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# PRAIRIE FLYER

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A Prairie Group of East Central Illinois publication.

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This newsletter appears three times a year – in April, August, and December. In addition to our newsletter, we use Facebook and our Alerts Listserv to communicate with members about environmental events and action items. For Facebook, please join the Sierra Club Prairie Group <https://www.facebook.com/groups/SierraClubILPrairieGroup/>. For our Alerts List see <http://lists.sierraclub.org/SCRIPTS/WA.EXE?SUBED1=il-prairie-alerts> where you can subscribe or unsubscribe. The internet links in this document are shown in blue. Clicking on them should bring up your browser and connect to that URL. Some PDF viewers may not launch a browser, and you will need to open this PDF with your browser.

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## Political Field Team 2018 Political Activities

The 2018 primary election has been a busy time for the Prairie Group and the Illinois Chapter and the new Political Field Team. We had a good turnout for the January 27th training conducted by Illinois Chapter staff. The training led to several phone banking efforts by volunteers where we managed to call every Sierra Club member living in the 13th Congressional District. The purpose was to inform members about our endorsed candidates who believe in human influenced climate change and demonstrated strong support for environmental protections.

This is the first year for the Political Field Team sponsored by the Illinois Chapter, and all evidence indicates this was a successful effort. It's encouraging that so many qualified people are running for political office, and so many people who are fired up about this election year. There was a record turnout of voters who came out for the Primary election on March 20, and we expect a bigger turnout for the general election on November 6.

The interview teams from around the state found all Democratic candidates who ran for Governor and in the IL-13th Congressional District were all supportive of issues important to the Sierra Club. The final decision resulted in the Illinois Chapter of the Sierra Club heartily endorsing J. B. Pritzker for Governor and Betsy Dirksen Londrigan for the IL-13th Congressional District.

Let's put the full force of the Sierra Club toward electing J.B. Pritzker for Governor and Betsy Dirksen Londrigan for the 13th Congressional District in the general election in November. We can defeat Bruce Rauner for Governor and Rodney Davis with the power of the Sierra Club.

If you are interested in helping for the general election, please contact me at a.engebretsen (at) comcast.net.

**Alice Englebretsen, Prairie Group Excom Political Chair**

## To the Ends of the Earth screening at Channing-Murray

On March 2 at the Channing-Murray Foundation, Sierra Club and Food and Water Watch, with co-sponsors iMatter, Eco-Justice Collaborative, Faith in Place and Spotlight Air Environmental presented a screening of To the Ends of the Earth.



It's a new film that exposes the global peak of conventional crude oil production that has lead humans to pursue unconventional and extreme fossil fuel extraction from the bottom of the Resource Pyramid. The extreme amount of energy, and water, it takes to produce those unconventional sources is leading us off the "net energy cliff." How much energy does it take to make energy and has the **Energy Return on Investment (EROI)** become so extreme that we are now experiencing "energy negative production costs"? Are we feeding the Beast?

If we are at energy negative production costs, what does it mean for our future and our planet? Are we not at peak oil but the peak of an economy that depends on oil that now demands for human ingenuity to rebuild society at the end of the fossil fuel era. De-growth will happen- either by design or disaster.

The film's producer/director David Lavallee grew up in Alberta. In 2007 he was shocked to find that the tarsands industry had come to his province and was drawing the largest amount of fresh water for industrial purposes of any industry in the world. He decided to "follow an imaginary drop of water" from the headwaters of the Athabasca to the tarsands themselves. His discoveries of the struggle of First Nations against multinational oil companies downstream formed the basis of his 2010 film **White Water, Black Gold**. Having learned about the enormous and unprecedented amounts of capital being poured into the tarsands and other forms of unconventional resources, he began his second film **To The Ends of the Earth**.

We had the chance to hear about the issues that each co-sponsor is working on from coal ash waste and fracking to toxic air and climate change. We are so fortunate to live in such a strong and diverse community of organizations that believe that activism is a part of life. There is interest in giving the film another screening at Channing-Murray in the fall but before then go to the website for a deeper dive: [endsoftheearth.org](http://endsoftheearth.org)

**Lois Kain, Prairie Group Excom**

## Ban Fracking in Illinois This Year

Illinois has so far avoided the damages that inevitably result from horizontal, or directional, High Volume Hydraulic Fracturing (HVHF), known as fracking. The first HVHF permit was stopped in its tracks in Fall 2017 by organized and determined citizens in Southern Illinois supported by over 5,000 letters to the Illinois Department of Natural Resources. Woolsey Operating Company, deciding the process had become too lengthy and costly, pulled their application. But there are others that would frack our state and the Hydraulic Fracturing Regulatory Act of 2013 will not protect us. Now is the time for Illinois to join New York, Maryland, and Vermont and ban fracking.

While we regularly read about climate change, environmental, and health issues associated with fracking, this destructive extractive industry also causes striking increases in societal burdens and financial harm. Since the fracking boom kicked off in 2005, there has been mounting evidence of miserable consequences where ever fracking has been welcomed into communities with the promise of wealth and jobs. That promise has come with a much larger price tag of violent and organized crime, sex crimes, drug and alcohol abuse, infrastructure damage, social pressures, unfulfilled job creation, environmental devastation, ruined farmland, property devaluation, and reduced royalty payments to landowners. From all over the country, studies and reports tell similar stories of communities wrecked by the fracking boom-and-bust cycles. But while people and planet lose, the fracking industry rakes in billions in profits and taxpayer subsidies.

The influx of out-of-state, transient, predominantly male workers, often create "man camps," that drive human trafficking that includes children, sex workers and prostitution, sexual assault, and the rise of STDs. Violent crimes against women, home owners, businesses, community members, and drug-related crimes increase. Methamphetamine, heroin, and alcohol use spikes. Numbers of DUIs, crashes, injuries and deaths can be linked with increased fracking activity. Driving on rural roads becomes more dangerous with heavy trucks hauling frack sand, water, and chemicals, on damaged roads that were never meant for such traffic. Overweight trucks with safety violations compound the dangers. Speeding trucks banging along country roads spewing diesel fumes disrupt normally quiet countrysides.

The surge in population, crimes, and general "hell-raising" strains emergency agencies, municipal services, and infrastructure. Police and fire departments, first responders, emergency rooms, hospitals, and social services are forced to deal with heavier demands, often without increased staff or funds. The road and bridge damages leave municipalities holding the bag for millions of dollars when fracking companies do not cover repair costs. Demands on water and sewer infrastructure stretch the budgets of local governments, and fires from eruptions and explosions can require responses from multiple fire departments. We know that fracking activities can cause frequent earthquakes that severely compromise or destroy buildings and infrastructure, not to mention frightening local populations. Southern Illinois sits in two primary seismic zones: New Madrid Seismic Zone and the Wabash Valley Seismic Zone. This does not bode well.

Exaggerated job numbers persuade communities that fracking will bring opportunities to their citizens. But oil and gas companies are notorious for wage theft and breaking wage laws. Workers have been forced to go to court to recover lost wages. Withheld overtime compensation keeps workers from making even minimum wage. And those overtime hours are often met with rising methamphetamine use to help workers stay awake for two or three days to grind through long shifts. There is also evidence that the lure of big paychecks for low-skilled labor entices male high-school students to dropout. When the bust comes these young men have no high school diploma, which can have consequences throughout their lives.

Farmland around drill sites will probably never be suitable for farming again. Fracking "accidents" contaminate once productive land and farmers are confronted with industrial waste and trash. Fracking often pits farmer against farmer, and against a ruthless wealthy industry for access to clean water. The industry knows that inherent hazards and risks in fracking practices are so great that some banks will not issue mortgages and property insurance can be impossible to get. Gas companies that are significantly reducing royalty payments to landowners with leases is becoming a widespread complaint. Property values decrease greatly for homes that rely on well water located near drilling sites for fear of groundwater contamination even to the point of making them unsellable. Who wants to live near a frack site anyway? Certainly not Secretary of State Rex Tillerson.

Industry officials like to tout that there are no recorded harms from fracking. But homeowners and landowners who have brought lawsuits and won have been forced into gag orders and non-disclosure agreements that prevent the details from reaching the public. A settlement in Pennsylvania from 2013 has FORBIDDEN the two children of the plaintiffs from ever discussing fracking for the rest of their lives!

When gas production falls and the bust comes communities are left with empty hotel rooms and residential developments, shuttered businesses, late car loan and mortgage payments, foreclosures and repossessions, negative impacts on property values and depressed local tax revenues.

When the price of oil hit bottom in 2016, the bust cycle of fracking hit communities across the country hard but kept frackers out of Illinois. With oil prices on the rise and the Trump administration being the most anti-environment pro-industry administration of all time our country is in for rough times. Trump, Ryan Zinke, and Scott Pruitt seem hell-bent on laying open vast swaths of our lands for sacrifice zones for extreme energy extraction; offering up our coastlines and public lands to all the horrors of fossil fuel extraction.

Fracking operations near and on public lands, national and state parks, and natural and wildlife refuges will cause not only heartbreaking ecological degradation but also may chase away nature and wildlife lovers from beloved natural areas. Our wild and beautiful Shawnee National Forest could get fracked, using millions of gallons of our freshwater and millions of tons of sand blasted and mined out of the hills around Starved Rock State Park. Gorgeous vistas made ugly by fracking wells, flaring stacks, storage tanks and ponds, illegal dumping, and un-breathable methane filled air will change our forest forever.



ICAP with Reps. Scott Drury and Will Guzzardi, Springfield, February 27.

Illinoisans have the chance right now to stop fracking from bringing irreparable harm to our state. The Illinois Coalition Against Fracking is building a strong resistance against the fracking industry. Three bills have been introduced in Springfield this legislative season. HB5743, introduced by Representative Scott Drury, is a ban that will prohibit fracking in our state. If this passes we're home free. There are two more bills to protect landowners and people who have every right to know what this industry is doing to our lands, air, and water. HB5716, introduced by Representative Will Guzzardi, is protection for property owners and would require "written consent from each owner affected by the removal of minerals." SB3174, introduced by Senator David Koehler, is a "sunshine" or transparency modification that removes any confidentiality clause: length, direction and chemicals would no longer be confidential and hidden from the public. Illinois is still regulating under the 1951 Oil and Gas Act!

Time is short. Tell our lawmakers: NO FRACKING! It will be so much better for Illinois if we keep the frackers out than have to fight them once they are here.

**Lois Kain, Prairie Group Excom**





On April 13th, we were thrilled to hear from environmental writer and activist Bill McKibben of 350.org, who was invited here as part of the University YMCA Friday Forum series.



Annual Earth Day Happy Hour for the Prairie Group at Koh-i-noor Indian restaurant in downtown Champaign. Nancy Dietrich is bringing back our monthly series of happy hours, probably on the second Thursday of each month.

## Sierra Club Illinois: legislative priorities and other environment-related bills

Each year, the Sierra Club Illinois Chapter and the Illinois Environmental Council adopt some high-priority legislation, and Sierra Club Lobby Team volunteers around the state urge our local legislators to support or oppose those bills and others.

Here are some of this year's bills (HB for House bills, SB for Senate bills) and how they have fared so far. See <http://ilga.gov/> for details about the bills, their sponsors, etc.

In brief: Several bills we support did pass, some by wide margins. Of our highest priority ones, I don't think any were brought to a vote, for better or worse. But some gathered many cosponsors, a good sign for future passage; and two especially alarming bills did not move forward.

First the good news. Bills we supported which passed in both houses (though I'm unsure whether Gov. Rauner has signed them as of this writing in early June) included:

- SB 2213 - Pollinator friendly solar fields. Encourages habitat conservation, and sets out rules under which solar farm owners can say they are "pollinator friendly".
- HB 3418 - Urban agricultural areas. Allows local committees to create these areas in municipalities around the state, provides incentives for urban farmers
- HB 5741 - Emerging chemicals of concern. Do wastewater treatment plants need new processes to address them, are other measures needed to address public health or environmental effects? Prairie Research Institute to review scientific literature and regulations, and report back to the legislature by 2020 a list of chemicals and actions.
- SB 2298 - Allows farmers to be licensed to grow industrial hemp, and that industrial hemp is not to be regulated as cannabis.
- HB 4790 - Encourages composting. Provides that state landscaping projects must consider use of compost-amended soil if a composting site is nearby.

Some bills we opposed which didn't get through:

- HB5198 - Conversion of plastics to fuel. Would allow facilities that heat waste plastics to make fuel to not be regulated as a waste incinerator or waste treatment plant. Sierra Club opposed this - burning plastics still forms dioxins and other toxins, and, the residue from burning them is not recyclable even though the source plastics might have been.
- HB 5293 - Would have changed the makeup of the Endangered Species Protection Board, and removed state authority to oversee conservation of federally endangered species.

Finally, some more detail on several important bills. As mentioned above, none of these became law in this session:

- HB 5134 / SB 3292 - Dynegy coal bailout (oppose!) This would have sent ratepayer dollars - averaging something like \$115 per downstate ratepayer per year - to subsidize aging, inefficient coal plants owned by Dynegy, scattered around the state. These plants are uneconomical to run, and Dynegy threatens to close several of them. They argue that if they do close, downstate Illinois will be short of electric power.

But the portion of the national electric grid that includes downstate Illinois, called MISO, has in recent years had stable electrical demand but increasing supply, especially from other states also in MISO. We don't need those plants. And even if they remained open, there'd be no guarantee that the jobs they offer would be preserved. The communities where the plants are would be better served if a fraction of the proposed subsidy were spent on diversifying the local economy, instead of having ratepayers paying to keep the plants open.

This spring, Dynegy merged with Vistra Energy, another fossil energy company, forming the #1 polluting utility company in the US, valued at \$20 billion.

This is the most important climate-related bill this session. Fortunately it does not seem to have gone far in either the House or Senate, with very few sponsors and no votes. But it may return in future.

- HB 2958 / SB 237 - Coal tar sealant regulation (support). Would permit cities and counties to create local regulations on use of coal tar-based sealants on driveways and parking lots. Coal tar contains lots of PAHs (polycyclic aromatic hydrocarbons), which are quite toxic. They are prone to flake off and contaminate the air, the water, the skin of playing children, and so on. They used to be cheaper than the alternative asphalt-based sealants, but now the prices are comparable. Other urban sources for PAHs do exist, but coal tar sealants are a dominant one - with many times more PAHs than from automobile exhaust, for example, or from asphalt-sealed surfaces. The AMA in 2016 called for communities to ban high-PAH sealants.
- The state does not ban coal tar, and this bill wouldn't change that. But currently most local governments aren't allowed to set up their own regulations, restricting use or sale of coal tar. This bill would let them do so.

The bill has many cosponsors in the House, including Rep. Carol Ammons - thanks to her! However it has not come up for a vote in either chamber in this session.

- HB 5119 / SB 3005 - Standing for Justice (support). If a State administrative body makes a decision - for example a permitting decision allowing sand mining to take place next to Starved Rock State Park - and the decision harms you, are you able to contest the decision in court? For some regulations, a recent legal precedent says No, unless you are formally a party to the decision - the applicant, or someone who testified at a public hearing. (Some decisions happen without any public hearing.) The groups which contested the sand mining permit, including Sierra Club and Prairie Rivers Network, did not have "standing" in court, even though they could argue that



they were affected, and that the permitting process had been improper. Since the only party to the permitting had been the company applying for it, no one else could contest the process in court afterward.

This bill would allow persons affected by a decision to contest it, rather than only parties to the decision. (Would this lead to a flood of lawsuits? Likely not - they will remain expensive to pursue.) Both House and Senate versions have several cosponsors, but it has not come up for a vote in either chamber.

- HB 5564 - Eminent Domain (support). Eminent domain allows the government to require sale of private land in cases of public need. Normally this leads to a negotiation on a fair price for the property, after which the owner is paid and the land taken. But there is also a "quick-take" process for special cases of public need, in which the land is taken first and compensation determined later.

Under a recent court decision, the Illinois Commerce Commission can also grant quick-take authority to companies wanting to take private property for their own purposes, such as pipeline construction - they can begin construction, putting the landowner at a disadvantage in any negotiation over its value.

The bill would allow a landowner to request a jury trial to determine the fair price. If they did, the land could not be taken until the trial process was complete (with some exceptions - e.g. the legislature could still authorize quick-take for specific projects).

- SB 3174 - Fracking transparency. Oil and gas wells using directional drilling shall disclose their drilling direction, length, and the chemicals used in drilling, and the State Geological Survey must make this information publicly available. Provides for some information to be labeled as trade secrets, which would then not be made public, but would still be available to emergency managers, etc. when needed.

We'll probably hear about many of these bills in the next term.

(Some of the above is thanks to the Illinois Environmental Council's news from the April Lobby Day, and some draws on the wonderful legislative briefing offered to Sierra Club volunteer lobby team each February. If you are tempted to get involved in lobbying, please let us know!)