.
- Serve on ExCom committees, and possibly as the Chapter's Council of Club Leaders Delegate/Alternate, when appointed and as needed for the term of office.

If you are interested in being considered for nomination for the office of at-large delegate,

please notify the Nominating Committee Chairperson Betsy Garber at (615) 370-9454 or e-mail garberb@hotmail.com. Other members of the nominating committee are Penny Brooks (Nashville) and Mac Post (Knoxville.) Please submit a short statement of your qualifications and reason for running, and respond by Sept 14. The at-large delegate position provides an opportunity to have an important role in the Chapter management of a large grass roots environmental organization having more than 6,000 members in the State of Tennessee.

Interested parties who are not selected by the nominating committee will have the opportunity to run by the petition process; contact Betsy for more information. All candidates will be expected to provide a short statement for the ballot -- details will be provided.

Elections will be conducted by mail ballot distributed in the November/December issue of the Tennes-Sierran. Provisions will be spelled out for our "paperless subscribers." Only current Club Members at the time of the publication of the ballot, November 1, 2013, may vote.

Now you can receive your

**Tennes-Sierran**  
via email



Subscribe simply by going to

<http://tennessee.sierraclub.org/mtg/subscribe.htm>

How does it work? Monthly you will receive an email notification and download link for your new Tennes-Sierran in a special email alert. All you will have to do is click on the link and presto, your Tennes-Sierran will appear in an Adobe Acrobat PDF format. View it, download it, save it but whatever the case you will be saving trees, and freeing Tennessee Chapter club funding to work for other conservation efforts. A double whammy win situation!

**So Join the Crowd  
and Go Paperless Today!**



# Tennes-Sierran

The bi-monthly newsletter of the  
Tennessee Chapter of the Sierra Club.

## SEND CHANGE OF ADDRESS TO:

\*Email: [address.changes@sierraclub.org](mailto:address.changes@sierraclub.org)

\*Snail Mail: clip the Moving? coupon below and mail

\*Address changes are processed much faster if you include your Sierra Club membership number. To find your membership number, look on the address label of this newsletter.

## SEND ARTICLES TO:

E-mail: [gvanhorn26@gmail.com](mailto:gvanhorn26@gmail.com)

USPS: Gene Van Horn, Editor  
895 Red Cloud Trail  
Spring City, TN 37381  
423-365-0692

## ARTICLE SUBMISSION GUIDELINES:

Submission Target Date is September 25 for the November-December issue.

1. E-mail and e-mail attached files are preferred. Send to [gvanhorn26@gmail.com](mailto:gvanhorn26@gmail.com) either with embedded text messages, or attached files. Attached files are preferred. Word is preferred but Apple users may send articles in Pages.

2. Photographs should be scanned in a .jpg or a .tif file format then either attached to e-mail or mailed via U.S. Postal Service on a 3 1/2" diskette or CD RM. Please include a stamped, self-addressed envelope if you would like your diskette or photo prints returned.

3. Hard-copy handwritten or typewritten articles may be accepted: however, pre-approval from the Editor is required.

4. Any materials submitted via USPS mail will not be returned unless a stamped, self-addressed envelope is provided.

5. Concerns or complaints should be addressed to: Barbara Kelly, Communications Committee, [bk1rivers@comcast.net](mailto:bk1rivers@comcast.net).

**The opinions expressed in the Tennes-Sierran are those of the contributors and do not necessarily reflect the official views or policies of the Tennessee Chapter, or the Sierra Club.**



It's time for America to get smart about energy and be less dependent on dwindling oil reserves. We need to increase our use of clean, renewable energy sources like wind and solar power. Let your voice be heard.

Add your voice to protect the planet.

Join Sierra Club

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_  
Zip: \_\_\_\_\_ Phone: (\_\_\_\_) \_\_\_\_\_  
Email: \_\_\_\_\_

Join today and receive a FREE Sierra Club Weekender Bag!



Check enclosed. Please make payable to Sierra Club.  
Please charge my:  Visa  Mastercard  AMEX  
Cardholder Name: \_\_\_\_\_  
Card Number: \_\_\_\_\_  
Exp. Date: \_\_\_\_\_  
Signature: \_\_\_\_\_

Membership Categories	Individual	Joint
<b>Special Offer</b>	<input type="checkbox"/> \$15	
Standard	<input type="checkbox"/> \$39	<input type="checkbox"/> \$49
Supporting	<input type="checkbox"/> \$75	<input type="checkbox"/> \$100
Contributing	<input type="checkbox"/> \$150	<input type="checkbox"/> \$175
Life	<input type="checkbox"/> \$1000	<input type="checkbox"/> \$1250
Senior	<input type="checkbox"/> \$25	<input type="checkbox"/> \$35
Student/Limited Income	<input type="checkbox"/> \$25	<input type="checkbox"/> \$35

Contributions, gifts, and dues to Sierra Club are not tax deductible they support our effective, citizen-based advocacy and lobbying efforts. Your dues include \$7.50 for a subscription to Sierra magazine and \$1 for your Chapter newsletters.

Enclose a check and mail to Sierra Club, P.O. Box 427041, Palm Beach, FL 33402-1041

or visit our website [www.sierraclub.org](http://www.sierraclub.org) #240 W43M

# Sierra Club Officers

## TENNESSEE CHAPTER:

Chair: Keven Routon (901) 485-3960  
[kwrates@me.com](mailto:kwrates@me.com)  
Vice Chair: Angela Garrone (901) 827-3687  
[angelasierraclub@gmail.com](mailto:angelasierraclub@gmail.com)  
Secretary: Barbara Kelly (423) 718-5009  
[bk1rivers@comcast.net](mailto:bk1rivers@comcast.net)  
Treasurer: **Open**  
Contact Keven Routon if willing to serve  
Asst. Treasurer: Bob Perlack (865) 229-5027  
[perlack@aol.com](mailto:perlack@aol.com)  
Conservation: Scott Banbury (901) 619-8567  
[smbanbury@gmail.com](mailto:smbanbury@gmail.com)  
Outings: Phil Davis (423) 247-0473  
[phildavis2006@gmail.com](mailto:phildavis2006@gmail.com)  
CCL Delegate: Joel Gearhardt (941) 518-0063  
[jgearhardt@yahoo.com](mailto:jgearhardt@yahoo.com)

## TN LOCAL GROUPS:

### Cherokee Group

[www.tennessee.sierraclub.org/cherokee](http://www.tennessee.sierraclub.org/cherokee)  
Chair: Emily Marr Davis (423) 413-3083  
[emily.marr.davis@gmail.com](mailto:emily.marr.davis@gmail.com)  
Vice Chair: John Doyal (423) 596-8171  
[baldie052@yahoo.com](mailto:baldie052@yahoo.com)  
Secretary: Barbara Kelly (423) 718-5009  
[bk1rivers@comcast.net](mailto:bk1rivers@comcast.net)  
Treasurer: Barbara Hurst (423) 886-9503  
[barbaraduckhurst@hotmail.com](mailto:barbaraduckhurst@hotmail.com)  
Conservation: Davis Mounger (423) 877-4616  
[wdmounger@yahoo.com](mailto:wdmounger@yahoo.com)  
Outings: Emily Marr Davis (423) 413-3083  
[emily.marr.davis@gmail.com](mailto:emily.marr.davis@gmail.com)

### Chickasaw Group - Memphis

[www.tennessee.sierraclub.org/chickasaw](http://www.tennessee.sierraclub.org/chickasaw)  
Chair: Sue A. Williams (901) 274-0524  
[z4cmv@juno.com](mailto:z4cmv@juno.com)  
Vice Chair: Mark Plumlee (901) 679-4622  
[mark.chickasaw@gmail.com](mailto:mark.chickasaw@gmail.com)  
Secretary: Adam Guerrero (901) 275-5637  
[siradam575@yahoo.com](mailto:siradam575@yahoo.com)  
Treasurer: Ed Jones (901) 374-0582  
[edshouse35@comcast.net](mailto:edshouse35@comcast.net)  
Conservation: Scott Banbury (901) 619-8567  
[smbanbury@gmail.com](mailto:smbanbury@gmail.com)  
Membership: Keith Hoover (901) 363-8299  
[hooverkw@yahoo.com](mailto:hooverkw@yahoo.com)  
Outings: Open - would you like to organize the Outings?

### Harvey Broome Group - Knoxville/Oak Ridge

[www.tennessee.sierraclub.org/broome](http://www.tennessee.sierraclub.org/broome)  
Chair: Robin Hill (865) 966-9435  
[robin.hill8@gmail.com](mailto:robin.hill8@gmail.com)  
Vice Chair: Dave Reister (865) 670-8991  
[dreister@bellsouth.net](mailto:dreister@bellsouth.net)  
Secretary: Kris Christen (865) 593-9876  
[christen@knology.net](mailto:christen@knology.net)  
Treasurer: Bob Perlack (865) 229-5027  
[perlack@aol.com](mailto:perlack@aol.com)  
Conservation: Axel Ringe (865) 850-0255  
[onyxfarm@bellsouth.net](mailto:onyxfarm@bellsouth.net)  
Outings: Ron Shrieves (865) 922-3518  
[ronaldshrieves@comcast.net](mailto:ronaldshrieves@comcast.net)

### Middle Tennessee Group - Nashville

[www.tennessee.sierraclub.org/mtg](http://www.tennessee.sierraclub.org/mtg)  
Chair: Betsy Garber (615) 668-1977  
[garberb@hotmail.com](mailto:garberb@hotmail.com)  
Vice Chair: Joel Gearhardt (615) 591-0268  
[jgearhardt@yahoo.com](mailto:jgearhardt@yahoo.com)  
Secretary: Betsy Garber (615) 668-1977  
[garberb@hotmail.com](mailto:garberb@hotmail.com)  
Treasurer: Joel Gearhardt (615) 591-0268  
[jgearhardt@yahoo.com](mailto:jgearhardt@yahoo.com)  
Conservation: Scott Heflinger (615) 351-2626  
[sheflinger@aol.com](mailto:sheflinger@aol.com)  
Outings: Craig Jervis (615) 400-4309  
[cmjervis@comcast.net](mailto:cmjervis@comcast.net)

### Watauga Group - Carter, Johnson, Sullivan, Unicoi and Washington Counties

[www.tennessee.sierraclub.org/watauga](http://www.tennessee.sierraclub.org/watauga)  
Chair: Gloria Griffith (423) 727-4797  
[gla4797@embarqmail.com](mailto:gla4797@embarqmail.com)  
Vice Chair: Sandi Cranford (423) 727-5044  
[sunshine@highcountryonline.net](mailto:sunshine@highcountryonline.net)  
Secretary: Dennis Shekinah (423) 727-6497  
[dshekinah@centurylink.net](mailto:dshekinah@centurylink.net)  
Treasurer: Cindy Johnson (423) 768-3882  
[doemtn@hotmail.com](mailto:doemtn@hotmail.com)  
Conservation: Dean Whitworth (423) 727-7214  
Outings: Webb Griffith (423) 727-4797  
[gla4797@embarqmail.com](mailto:gla4797@embarqmail.com)

### National Sierra Staff in Tennessee:

Rita Harris, Field Organizer  
Environmental Justice Program: (901) 324-7757  
[rita.harris@sierraclub.org](mailto:rita.harris@sierraclub.org)

Please notify the Editor when changes are needed

**Target Date for  
November-December Issue is  
September 25, 2013.**

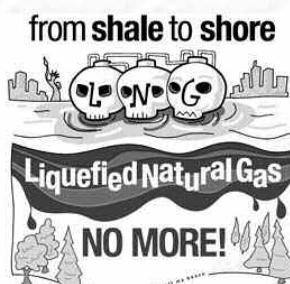
**All meetings and outings notices,  
articles, and photographs should  
be in by then.**

**Send material to  
Gene Van Horn at  
[gvanhorn26@gmail.com](mailto:gvanhorn26@gmail.com)**

## 2013 FRACKTIVIST CONFERENCE

Knoxville, TN September 13-15, 2013

The movement to end all forms of extreme energy extraction on this planet, wrest control from multinational corporations, and give the power back to the people is becoming something truly beautiful! It is an honor to be a part of it, as MANY of us are. We are rising! Please join us for another opportunity to combine struggles and enhance our efforts.



Our intentions for this conference are to strengthen the anti-fracking networks in the South while connecting with community leaders from other parts of the country who have been fighting fracking longer from litigation to blockades. We will also educate folks about the dangers of elements involved in this extraction process from frac sand mining to transportation to chemical proppants to drilling & storage to methane migration to burning and beyond. We will also have time to share our victories, analyze movement history and strategize about becoming a more effective movement to put an end to fossil foolishness! We look forward to seeing you in Knoxville in September.

-The 2013 Fracktivist Conference Planning Collective

<http://earthroot.net/frackconference>



Sierra Club  
Tennessee Chapter  
3340 Perimeter Hill Drive  
Nashville, TN 37233

June 17, 2013

Board of Trustees  
University of Tennessee  
719 Andy Holt Tower

Dear Board Member:

Please accept this letter on behalf of the hundreds of University of Tennessee (UT) alumni who are members of the Tennessee Chapter Sierra Club. I write to urge you individually and collectively to consider and review as a body the proposal by the University of Tennessee Institute of Agriculture (UTIA) to lease its Cumberland Research Forest to a natural gas industry partner for the ostensible purpose of studying the environmental effects of hydraulic fracturing of horizontal wells for natural gas production.

This proposal has engendered significant opposition from faculty, students, and staff of the UT System, environmental organizations, and members of the public. These groups and individuals have voiced their concerns relating to: (1) the potential environmental impacts of the proposed drilling and extraction activities; (2) whether the University's policies adequately protect against the potential institutional conflicts of interest that the research initiative presents, (3) whether due care has been exercised in the development of the proposed oil and gas lease, and (4) whether UTIA administrators have engaged stakeholders in good faith and with candor. These concerns are not based on mere speculation; many of them stem from a review of UTIA's own internal documents.

These concerns relate directly to the powers and duties of the Board of Trustees (the Board). The Board is the keeper of the University of Tennessee's good name, for it has "full authority to determine and to control the activities and policies of all organizations that bear, or that may be carried under, the name of the University." The Board is vested with broad authority over conveyances of the University's interests in real property. The Board has similarly broad powers to develop and implement governance best practices, including governance measures addressing conflicts of interest. Finally, the Board has an affirmative duty to promote constructive debate about major initiatives and transactions such as the proposed oil and gas lease and related research initiative. The Board's failure to put these items on the agenda for discussion at your June 19, 2013 Board meeting as students have requested is first and foremost a failure of the Board to exercise its duties and responsibilities.

In light of stakeholders' many concerns, the factual evidence supporting those concerns, and the direct relevance of those concerns to the Board's authority and duties, we hoped that the Board would review this transaction before it becomes irreversible. We recently learned, however, that the Secretary of the Board of Trustees has stated – in response to a UT Knoxville student's petition to present concerns about the proposed lease at an upcoming Board meeting – that the Board will not consider the issue at its June 2013 meeting and that the Board does not expect to consider the issue at any future meetings. We urge individual Board members to inform themselves about this issue – as their fiduciary duty of care requires them to do – and decide whether Board action is warranted here.

We submit that at least two aspects of this proposal require the Board's scrutiny. First, as it is currently designed the lease and research initiative cannot produce the objective results that UTIA says it seeks. Instead, the fundamental structure of the proposal – a research initiative on the environmental impacts of oil and gas extraction which would be funded by the very activities under study – presents significant institutional financial conflicts of interest. Despite UTIA's assurances that it has strong policies and procedures in place to handle potential conflicts of interest, the University lacks policies that address the kind of institutional conflicts of interest presented here. As a result, the proposed lease and research initiative threaten to make the University a poster child of "frackademia" – discredited, conflict-ridden studies on the environmental effects of "fracking". As recent problems at other universities have shown, such research would do nothing to enhance the University's standing among public research universities.

Before allowing UTIA to pursue this controversial proposal with the oil and gas industry, the Board of Trustees should review – and, as necessary, supplement – the University's policies and procedures regarding institutional conflicts of interest. As part of this step, the University should consider best governance practices regarding such conflicts of interest identified by bodies such as the Association of American Universities and the American Association of University Professors. The Board should also consider the policies and procedures that leading research universities have adopted or are considering regarding institutional conflicts of interest in the context of academic-industry partnerships.

Under Tennessee law both the mineral interests and the land at issue here are trust resources that are to be managed for the benefit of future generations of Tennesseans. Documents obtained from UTIA cast doubt on whether the University has exercised the level of care required to responsibly manage such trust resources. For example, nothing in the large volume of documents obtained from UTIA suggests that the value of the gas and oil resources under the Cumberland Forest has ever been assessed. Similarly, the University itself requested that the State Building Commission waive the requirement of independent appraisals when the University sought approval to issue the RFP in March of 2013.

These facts raise red flags as to whether the resources at stake in the oil and gas lease are being managed with adequate care, and should prompt the Board to carefully review this transaction. At a minimum, the Board of Trustees should obtain independent appraisals of both the value of the mineral interests at issue and the conservation value of the land, so that any decisions concerning these trust resources can be informed by a meaningful assessment of both financial and environmental costs and benefits. The Board of Trustees should also ensure that there is adequate opportunity for an open, constructive debate as to whether any of the Cumberland Forest is suitable for oil and gas drilling in light of the Cumberland Forest's conservation value.

We believe the concerns outlined above and the Board's responsibilities and authorities warrant a full examination of UTIA's proposal by the Board at a meeting before the contract is let in early October. We would ideally like the issue to be on the agenda for your meeting on June 13, 2013, but recognize this is unlikely given the time frame. We therefore ask the Board to meet in special session to consider the issue before your next scheduled Board meeting. We understand that under Board bylaws a special meeting can be called by three sitting Board members. We strongly urge this be done.

Sincerely,

Axel C. Ringe, Chair  
Water Quality Committee  
Tennessee Chapter – Sierra Club

Cc: Governor Bill Haslam  
Lieutenant Gov. Ron Ramsey  
House Speaker Beth Harwell

It seems public pressure does work, sometimes. In response to correspondence from the Chapter (see attached letter), Southern Environmental Law Center, and other citizens, the UT Board of Trustees has agreed to look at the plan by UT's Institute for Agriculture to lease fracking rights to their Cumberland Research Forest before any contracts with the gas industry can be signed. See the article in the *Tennessean*:

<http://www.tennessean.com/article/20130617/NEWS/306170076/UT-trustees-take-up-fracking-proposal>



# Meetings

The public is very welcome at ALL Sierra Club Meetings and Activities! All members traveling across the state should feel free to drop in and attend another Group's meetings. You will find yourself among friends and learning something interesting.

## **CHEROKEE GROUP (Chattanooga)**

**Strategy Meetings: Sept. 9 and Oct. 14 (Board Meeting) 2nd Monday, 6 P.M.** Our Strategy Meetings are held downtown, at Second Presbyterian Church, located at the corner of E. 7th Street and Pine, 700 Pine Street - parking is free in their Pine Street lot, across the street from the church, next to the old Blue Cross (orange) building. All members of the Group and interested people are welcome -- this is where and when we plan our actions! Come add your ideas and share your concerns. To place an item on the agenda, contact Secretary Barbara Kelly at 423-718-5009 or bk1rivers@comcast.net, preferably a week before our meeting.

**September Program: Last Monday, September 30, 7:00 P.M. at Outdoor Chattanooga, Coolidge Park, 200 River Street, Chattanooga. Topic: The Healthy Energy Campaign 2.0: Sandy Kurtz.** Though Sandy wears many hats, this night she'll have her Sierra cap on as she brings us the latest in our campaign to move the TVA toward adoption of an annual Energy Efficiency target, and our efforts to induce our EPB to talk to TVA about the same thing! She'll be highlighting Chattanooga programs that help bring energy efficiency to our homes and businesses. Bring your friends along!

The public is very welcome and healthy snacks are served, bring something along to share if you'd like. Parking is free along the sidewalks in Coolidge Park, or paid parking in the Theatre lot. Invite your friends!! Be sure to let them know we're meeting now on the Northshore.

**October Program: Last Monday, October 28, 7:00 P.M. at Outdoor Chattanooga, Coolidge Park, 200 River Street, Chattanooga. Topic: Tennessee River Gorge Trust.** Our Gorge is a very unique river canyon, starting at Williams Island (5 miles downstream from downtown Chattanooga) and running 27 river miles to Hales Bar Dam Marina near Nickajack Lake. At this point, 17,000+ acres of pristine wilderness have been protected by the Trust within the 27,000 area Gorge -- by means of direct purchase, Memorandum of Understanding, donation and conservation easements. Come learn more about this outstanding place, where archaeological sites bear evidence of human's presence there for at least 10,000 years. It is now home to over a thousand varieties of flora and fauna, including rare/ endangered species like the Bald Eagles and Large Flowering Skullcap. Come see why the Trust means to preserve the Tennessee River Gorge as a natural sanctuary for our community. Forever. INVITE YOUR FRIENDS!

**The public is very welcome and healthy snacks are served,** bring something along to share if you'd like. Parking is free along the sidewalks in Coolidge Park, or paid parking in the Theatre lot. Look for the small, funny building with what looks like a silver silo attached to it, right next to the blue bikes! Bring your friends!! Be sure to let them know we're meeting now on the Northshore.

## **CHICKASAW GROUP (Memphis)**

**THURSDAY, Sept 5, 5:30 P.M. to 7:00 P.M. Monthly First Thursday Gathering** Otherlands Coffee Bar, 641 S. Cooper, Memphis, TN Sierra Club members, activists, and friends meet in a casual setting to talk about environmental issues and interests. For more information contact Susan Routon at susan.routon@gmail.com or (901) 413-

3888.

**TUESDAY, Sept 10, 6:30 P.M. Executive Committee Strategy Meeting Contact Sue A. Williams for location information**

A strategy meeting that is open to all members. To place an item on the agenda -- or for current location -- contact Chairperson Sue A. Williams at (901) 274-0524 or z4cmv@juno.com at least five days before the meeting.

**MONDAY September 23, "Utilizing our Mississippi River and It's Tributaries 6:00 P.M. Benjamin L. Hooks Central Library, 3030 Poplar Avenue, Memphis 5:30 - 6:00 P.M.** refreshments and social time. Outdoor's Inc. co-owner Joe Royer will present on the wonderful adventures that abound around Memphis. For more information contact Susan Routon at susan.routon@gmail.com or (901) 413-3888.

**THURSDAY, OCT 3, 5:30 P.M. to 7:00 P.M. Monthly First Thursday Gathering Otherlands Coffee Bar, 641 S. Cooper, Memphis, TN**

Sierra Club members, activists, and friends meet in a casual setting to talk about environmental issues and interests. For more information contact Susan Routon at susan.routon@gmail.com or (901) 413-3888.

**TUESDAY, Oct 8, 6:30 P.M. Executive Committee Strategy Meeting Contact Sue A. Williams for location information**

A strategy meeting that is open to all members. To place an item on the agenda -- or for current location -- contact Chairperson Sue A. Williams at (901) 274-0524 or z4cmv@juno.com at least five days before the meeting.

**WEDNESDAY, October 16, 6:00 P.M. "Environmental Injustice: Communities Struggling Against Local Boards & the State" Benjamin L. Hooks Central Library, 3030 Poplar Avenue, Memphis 5:30 - 6:00 P.M.** refreshments and social time. Two amazing and compelling Environmental Justice cases recounted by a panel of community residents that organized their communities to fight against unjust landfill laws; sometimes seeking justice through the court system. Representatives from the small rural town of Camden, TN, and Denmark, TN, will share their individual stories and demonstrate why we need new solid waste laws across the State of Tennessee. For more information contact Susan Routon at susan.routon@gmail.com or (901) 413-3888.

**NOVEMBER 9** Check our facebook page or website for information about the annual Environmental Justice Conference, or contact Rita Harris at rita.harris@sierraclub.org 901-324-7757 <http://tennessee.sierraclub.org/chickasaw/> <http://www.facebook.com/Chickasaw.Group/>

## **HARVEY BROOME GROUP (Knoxville)**

**September 10 7:00 P.M., Tennessee Valley Unitarian Universalist Church, Knoxville — Great Smoky Mountains National Park Class of 2016** Erin Erickson, Webb High School and Youth Leadership Class of 2016

Responding to the National Park Service Call to Action in preparation for it's 100th year anniversary in 2016, Tremont created a unique program opportunity to develop young leaders and participate in developing a vision for the NPS's next 100 years.

Students participating in the Youth Leadership Class of 2016 will relate their experiences with this National Park Service Program. Partnering with schools and youth organizations, a core group of students who will be graduating from high school in 2016 were selected to be a part of the Youth Leadership Class. Those students are involved with a series of educational expeditions and opportunities in Great Smoky Mountains National Park that began last summer and culminates during the National Park Service centennial in 2016.

**October 15, 7:00 P.M., Tennessee Valley**

## **Unitarian Universalist Church, Knoxville**

To be Determined - see our website for updates or like us on Facebook <https://www.facebook.com/pages/Harvey-Broome-Group-of-the-Sierra-Club/491199940200>

For additional information contact Mac Post <mpost3116@aol.com>. All Harvey Broom Group meetings take place at Tennessee Valley Unitarian Universalist Church 2931 Kingston Pike, Knoxville, TN and are free and open to the public.

## **MIDDLE TENNESSEE GROUP (Nashville)**

**PROGRAM: September 12, 7:00 P.M. at Radnor Lake Visitor Center**

Did you know . . . that up to 75% of all low level radioactive waste processed in the U.S comes to Tennessee? Under Tennessee law, some of this radioactive waste may be placed into municipal landfills, which were not designed for this use. Possibly even worse, the Tennessee and U.S. governments have approved importing and burning radioactive German waste in Tennessee. This has occurred despite petitions by citizens for hearings and other legal processes, which have been denied. Senator Lamar Alexander publicly announced his support for the importation of radiological waste from Germany to be processed in Tennessee, and Governor Haslam has not objected in spite of numerous letters expressing alarm about the environmental dangers of incineration.

We all owe it to ourselves and our families to learn more about the dangers of making and dealing with radioactive waste, including incineration, and we invite you to come to this important presentation by Don Safer. Don is Chairman of the Board for the Tennessee Environmental Council. His 25 years in the natural foods business built his awareness of the causal relationship of environmental contamination and human disease. Don is an avid paddler and a board member of Tennessee Scenic Rivers Association. He is also a member of "Know Nuclear in the TN Valley" a group that educates community leaders, environmental advocates, public officials, and concerned citizens about nuclear waste, the nuclear industry, and the need to stop generating nuclear wastes in Tennessee and to manage the wastes we already have responsibly. Free and open to the public.

**PROGRAM: October 10, 7:00 P.M. at Radnor Lake Visitor Center Middle Tennessee's Frogs and Toads throughout the Year**

We are fortunate to have as guest speakers Bob and Andrea English, Environmental Consultants with Leaps, as we observe Middle Tennessee's frogs and toads through all four seasons. Using their own images & recordings, they'll discuss when and where to listen for various species. They will also show you some of the habitats used by each species and a few of the wildflowers associated with the peak calling time of each. We'll also look at how the distributions of some species have changed dramatically in recent years. It's an exciting time to be observing frogs and toads in Tennessee!

Andrea English has a bachelor's degree in wildlife and fisheries science and a master's degree in biology. She has been an interpretive naturalist for 28 years at such places as the Woodlands Nature Center at Land between the Lakes, Dunbar Cave State Natural Area and the Warner Parks Nature Center. She is now the Instream Flow Coordinator at TWRA.

Robert English has a degree in mechanical engineering and has interests in amateur astronomy and birding. His passion for night birds has yielded sightings of all nineteen species of North American owls and nineteen species from other countries. His owl photography can be seen in Audubon Society books, and his astrophotography and amphibian work has also been published.

*(continued on page 5)*



# Outings

## CHEROKEE GROUP (Chattanooga)

Emily Marr Davis is our Outings Chair, and point-person for outings information for our Group. Our activities are always open to the public and to members of the Club from across our state! Outings are planned to take in the interests and skill levels of the participants. For more information, contact Emily at emily.marr.davis@gmail.com. Please check our Facebook page, Cherokee Sierra, for the latest on our outings.

**Sept. 28-29: National Plug-In Day: Chattanooga.** The purpose of National Plug In Day is to celebrate electric vehicles and to get new drivers into cars. September 29th is officially designated as National Plug In Day, although events and celebrations will be taking place on Saturday or Sunday - September 28th and 29th, depending upon the location. Look for more from us on our Facebook page (Cherokee Sierra) and in our E-News as planning begins in earnest. Come to our Strategy Meetings, 2nd Mondays, if you want to get in on the planning.

**Sept. 29: National Plug-In Day: Chattanooga** Celebrate electric vehicles and try out an electric car! The **FLASH DRIVE**, a viewing at 11 am, and parade of electric transportation (cars and bikes!) starts the Chattanooga Market, at Noon, over to Whole Foods, where we'll have the **ELECTRIC TAIL GATE PARTY**, where you can talk with owners, visit vendor booths, eat great food, tour a CARTA bus, test drive cars and lots more! Be sure to visit our Sierra booth! (*Plug-In Days events will be happening also in Nashville and Knoxville over the weekend*) Check out our Facebook page,

Cherokee Sierra, for details.

## CHICKASAW GROUP (MEMPHIS)

**SAT. SEPT 14, COOPER YOUNG FEST'S SIERRA CLUB BOOTH, 9 A.M. - 7 P.M.** See <http://www.cooperyoungfestival.com/> for more information. Contact Mark Plumlee at (901) 679-4622 to volunteer at our booth.

**SAT, SEPT 21, Mississippi River Bluffwalk Sunset Equinox Hike** 5:30 P.M. - about 7:15 P.M. Explore the riverfront parks (about 3 miles), with information on air and water quality issues, and updates on riverfront development issues. Meet at Butler Park with free parking on Tennessee St. The park entrance is on Tennessee Street at the intersection with Butler Avenue, next to the old Tennessee Brewery. See <http://tinyurl.com/Bulter-Park> for map. Alternatively, park at Tom Lee Park and walk up the stairs at the south end of the parking lot. Option to go to dinner at your own expense after the outing. Contact Sue A. Williams at (901) 274-0524

Further instructions: On Front St. going north, go under railroad bridge at Nettleton and take next right which is Butler. Butler dead ends at Tennessee.

If coming from the south on Riverside Dr., turn right on Georgia Ave. which bends and becomes Front St. Turn left onto Butler which is directly after W Calhoun.

In order to participate, you must sign an outings waiver that can be found at <http://www.sierraclub.org/outings/chapter/forms/>

## HARVEY BROOME GROUP (Knoxville)

**14 Sep (Sat). Wildlife Float, Rankin Wildlife Management Area, Douglas Lake.** Douglas lake will be "drawn down" enough to expose large mud flats in the Rankin Bottoms area. These attract many species of migrating shore birds and waterfowl, making Rankin a real treat at this time of year. Though we can't know for sure what awaits us in terms of migrating birds, we'll have a fair chance of spotting several species that may be new to you. Only very basic canoe skills are necessary for this trip. Sorry, but we cannot provide canoes. Check with local outfitters for rentals. One-way drive: 50 miles. Pre-register with Ron Shrieves at 922-3518 or [ronaldshrieves@comcast.net](mailto:ronaldshrieves@comcast.net) (e-mail preferred).

**26-27 Oct (Sat-Sun). Gourmet Backpack.** This fall trip is a Harvey Broome Group tradition. It started in the early 1980's with an outrageous canoe backpack to the Fontana side of the Great Smoky Mountains National Park, to a similarly outrageous backpack to Little Bottoms in the 1990's, and recently to somewhat more modest affairs along Bald River Falls Trail, the Big South Fork, North Fork Citico Creek, and the Piney River. Even the modest affairs have involved some truly great backcountry appetizers, drinks, entrees, and deserts. Last year's gourmet backpack was a Mexican themed potluck. The potluck dinner included frozen margaritas, appetizers, soup, five entrees and sides, and desert. The backpack will be no more than 4 miles to a campsite. We will decide on a location once we get a better idea of interest. Rated easy, and don't be intimidated if you're not a great cook. Preregister with BJ and Bob Perlack: [perlack@aol.com](mailto:perlack@aol.com); 229-5027.

## Meetings *(continued from page 4)*

Kids will enjoy this program, and we encourage you to invite your friends. Free and open to the public. Information about Leaps can be found at [www.leaps.ms](http://www.leaps.ms).

**STRATEGY MEETINGS: September 10 and October 8 at 6:30 P.M.** Everyone is welcome at this local issues and business meeting. Meetings are usually held at the Mad Platter Restaurant, 1239 Sixth Ave. North, Nashville 37208 (near the Nashville Farmer's Market), but there may be times we meet elsewhere. *If you are not a regular attendee*, please contact Betsy at 668-1977 or [garberb@hotmail.com](mailto:garberb@hotmail.com). Come a bit early because we start the meeting at 6:30, and please contact Betsy at 668-1977 to let her know you're coming. The Mad Platter is not open on Tuesday evenings, so be sure to eat before you come or bring something with you. We look forward to seeing you.

### **Wanted — Needed — Appreciated**

MTG needs a new Program Chair or Co-Chair starting in January. This is a responsibility that lies at the heart of what we do in bringing the community together in support of the environment. We have a current committee member who is willing to co-chair, but she would step aside for someone who wants to chair the committee solo. The responsibilities take about 4 hours per month, plus attendance, as possible, at the programs on the second Thursday of each month. At least 2, and maybe more, of the current committee members are willing to stay on, so it would not be a "starting from scratch" effort. Please contact Adelle Wood, 665-1010 or [adelleintn@juno.com](mailto:adelleintn@juno.com) for further details. **Fun volunteer job!**

## WATAUGA GROUP (Northeastern TN)

**PROGRAM MEETINGS: Every second Tuesday at 7 P.M.** Please contact Gloria Griffith at [gla4797@earthlink.net](mailto:gla4797@earthlink.net) or 423-727-4797 for more information.

## Chickasaw Group Nominations (WEST TN)

The Chickasaw Group welcomes your nominations to fill a number of seats on its Executive Committee. Candidates should be interested in promoting environmental issues, willing to learn and develop action plans within Sierra Club policy, participate in Group activities and attend monthly strategy and other meetings regularly. If you are interested, or know someone who might be, please contact Scott Banbury, chair of the nominating committee, at 901-619-856 or [smbanbury@gmail.com](mailto:smbanbury@gmail.com) by September 10, 2013. Other members of the nominating committee are Clark Buchner and Charles White. The ExCom meets in Memphis.

In addition to candidates recommended by the Nominating Committee, the name of any Group member proposed in writing by at least 25 Group members prior to the deadline for submission of petitions (September 10, 2013), and who gives consent, shall also be included on the ballot. Our elections will take place by the ballot listed in the November/December issue of the Tennes-Sierran, with terms to begin in January 2014.

## Nashville Area – A Call to Action

Or, how anyone can make a difference: Our Nashville Area Group (MTG) is made up of many Sierra Club members – all of whom are well aware of the existing environmental threats to our planet. However, only a small number of people are actively involved in our local education, lobbying, and conservation efforts. If you are not already actively involved with an environmental organization, I encourage you to do more; we need to raise awareness. Also, I ask that you consider joining our efforts by:

1. Attending our monthly business/local issues meetings,
2. Running for our executive committee, &
3. Encouraging others to become active with our group.

## Nominations Are Now Being Accepted for Four Seats on the 2014 Executive Committee

Executive Committee Members serve as our "Board." We have required monthly meetings (usually at the Mad Platter). We have 9 voting members who take the lead on planning our activities and actions in the Middle Tennessee area. Please contact Betsy Garber at [garberb@hotmail.com](mailto:garberb@hotmail.com), or 615/668-1977 to express your interest, nominate someone else for the Executive Committee, or find out about our next meeting. The other members of the MTG Nominating Committee are Scott Heflinger and Cliff Cockerham; they will be happy to answer any questions. Nominations must be received by September 20, 2013.



# Bullets for use in requests to UT Board of Trustees membership for balanced treatment of fracking proposal 22 July 2013

## BACKGROUND:

The UT Board of Trustees is charged with responsibilities and authority over University governance, property conveyances, and property transactions. The next full meeting of the Board of Trustees is in Knoxville on Oct 17 – 18, and it has been announced that the UT Institute of Agriculture (UTIA) proposal for oil and gas extraction (fracking) in The Cumberland Forest will be on the agenda for that meeting.

However, UTIA indicates on their website (<https://ag.tennessee.edu/gasandoil>) that they will provide only an “update” and “detailed presentation” to the UT Board of Trustees at the Oct 17-18 Board meeting in Knoxville. No decision point by the Board is indicated. No counterbalance presentation by concerned faculty, students, alumnae or concerned citizens is currently scheduled. The official project schedule posted on the website and in the UT Request for Quotation released on June 7 calls for RFP submission by Aug 7; State Building Commission Review is to occur between Aug 20 and Sep 23, and announcement of the award is to take place on Oct 3—all prior to the Board of Trustees meeting (Oct 17-18)! If the RFP response and State Building Commission review retains this published events schedule, a major portion of the UTIA gas and oil development project contract approval process will be completed and finalized without UT Board of Trustees input and guidance.

In addition, and given that members of the University management who are in the best position to inform trustees are in fact affected by conflicts of interest, Trustees are obligated to consider independent analyses of the proposed transaction in order to ensure that they act in the best interest of the University. We — the citizens, faculty, students and alumnae — can provide that independent analyses.

## The Main Point:

CONCERNS FOR THE WISE MANAGEMENT OF UNIVERSITY PROPERTY MAKE IT NECESSARY FOR THE UT BOARD OF TRUSTEES TO HEAR AND CONSIDER FACULTY, STUDENT, ALUMNAE AND CITIZEN CONCERNS REGARDING THE UTIA PROPOSAL TO FRACK THE CUMBERLAND FOREST BEFORE UTIA APPROVES OR SIGNS A CONTRACT AND BEFORE THE PROPOSAL IS FURTHER CONSIDERED BY THE STATE BUILDING COMMISSION. To do otherwise would exhibit Board failure to exercise its duties, responsibilities and authority over University governance, property conveyances, and property transactions.

## TALKING POINTS:

PUBLICALLY AVAILABLE INTERNAL DOCUMENTS INDICATE A LACK OF TRANSPARENCY within UTIA in planning, promoting, and seeking approval for this project.

THE UTIA PROPOSAL FOR FRACKING RESEARCH HAS GONE FORWARD WITHOUT MEETING ACCEPTABLE SCIENTIFIC STANDARDS, exhibits lack of scientific rigor, disregards institutional conflict of interest vulnerabilities, and does not justify an imperative need to drill hydraulic fracturing wells on public lands in order to perform credible research.

UTIA PROPOSED PUBLIC LAND USE WILL BENEFIT PRIVATE BUSINESS

ENTERPRISES while placing a non-renewable public trust resource at risk of serious damage, with minimal public input, and under a contract arrangement dangerously different from UTIA's previous agreements with Dairy Farmers of America, seed corn breeders and pesticide manufacturers. The Board has no specific policy to govern such actions.

REGULATORY EXEMPTIONS HAVE UNDERMINED THE ABILITY OF THE TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION TO PROTECT THE PUBLIC AND ENVIRONMENT; current Tennessee oil and gas regulations do not require drillers following the UTIA-proposed fracking plan (using nitrogen as the fracking fluid) to notify neighbors or monitor water wells. Further, the US fracking industry is exempt from compliance with the federal Safe Drinking Water Act. The UTIA proposal makes the Board a party to such actions and creates significant Board and institutional vulnerabilities.

UTIA PROPOSAL JEOPARDIZES VALUE OF CUMBERLAND FOREST FOR ECOLOGICAL RESEARCH. The Cumberland Forest has been used for decades to conduct long-term research on forest ecology, recovery of surface-mined land, and forestry; its value and potential for long-term research must be considered and compared to the short-term value of extracting the Forest's oil and gas minerals. Other research forests preserved and maintained in an undeveloped state by universities for long-term ecological research include the Harvard Forest, Hubbard Brook Experimental Forest, Duke Forest, Clemson Experimental Forest, and Newton Woods.

ACTION ITEM: CONCERNED FACULTY, STUDENTS, ALUMNAE AND CITIZENS RESPECTFULLY REQUEST THAT THE UT BOARD OF TRUSTEES:

1) Welcome and consider formal input and presentations by concerned faculty, students,

alumnae and citizens before any Board decision on land use plans for The Cumberland Forest is made. This input could take the form of presentations and discussions before a called meeting of the UT Board Executive and Compensation Committee prior to the October Board of Trustees meeting in Knoxville.

2) Delay any decision on the UTIA proposal and adjust the UTIA proposal approval timeline so as to allow sufficient time for balanced Board evaluation of information on the proposal and its long-term consequences. It is vitally important to both the University and the State of Tennessee for the UT Board to carefully weigh and consider the proposed dramatic change in the integrity of The Cumberland Forest (a public trust land) and to explore viable alternate land-use options.

PLEASE SEND YOUR WRITTEN REQUESTS AND CONCERNS TO THE UT BOARD OF TRUSTEES GENERAL COUNSEL WITH CC TO AXEL RINGE (Chair, Water Quality Committee, TN Chapter Sierra Club, [onyxfarm@bellsouth.net](mailto:onyxfarm@bellsouth.net)). ASK MS. MIZELL TO FORWARD YOUR COMMENTS TO ALL MEMBERS OF THE UT BOARD OF TRUSTEES. KEEP YOUR COMMUNICATIONS CIVIL; SEVERAL BOARD MEMBERS ARE VERY CONCERNED ABOUT THE UTIA PROPOSAL AND A NUMBER ARE NOT YET AWARE OF THE PROPOSAL'S SERIOUS PROBLEMS; WE ARE TRYING TO INFORM THEM IN A REASONABLE MANNER:

**Ms. Catherine Mizell**

**UT Board of Trustees General Counsel and Secretary**

**719 Andy Holt Tower**

**Knoxville, TN 37996-0170**

**E-mail: [cmizell@tennessee.edu](mailto:cmizell@tennessee.edu)**

**Ph (865) 974-3245**

For background information on UT Fracking Proposal see:

<http://earthroot.net/frackconference/take-action/>



Sierrans gather at the July Chapter meeting in Nashville. Mark your calendar for the October 17, 18, & 19 meeting at Pickett State Park! This will be a great meeting for newcomers because there will be lots of hikes and activities. Photo by Anna Rasmussen

## Harvey Broome Group (HBG) Nominating committee Class of 2014 thru 2015

The HBG Nominating committee for Ex Com candidates for members of the Class 2014 through 2015 are David Reister Chairman, Rob Davis Warren Devine and Bob Perlack members.

Candidates for ExCom must be Sierra Club members in good standing Through 12/31/2013.

Members interested in becoming candidates must submit their name in email to David Reister [DReister@Bellsouth.net](mailto:DReister@Bellsouth.net) by September 12, 2013.

Candidates if elected must be willing to actively participate in Group management. Membership on the Ex Com requires some commitment of time and energy.

Please consider becoming a candidate.



# YOU ARE INVITED

## TN CHAPTER AUTUMN RETREAT

### OCTOBER 18-20, 2013



Members and guests can explore large rock houses, natural sandstone bridges, scenic bluffs, and wild mountain streams. The park memorializes and preserves the unique work of the Civilian Conservation Corps CCC, who first developed the park. Many of the original buildings were constructed of native sandstone rock that the "CCC boy's" quarried from the nearby forest. These beautifully built buildings have stood the test of time, thus qualifying the park to be listed on the National Register of Historic Places.

State Naturalist, Randy Hedgepath will join us to lead hikes on Saturday and Sunday. In addition, we'll have a variety of other fun activities and educational opportunities for you to choose from on Saturday (such as guided fishing and activist trainings) and Sunday explorations to problematic forestry, mining and gas sites. Come to learn, to enjoy and to meet

others from across the state!

Nestled in a remote section of the upper Cumberland Plateau, Pickett CCC Memorial State Park is known for its geological, botanical, and scenic wonders. The park lies within the 19,200 acre Pickett State Forest, and adjacent to the massive 120,000 acre Big South Fork National River and Recreation Area.

Bunk house style sleeping accommodations at the Group Lodge and Saturday and Sunday breakfasts plus Saturday dinner is provided. Fee is \$40.00 for adults, children 15 and under FREE. First time attendees 1/2 price. Bring your own lunches, toiletries, towels and sleeping bag.

**Pickett State Park**  
**4605 Pickett Park Highway**  
**Jamestown, TN 38556**

**Directions:** Take I-40 to Exit 317 and take Hwy. 127 north for 46 miles. Turn right on Hwy. 154 and travel another 12

miles to the park entrance.

Additional Pickett State Park information found at  
<http://state.tn.us/environment/parks/Pickett/>

**Defenders Fall Silent Auction**  
**Saturday night. Bring items to donate!**

**Reservations:** Contact Gloria Griffith at [Gla4797@embarqmail.com](mailto:Gla4797@embarqmail.com) or 423-727-4797 and please specify vegetarian or omnivore meals before Oct 15 to assure your preference is available.

Advance reservations for the traditional pre retreat meetup at Baccara's German Restaurant 7:30 P.M. on Friday night may be made at the same time you reserve your space for this Fall Retreat.

### Cherokee Group Nominations Sought for 2014 Terms on Executive Committee

The Cherokee Group Nominating Committee (composed of Barbara Kelly, Phil Davis and Bob Pyle) is looking for nominations for Cherokee Group Executive Committee Members for 2014.

We will have four (4) openings for the two-year terms that begin in January. Elections will be held by ballot enclosed in the December/January Tennes-Sierran.

**What does an Executive Committee member do?** They serve as our "Board," providing the leadership and vision of our Group, while helping us promote the mission of the Sierra Club. Members attend both Program and Strategy meetings, promote the Outings program and conservation activities, participate in long-range planning, actively assist in fundraising activities or contribute financially, and contribute a sense of camaraderie and teamwork. A tall order to fill -- but a rewarding one!

Please contact our Nominating Committee Chair Barbara Kelly to volunteer yourself as a candidate, or to suggest a candidate: by e-mail at [bk1rivers@comcast.net](mailto:bk1rivers@comcast.net) or by phone at 423-718-5009. Nominations must be received by 9/14/12 for consideration.

### 4th Annual Appalachian Public Interest Environmental Law (APIEL) Conference October 11-13 in Knoxville, TN.

APIEL brings together activists, attorneys, students, scientists and concerned citizens working for environmental justice throughout Appalachia and surrounding states. The conference features a series of workshops and dialogues led by activists, lawyers and scientists with the goal of exchanging information, sharing skills, and fostering collaboration between the grassroots, the bar, future lawyers and policy-makers. Workshops address the region's most pressing ecological problems, as well as the underlying laws, policies and institutional dynamics that have enabled these issues to occur.

The first **50 people** to sign up this year will receive a free reader copy of *Energy: Overdevelopment and the Delusion of Endless Growth!*

We are currently accepting workshop proposals from those interested in presenting.

If you need more information about participating or presenting at this year's conference visit <http://www.apiel.org/> or email [apiel.info@gmail.com](mailto:apiel.info@gmail.com).

The APIEL organizers and friends hope you will join in this edifying and provocative event!

### Backpack Big South Fork National River and Recreation Area and Mountaintop Removal Tour October 13-15 (Sunday-Tuesday)

Come explore the Cumberland Plateau and see mountaintop removal coal mining first hand. Experience the beauty of autumn in Appalachia on this camping trip at the Big South Fork National River and Recreation Area. The Big South Fork is a natural and historical treasure with miles of stunning river gorges, sandstone bluffs, historic homesteads and some of the most biologically diverse stream in our country. After experiencing the rich natural wonders of the Appalachian Mountains we will take a trip to see mountaintop removal and learn how this mining practice is threatening the natural and cultural heritage of our state. Cost for this trip is on a sliding scale of \$25 - \$75 to cover experiences. Contact us for information about scholarships or work-trade. The cost includes camping permits, freshly prepared meals including vegetarian options, varied guided day hikes to spectacular vistas and wooded wonders and the chance to learn from and stand with Appalachian communities working to build a sustainable energy future in Appalachia. Preregister at [http://action.sierraclub.org/Tennessee\\_Outting\\_MTR](http://action.sierraclub.org/Tennessee_Outting_MTR) or contact Bonnie Swinford at [bswinford1@yahoo.com](mailto:bswinford1@yahoo.com) or by phone at (865)755-0095.



# New Report Shows All 8 Coal-fired Power Plants in Tennessee Discharge Toxic Coal Ash or Wastewater, Highlighting Critical Need for Strong Federal Standards

<https://drive.google.com/a/sierraclub.org/folderview?id=0B5YcGQxYjsdbWUpDVTcxNmZnYzA&usp=sharing-grid>

In July, the Sierra Club held press conferences and sent kayakers into the middle of the polluted McKellar Lake, which feeds into the lower Mississippi River, and the Cumberland River, to highlight the critical need for strong federal standards limiting toxic water pollution from coal power plants. TVA's Allen coal plant currently discharges directly into McKellar Lake, which has been formally designated as impaired by toxic mercury pollution.

Sportspeople and concerned community members joined the Sierra Club at the events to demonstrate that these waterways are too polluted from industrial sources and TVA's coal plants, including Allen and Gallatin.

The events came after a coalition of environmental and clean water groups, including the Sierra Club, released a new report this week demonstrating the importance of strong U.S. Environmental Protection Agency (EPA) standards that limit toxic water pollution from coal plants in Tennessee. The report, "Closing the Floodgates: How the Coal Industry Is Poisoning Our Water and How We Can Stop It" reviewed water permits for 386 coal plants across the country, and sought to identify whether states have upheld the Clean Water Act by effectively protecting families from toxic water pollution.

#### The analysis found:

- Although Tennessee has 8 active coal power plants, only one of them has a permit that limits dumping of any toxic metal. The one plant that does have a limit for toxic metals only limits arsenic and selenium.
- All of the 8 coal power plants have discharges contaminated by metal-laden coal ash or dangerous smokestack scrubber sludge.
- Worse, of these plants, only 6 report how much arsenic and selenium they are discharging to federal authorities.
- Three coal power plants are dumping their wastes into water bodies that have been formally designated as impaired by toxic mercury pollution, including McKellar Lake and the Cherokee Reservoir. TVA's Allen coal plant discharges directly into McKellar Lake.

"This report makes it clear that TVA and all coal plant owners in Tennessee need a lesson in common sense," said Scott Banbury, Conservation Chair, Tennessee Chapter of the Sierra Club. "When TVA's Allen coal plant dumps poison directly into McKellar Lake, it threatens our health and local recreation opportunities. The Environmental Protection Agency should act now and limit these toxics in our water to prevent children from getting sick, ensure our water is safe to drink and our fish safe to eat, and save lives."

Existing guidelines written to limit toxics discharged from coal plants do not cover many of the worst pollutants, and have not been updated in more than 30 years. In April 2013, the Environmental Protection Agency proposed the first-ever national standards for toxics dumped into waterways from coal plants.

The Sierra Club's Tennessee Beyond Coal campaign supports the strongest options for these "effluent limitation guidelines" that will limit the amount of toxic chemicals that are dumped into our waterways. These standards will also require all coal plants to monitor and report the amount

of toxics dumped into our water, giving us detailed information for the first time about the types and amounts of dangerous chemicals in our water.

The new report's nationwide findings were similarly shocking:

- Of the 274 coal plants that discharge coal ash and scrubber wastewater into waterways, nearly 70 percent (188) have no limits on the amounts of toxic metals like arsenic, boron, cadmium, mercury, and selenium they are allowed to dump into public waters.
- Of these 274 coal plants, more than one-third (102) have no requirements to monitor or report discharges of toxic metals like arsenic, boron, cadmium, mercury, and selenium to federal authorities.
- A total of 71 coal plants discharge toxic water pollution into waterways that have already been declared as impaired. Of these plants that are dumping toxic metals into impaired waterways, nearly three out of four coal plants (59) had no permit that limited the amount of toxic metals it could dump.
- More than half of the coal plants surveyed (187) are operating with an expired Clean Water Act permit. Fifty-three of these power plants are operating with permits that expired five or more years ago.

The new report also reviewed red-line copies of the EPA's proposed coal plant water pollution standards or "effluent limitation guidelines" obtained through Freedom of Information Act requests, finding that the White House's Office of Management and Budget (OMB) caved to coal industry pressure and took the highly unusual and improper step of writing new weak options into the draft guidelines prepared by the EPA's expert staff.



"Sierrans from across State gather in Nashville to press TVA to Move Beyond Coal"

## Moving?



Attach mailing address label, or fill in current name, address & Membership ID#

Current Address: \_\_\_\_\_

Member ID# \_\_\_\_\_

My new address is:

Name \_\_\_\_\_

Address \_\_\_\_\_

City/St/Zip \_\_\_\_\_

Mail to:  
Sierra Club, P.O. Box 421041,  
Palm Coast, FL 32142-1041.

## Watauga Group (WG) Nominating Committee calls for EXECUTIVE COMMITTEE (ExCom) nominations for the 2013 election cycle.

The following WG members constitute the Nominating Committee and Election Committee for the 2013 election:

- Rita Cowan 423-727-6497
- Dean Whitworth 423-727-7214
- Bob Carlough 423-768-1170

**WG members may self-nominate by contacting any Nominating Committee member before Tuesday SEPT 10th 2013.**

A total of four ExCom members, each serving two year terms, will be elected to serve JAN 2014 through DEC 2015. Successful candidates will join returning WG ExCom members Dean Whitworth, Dennis Shekinah, Carol Walker, Bob Carlough and Gloria Griffith. **NOMINATING COMMITTEE REPORTS NOMINEES TO WG ExCom on Tuesday SEPT 10th.**

\* Deadline to Submit Candidate Petitions is SEPT 20th via file doc email to Dennis Shekinah at dshekinah@centurylink.net or USPS mail to Rita Cowan 900 Mining Town Rd Mountain City, TN 37683

The Sierra Club-Middle TN Group  
**Tennes-Sierran**  
3712 Ringgold Road, #156  
Chattanooga, TN 37412-1638

Non-Profit  
Organization  
U.S. Postage  
PAID  
Nashville, Tennessee  
Permit No. 3225