Tennessee Chapter Winter Retreat 2019 January 25th through January 27th Cedars of Lebanon State Park

Join the TN Chapter as we meet for our Winter Retreat at the Group Camp of Cedars of Lebanon State Park, just north of Murfreesboro. Come for training, hiking, relaxing close to Nature, and the company of good friends, old and new. People from all across the state come to these gatherings! Be a part of the fellowship, hikes, fireplace chats, meetings, and stargazing.

Once again, we're delighted to have our Tennessee State Naturalist, Randy Hedgepath, to lead us Saturday and Sunday hikes. Be sure to prepare for muddy trail conditions (unless it is frozen) and winter weather that is likely in late January. Winter hikes can be great experiences if you are properly attired! It's a good idea to have a daypack for carrying water, snacks, and extra clothing.

Saturday there will be citizen lobbying training and well as a focus on passing the TennCan bottle bill in the upcoming legislative session, with workshops to prepare us to hit the ground running in February. Other committee meetings will be happening too. You can participate in as much or as little as you wish, walking a short trail or sitting by the fire may be what appeals to you the most and that's ok!

Be sure not to miss the Saturday evening program: Marge Davis will be our speaker; she's been behind the Bottle Bill for decades and believes this is the year we can finally get it passed. Did you know that Tennesseans recycle just 10% of the 4 billion-plus beverage containers we consume each year? TennCan will boost that figure to 80%, possibly higher, and it will do it in such a way that ensures the most beneficial use for each container and generate millions of dollars for countless non-profits, schools, libraries, the homeless, etc. etc. across the state through bottle drives and donation bins or redemption centers!

We'll be at the Group Lodge, where you get bunkhouse lodging (women's & men's dorms,) 2 breakfasts and Saturday dinner – bring your own trail lunches. You must bring your own sleeping bag or linens/blankets, towels and personal items.

You may register on-line at https://goo. gl/Vv3R42 or for more information and registration, contact Cherokee Group Treasurer Barbara Hurst at barbaraduckhurst@hotmail.com or 423-886-9503. Payment (cash or check) happens when you check into the Group Lodge, where you will also need to sign a liability release. Our rates are:

- Early Bird Discount by Jan. 18 (lodging, 2 breakfasts, Saturday dinner) Adult \$50
- Child under 16 No Charge
- Late registration (after January 18) Adult \$60
- First Chapter Retreat, receiving our half price special (lodging, 2 breakfasts, Saturday dinner) Adult \$25
- Student (lodging, 2 breakfasts, Saturday)

dinner) - \$15

- Only on Saturday (registration, dinner) \$30
- Only the Sunday Executive Committee meeting (registration, breakfast, no lodging) - \$10
- Only the Sunday Executive Committee meeting (registration only, no lodging, no breakfast) \$5

Schedule of Activities (Preliminary):

Meal Times: Friday dinner on your own; Saturday breakfast 6:30-8:00 am, lunch on your own and dinner 6:00-7:30 pm; Sunday breakfast 6:30-7:30 am

Hikes: Saturday 9 am and 1 pm; Sunday 9 am

Programs:

Saturday:

9-10 am - Conservation Education Day & Lobbying training - Bill Moll, et. al.

10-11 am - State Forest discussion - David Arnold - State Forester/Asst. Commissioner

11-noon - Legislative issues - PACE, TennCan, Forever Green Tennessee - Scott Banbury, Marge Davis, et. al.

Lunch time - Conservation videos and vignettes - Bill Moll

1-2:30 pm - Sierra Club budgets and finances - Alice Dimetreon

3-4 pm - Hiking adventures - Mac Post 4-5 pm - Jemez Principles - Marquita Bradshaw

7:30-8:30 pm - TennCan presentation with Marge Davis

Sunday:

noon - cleanup and food sales

Venue information and directions are available at Cedars of Lebanon State Park website here: https://goo.gl/LCKLM3
--Also get a glimpse of the Park by checking out their Facebook page: https://goo.gl/D1Q95b

About Cedars of Lebanon State Park

The Park is named for Eastern Red Cedar trees found throughout the area. The trees reminded early American settlers of the famed Biblical cedar forests that thrived across Mount Lebanon in what is now the Mediterranean area. Cedars of Lebanon became a state park in 1955. In the 1940s, botanists noticed unique natural ecosystems found in and around Cedars of Lebanon State Park and Forest. These areas are natural rock gardens called cedar glades. The presence of glades is due to limestone rock coming so close to the surface of the ground that it causes the soil to be thin or absent. Water and surface temperatures vary so much throughout the year that a harsh, desert-like, inhospitable habitat is created with its own unique plant community. Nineteen rare and endangered species of plants grow profusely here and nowhere else in the world. Winter activities include hiking, birding and disk golf.

Nearby attractions include Stones River National Historic Battlefield. So if our hikes are not what you're looking for, a 20-minute drive over to the Battlefield provides another possible excursion (https://goo.gl/U1eXM6). They have a museum, where you may view a short film about the famous battle.

8:00-noon - ExCom meeting

Looking Ahead: Spring Chapter Meeting

May 3rd through May 5th

Fall Creek Falls State Park

Put it on your calendar! Our Quarterly Chapter Meetings are a great way to get to know people from across the state that share a common goal of exploring, enjoying and protecting our environment. It's also a great opportunity to learn the about conservation issues in Tennessee.

The Spring meeting, hosted by Harvey Broome Group, will be held at Fall Creek Falls State Park, a 26,000-acre park on the eastern top of the Cumberland Plateau. This heavily forested park is perhaps best known for it's spectacular waterfalls, cascades, and streams.

Chapter committee meetings will be held during the weekend, as well as a Chapter business meeting on Sunday morning. Sit in on one or all, or take off and enjoy the park and its many offerings. The park has miles of fantastic trails that show off the spectacular scenery of the Cumberland Plateau, with its many interesting geologic features. Outings will be offered on Saturday and Sunday. We'll enjoy a spacious dining area and bunk-style

accommodations in the Group Lodge #1. Of course, if you'd rather use your own tent, that's OK, too. Yet another attraction at this year's fall meeting is a not-to-be-missed silent auction.

We'll be at the Group Lodge #1; prices low (\$50/person with email or on-line reservation by Apr. 26, after that price rises to \$60/person; first-timers 1/2 off; kids 15 and under free.) For that price you get bunkhouse lodging (women's & men's dorms,) 2 breakfasts and Saturday dinner – pack your own trail lunches. Pay when you check in at the Group Lodge. For additional information, contact Ron Shrieves, HBG Chair (email ronshrieves@gmail.com).

The Chapter retreat will begin at 4 PM on Friday and end at 2 PM on Sunday. All TN Chapter Retreat participants will be required to sign the standard Sierra Club outings liability waiver when checking in at the retreat location. See the bottom of page 2 for information regarding the waivers.

Tennes-Sierran

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

SEND CHANGE OF ADDRESS TO:

- *Email: address.changes@sierraclub.org *Snail Mail: clip the "Moving?" coupon on page 8 and
- *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: eellis424@gmail.com ARTICLE SUBMISSION GUIDELINES:

Submission Target Date is January 31st for the March / April 2019 issue.

- 1. E-mail and e-mail attached files are preferred. Send to eellis424@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: Tennessee Chapter Ombudsman, Joel Gearhardt at jgearhardt@yahoo.com. 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.

Cuttoff Date for the March/April Issue is January 31, 2019.

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

Send material to **Emily Ellis at** eellis424@gmail.com



All Creatures Great and Small



"Every good thing, great and small, needs defense"

- John Muir

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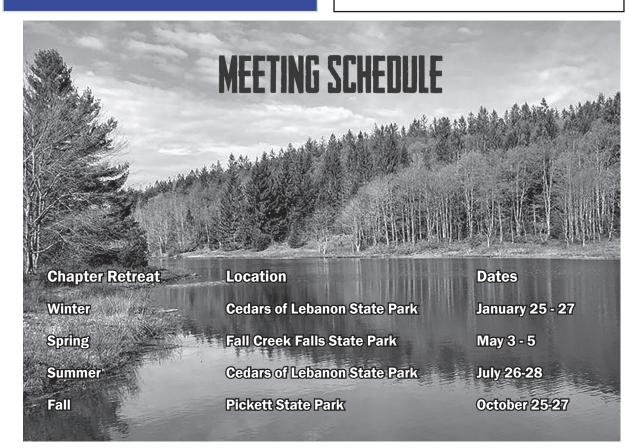
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Contributing	□ \$150	□ \$175		
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Contributions, gifts and dues to Sierra Club are not tax deductible; they support our effective, citizen-based advocacy and lobbying efforts. Your dues include \$7.50 for a subscription to Sierra magazine and \$1 for your Chapter newsletters.

Enclose a check and mail to Sierra Club, P.O. Box 421041, Palm Coast, FL 32141-6417 or visit our website www.sierraclub.org

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The Chapter retreat will begin at 4 PM on Friday and end at 2 PM on Sunday. All TN Chapter Retreat participants will be required to sign the standard Sierra Club outings liability waiver when checking in at the retreat location. To review this waiver, please visit http://content.sierraclub.org/outings/sites/content.sierraclub.org.outings/files/forms/local-outings-sign-in_waiver.pdf

Any attendee under the age of 18 not accompanied by parent or legal guardian will need to have a signed liability waiver and medical authorization form with them when they arrive. To review these waivers, please visit http://content.sierraclub.org/outings/sites/content.sierraclub.org.outings/files/individual_waiver.pdf and

 $\verb|http://content.sierraclub.org/outings/sites/content.sierraclub.org.outings/files/forms/local-outings-minor-release.pdf| | the content of the content of$ Page 2 - January / February 2019

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Conservation Education Day - February 12-13, 2019

By Bill Mol

Conservation Education Day has been a joint effort of the Tennessee Environmental Council, the Tennessee Sierra Club and the Tennessee Conservation Voters for many years. Environmentalists take a day to meet with their state legislators in Nashville to promote the passage of bills which preserve and protect our water, air and lands, and to block those which would do it harm. The goal is to have a meeting with every Tennessee legislator.

Most legislators are in attendance on Wednesdays during the legislative session, so the Cordell Hull building, the location of the legislative offices and hearing rooms, is full of people meeting with their legislators. There are usually classes of students on field trips, several health-related groups, and many lobbyists for businesses and special interests. Our Conservation Education team is about the only ensemble of ordinary citizens coming to speak with their legislators.

Last year's CED was the first time that many of our group had met with their legislators. There was a bit of initial apprehension, but that rapidly dissipated. Despite the seemingly hostile political climate in DC, all of the Tennessee legislators have been friendly and most have engaged in real conversations. They don't always agree, but there is an exchange of ideas, and that is the purpose of our day on the hill.

In advance of CED, the Political Committee and others will work with our partner conservation groups to develop a common agenda of key legislative items for 2019. Due to the dynamics of the legislature, the final list won't be known until the week before CED. Wednesday, February 13, has been chosen to be after the key bills are known, but before crucial votes are taken.

The "asks" will be developed with the emphasis on getting bills passed. Example of "asks" might be Forever Green Tennessee (funds for land acquisition), TennCan (bottle deposit) and PACE (energy efficiency financing).

There will be lobbying training and "ask" education in Nashville on Tuesday evening,



Nancy Bell, Bill Kornrich and Todd Waterman meeting with Senator Frank Nicely. Photo by Todd Waterman

February 12, plus information and discussion on Sierra Club Listservs, starting as soon the legislature convenes. Last year, most of the issue discussion and training for participants took place in the days just before the meetings. This year, we will all be better prepared for our discussion.

The legislator meetings, each about 10 minutes long, cannot be arranged unless there will be a constituent at the meeting. Last year, 45 of us met with 35 of the 132 total legislators. We need you to schedule time in Nashville on February 12 and 13 so that we can at least double the number of legislators with whom we meet in 2019.

Much of the Chapter Sierra Club activity is centered in Memphis, Nashville, Knoxville and Chattanooga. For CED, that doesn't work well. The key committees for many Sierra Club issues are the Agriculture And Natural Resources Committees and the Government Operation Committees. Most of the members on these

committees are not from the major cities. We need more CED participation by Sierra Club members from the non-urban/suburban areas.

These legislators get fewer constituent visitors and, in every case last year, there was some personal link with the Sierra Club constituent and the legislator. We need you to come to begin establishing a relationship with your legislator, if you don't already have one.

The intention last year was to develop a state-wide program to support building these relationships. That only partially succeeded. We will do better this year with your help.

Come joins us! We will be contacting members across the state, so please don't hang up. This is an important event and it is very satisfying.

For more information, questions or suggestions, or if you would like to help organize Conservation Education Day, contact:Bill Moll at whmoll@aol.com or 404-401-7899.

A More Positive Outlook for Public Lands in 116th Congress, Key States

By Lena Moffitt

In 2019, we're looking forward to a wave of pro-conservation and pro-public lands elected officials being sworn in and setting to work on policies that will protect our public lands, water, and wildlife. Many of these new leaders made their support for these cherished places and opposition to Trump's and Zinke's attacks on them central to their campaigns, proving that support for our nation's public lands is just good politics.

Here are some highlights of the new leadership that we are expecting to advance good public lands policy in the coming year:

Representative Raúl Grijalva (AZ-3) will return to Congress and chair the House Committee on Natural Resources. He has consistently campaigned on public lands issues and is the leading voice in the House on natural resources issues, as well as a champion for protection of public lands.

In Colorado, Democrat Jared Polis was elected governor, vowing to continue his long-standing efforts to protect the state's vast public lands, touting their important role as economic drivers in the burgeoning outdoor economy. Governor-elect Polis has vowed to be an "evangelist" for growth of the outdoor tourism and recreation economy.

Nevada elected Democrat Jacky Rosen to the U.S. Senate. In Congress, Rosen has championed Nevada's monuments and been vocally supportive of the Land and Water Conservation Fund, which is supported by 84 percent of Nevadans. Senator Rosen will be more likely to support Sierra Club conservation priorities in both Washoe and Clark counties, where the county commissions have proposed legislation that would sell off federally managed public lands for development.

Democrat Debra Haaland (NM-1) will be one of the first two Native American women ever to serve in Congress. She criticized Trump's attacks on Bears Ears National Monument and has advocated for stronger protections for the Chaco Canyon region. Michelle Lujan Grisham will serve as New Mexico's Governor, flipping the seat from Republican to Democratic. She has committed to implementing a state methane rule and supports our renewable-portfolio-standard bill being slated for the upcoming legislative session.

The Sierra Club was proud to support Stephanie Garcia Richard, the new lands commissioner for the state of New Mexico, who has vowed to protect public lands for all users and transition to renewable energy production.

The Sierra Club was also proud to support two Navajo leaders who were successfully elected to the San Juan County Commission, Willie Grayeyes and Kenneth Maryboy. They have been leaders of the effort to protect and defend Bears Ears National Monument and now have this powerful platform to continue that defense, making up the majority of the three-person commission.

We look forward to these new elected officials pushing back on Trump's wildly unpopular and unprecedented attacks on our public lands. Voters across the country, including

in conservative, energy-producing districts, continue to support protections for these cherished places. We are excited to work with these new leaders to restore protections for our public lands, our environment and our community.

Lena Moffitt is the Senior Director of the Sierra Club's Our Wild America Campaign, which is dedicated to protecting our lands, water and wildlife, to increasing equitable access to the outdoors, and to keeping fossil fuels in the ground. Lena most recently served as the Director of the Sierra Club's Dirty Fuels campaign, a key initiative of the Our Wild America Campaign, where she focused on protecting our climate, communities and special places from fossil fuel development.

As Senior Director, Lena is excited to engage people from all walks of life to get outside and protect special places near and far. Lena hopes to lead the Campaign in bringing forth the groundswell of activism and engagement needed to ensure our communities, wildlife and outdoor spaces can thrive in the face of climate disruption and other threats. She is excited to help broaden the tent of advocates engaged in protecting our natural world and inspire a new generation of environmentalists.

She is originally from New Mexico where she developed a love of the outdoors which she maintains in Washington, D.C. through regular visits to Rock Creek Park and the wild places beyond.

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

January 6, 2018 - 4:00 P.M. - Cherokee Group Annual Welcome 2019 Pot-luck/Social YOU are invited! Bring friends and a covered dish. We'll supply drinks, utensils, plates, etc. Come start the new year off by joining people sharing the same interests, energy and dreams for our environment as you. All welcome, don't worry if you haven't got a dish there's always plenty of food and wine as well. Before dark we'll take a short walk to the bridge over South Chickamauga Creek. Also the Visitors Center, where we'll be dining, is a mini-museum with interesting archeological artifacts to explore; Audubon Acres is a registered site on the Trail of Tears National Historic Trail. Location: Audubon Acres Visitor Center, 900 Sanctuary Rd., Chatt., 37424 - in East Brainerd, off Gunbarrel Road, just follow the signs. The Visitors Center is on the right, just inside the gate. (Note: we will not be holding our Strategy Meeting in January.)

January 28, 2019 - 7:00 P.M. - Frogs and Snakes

Unitarian Universalist Church of Chattanooga, 3224 Navajo Dr.; off I-24, just east of the Missionary Ridge cut. Take the Germantown Road Exit, turn north onto Germantown Road, take the 2nd left onto Navajo, go about 1/2 mile, UUCC will be on your left, up the hill! We meet downstairs, in the Forum Room.

Mr. Paul-Erik Bakland will make a presentation that focuses on a general overview of local herpetofauna, threats to herp populations, the importance of preserving biodiversity, and current conservation efforts.

Mr. Bakland has had a lifelong interest in reptiles and amphibians and that interest

Outings

The Tennessee Chapter's Outings and activities are always open to the public and members of the Club from across the state! Sponsored by our local Groups, pre-registation with the trip leader is a must for all outings.

February 9, 2019 - Visit to Chickamauga
Battlefield Visitor Center and trip to check out
possible site of chicken processing plant in
Walker County. We will tour the Visitor Center
and view the orientation film on the battles; the
Park is commemorating the 155th Anniversary
of the Battles for Chattanooga this year. Next
we'll have lunch at the Pigeon Mountain Grill,
and explore the possible site for the plant in
McLemore Cove. Meet at 11 am at Chickamauga Battlefield Visitor Center, 3370 LaFayette
Road, Fort Oglethorpe, GA. To register and for
more information, contact John Doyal, 2ndoutdoorscha@gmail.com or 423-315-0965.
(Cherokee Group)

February 23,2019 - Excursion to the Expedition Bigfoot Museum in Blue Ridge, Georgia. A fun place to learn about Bigfoot/Sasquatch and where sightings occur. Blue Ridge is a very beautiful small town in the Blue Ridge Mountains. There is an admission fee for the museum, \$8 adults, \$6 kids 5-12, 4 and under free. Meet 10:30 am at the Food City at Lee Highway and Shallowford Road. To register and for more information, contact John Doyal, 2ndoutdoorscha@gmail.com or 423-315-0965. (Cherokee Group)

influenced the direction of his academic career towards herpetology. He assisted with various amphibian and reptile studies as an undergraduate Biology major at the University of Tennessee Chattanooga (UTC). As an Environmental Science Masters student at UTC he was interested in examining various ecological factors influencing amphibian populations: specifically, the effects of habitat type on disease prevalence in frogs. Currently, he is an adjunct faculty member at UTC, teaching Ecology and Biology courses while continuing to stay active in the field of herpetology.

Letter-writing materials on current issues with talking points will be available for those interested. Hand-written letters do count! Phone calls and e-mails too. Bring a friend. The public is very welcome! Free as always

February 4, 2018 - 6:00 P.M. - Strategy/Business Meeting

Location: Pilgrim Congregational Church, 400 Glenwood Dr., Chattanooga, TN 37404. Come add your ideas, share your concerns. We've got our fingers in a number of issues (clean energy, climate, forestry, water quality, parks), and will be making plans for 2019. Come to the meeting – take the first step to learn more. Come in the front door, we'll be in the second room on the right. All are welcome!

February 25, 2019 - 7:00 P.M. - Migratory Birds

Unitarian Universalist Church of Chattanooga, 3224 Navajo Dr.; off I-24, just east of the Missionary Ridge cut. Take the Germantown Road Exit, turn north onto Germantown Road, take the 2nd left onto Navajo, go about 1/2 mile, UUCC will be on your left, up the hill! We meet downstairs, in the Forum Room.

Dr. David Aborn will make a presentation on the migration of birds through Tennessee and how urbanization in Tennessee affects successful migration.

Dr. Aborn is an associate professor at the University of Tennessee Chattanooga. His primary interests are in bird migration, especially stopover biology, the process and conse-

quences of habitat selection, and the effect of urbanization on bird populations.

Letter-writing materials on current issues with talking points will be available for those interested. Hand-written letters do count! Phone calls and e-mails too. Bring a friend. The public is very welcome! Free as always

CHICKASAW GROUP (Memphis)

Check http://www.facebook.com/Chickasaw.Group for more meeting information.

HARVEY BROOME GROUP (Knoxville)

Our monthly programs are held on the 2nd Tuesday of each month, 7:00 P.M., at the Tennessee Valley Unitarian Universalist Church, 2931 Kingston Pike, Knoxville, TN 37919. For additional information see: http://www.sierraclub.org/tennessee/harvey-broome/programs

Our business meetings are held on the 4th Tuesday of each month at The Church of the Savior, 934 N. Weisgarber Rd. Knoxville, TN 37909 at 7pm. Everyone is invited. These meetings are free and open to the public. See our web page (sierraclub.org/tennessee/harvey-broome/programs) for details.

MIDDLE TENNESSEE GROUP (Nashville)

No Submissions

WATAUGA GROUP (Northeastern TN)

Program and business meetings begin at 6:00 PM on the second Tuesday near Doe Mountain Recreation Area from spring through fall at R&D Campground Pavilion at 900 Mining Town Rd., Mountain City, TN. During the wintertime meet up at The Loft 5902 Hwy 421 south Mountain City, TN. Got questions, contact bmw@icloud.com 423-534-4804 or GLa4797@embargmail.com 423-727-4797.

Join us on Facebook: www.facebook.com/ WataugaGroup

The Human Damage from Coal Ash

Fallout from the Kingston Coal Ash Spill jury reaches verdict in workers' suit against TVA contractor

The verdict was in favor of the workers' claims in the federal toxic tort lawsuit against Jacobs Engineering, the contractor hired by TVA to clean up the Kingston coal ash spill in December, 2008. More than 30 workers at the cleanup are dead and more than 250 are sick or dying. Closing arguments were heard in the 3-week trial in the U.S. District Court for the Eastern District of Tennessee Nov 6 and the jury returned a verdict Nov 7. The jury found that workers were inadequately protected from the toxins in the coal ash. This verdict opens the door to another trial in which the workers will seek damages.

The workers alleged that:

Jacobs' supervisors told them coal

ash was safe and refused them protective gear.

- Jacobs' supervisors tampered with testing designed to keep them and the public safe.
- Jacobs' safety manager shredded documents and sent bags of shredded material to a private document shredding service (any destruction of such material from the cleanup site is a violation of the EPA order).
- Video cameras were installed at the spill site in key areas where workers were likely to be exposed to high levels of coal ash dust, but the recordings were not made available to the court by either Jacobs or TVA.

See the latest in the series of articles in the Knoxville News Sentinel by Jamie Satterfield.

Sierra Social Hour

Join the Middle Tennessee Group of the Sierra Club for a Happy Hour Meet & Greet
Refresh after work while meeting our new members
Renew friendships with those that you haven't seen for a while
Thursday, January 17, 2019 5:00 to 7:00 PM and
Thursday, February 21, 2019 5:00 to 7:00 PM
Tailgate Brewery in Bellevue, 7300 Charlotte Pike
We will be in the front room of the facility. See you there!
For additional information please email paulalennon615@gmail.com

VW Diesel Mitigation - Sierra Club Involvement in Important National Issue

By Dennis Lynch (Chickasaw Group)

Most people have heard that VW cheated on their diesel car's air pollution testing. The EPA negotiated and signed settlements that Volkswagen violated the Clean Air Act ("CAA"). VW was made to sign a consent decree in 2016, and agree to spend up to \$14.7 billion to settle the case. The settlement is in 3 parts- a) offending vehicle buy-back, b) Zero-emission vehicle infrastructure development (now a VW division named "Electrify America"), and c) \$2.7 billion for state-by-state mitigation plans.

The Sierra Club is involved and providing input to development of each state's specific mitigation plan. In Tennessee, we have worked with TDEC's Office of Energy Programs, which has provided many opportunities for public input. The Tennessee Chapter sought input from SC members across the state, through our Transportation Chair, Dennis Lynch, and worked with TDEC to advocate for certain details to be incorporated in the state's Mitigation Plan. With the Sierra Club's Environmental Law Department, we developed a 26-page comment letter, and then obtained sign-ons from multiple ally agencies.

TDEC analyzed all the input they received and then developed a Draft Mitigation Plan. We again responded, and then finally in September of this year, TDEC published the final plan. The final plan contains many details, but perhaps the key element is that Tennessee's \$45.8 million share of the mitigation funds is to be allocated as follows-15% for Light Duty Zero Emission Vehicle Supply Equipment (primarily electric vehicle charging stations & infrastructure); 60% is to be provided for transit buses, school buses and shuttle buses; 15% for Class 4-7 Local Freight Trucks, and 10% for Class 8 Local Freight Trucks and Port Drayage Trucks (Google it). Much more information about this subject is available. Email any questions to ChickasawSierra@gmail.com.

Westmoreland Bankruptcy Spells Trouble for Coal Industry

By Peter Morgan

When Westmoreland Coal Company filed for bankruptcy this fall, some might have assumed it would be nothing more than a continuation of the recent trend of coal giants such as Alpha Natural Resources, Arch Coal, and Peabody Energy going through bankruptcy reorganizations. We now know that's not the case, and that the Westmoreland bankruptcy has potentially disastrous consequences for workers and the environment. Different forces drive the Westmoreland bankruptcy, and all signs indicate that the outcome will be far uglier. Founded in 1854, Westmoreland is the oldest coal mining company in the US, and its demise is a harbinger of the fate of the thermal coal mining industry as a whole.

Unlike the prior bankruptcies, which were driven by badly-timed investments in metallurgical steel-making coal, Westmoreland's bankruptcy reflects the plummeting demand for coal-fired electricity generation. Westmoreland's unique business model involves almost exclusive investment in "mine-mouth" operations, which are coal mines inextricably tied to a single power plant that serves as their sole customer. Initially, this approach was heralded as a way to use long-term coal purchase agree-

ments to achieve some stability in the generally volatile coal sales market. But now that many of Westmoreland's customers are shutting down their power plants, it looks more as if the company has lashed itself to the mast of a sinking ship.

Whereas Alpha, Arch, and Peabody were able to use the bankruptcy process to shed debt and otherwise emerge more or less the same as they'd been pre-bankruptcy (particularly now that Alpha has re-merged with Contura, the company it spun off), Westmoreland's proposed reorganization plan allows the company's lenders to act as vultures: picking the choicest morsels from the corpse and leaving the rest to rot.

Westmoreland's debts exceed \$1 billion. In the months leading up to its bankruptcy, the company secured additional loans of over \$100 million, largely from a group of banks and hedge funds that had already made bad investments in the company. Those additional loans now allow the lenders to control the bankruptcy, and they are using this power to acquire just four of Westmoreland's US mines. Those mines are the Rosebud, Haystack, and Absaloka Mines in Montana and the San Juan Mine in New Mexico. The fate of Westmoreland's other mines—in Wyoming, North Dakota,

Texas, and Ohio—is uncertain. Ominously, the company's proposed reorganization plan includes the formation of a "Liquidating Trust" for the purpose of offloading an unspecified number of remaining assets. None of the Alpha, Arch, or Peabody bankruptcies involved liquidating trusts for coal mining assets.

The irony is that even the mines that Westmoreland's lenders are using the bankruptcy process to acquire will be worthless in a few years. The Rosebud and San Juan mines each sell coal to a single power-plant buyer, and each of those power plants has announced that it is shutting down. The Rosebud Mine provides coal to the Colstrip plant, which has announced that it will close two of its four units in 2022 and is widely expected to close the remaining units in 2027. The San Juan Generating Station, the sole purchaser of coal from the San Juan Mine, already closed two of its four units in 2017, and is on track to shut down completely in 2022.

Westmoreland's bankruptcy furtherdemonstrates that thermal coal production is no longer an economically viable or sustainable industry by highlighting the cruel measures the company is willing to take to

Continued on page 6

Group Business Meetings				
Group	Date	Location	Time	
Cherokee (Chattanooga)	Sun 1/6 Mon 2/4, 3/4	Annual "Welcome the New Year Pot Luck" at Audubon Acres 900 N. Sanctuary Rd., Chattanooga, TN 37421 Pilgrim Congregational Church, 400 Glenwood Dr., Chattanooga	4:00 P.M. 6:00 P.M.	
Chickasaw (Memphis)	Sat 1/12 Wed 2/6, 3/6	Annual Strategy Meeting - location TBD Cheffie's Cafe, 483 High Point Terrace, Memphis	9:00 A.M. 6:00 P.M.	
Harvey Broome (Knoxville)	Sat 1/12 Tue 2/26, 3/26	Annual planning meeting - 10:00 A.M 4:00 P.M. 4064 Kingston Park Drive, Knoxville, TN 37919-6674 The Church of the Savior, 934 N. Weisgarber Rd., Knoxville	7:00 P.M. 10:00 A.M. 7:00 P.M.	
Middle TN (Nashville)	Mon 1/21, 2/18, 3/18	House of Kabob, 216 Thompson Lane, Nashville	6:30 P.M.	
Watauga (Mountain City)	Tue 1/8 Tue 12/11	ExCom Annual Planning, 5902 Highway 421 South, Mountain City 5908 Highway 421 South, Mountain City	5:00 P.M. 5:00 P.M.	

Group Program Meetings				
Group	Date	Location	Time	
Cherokee (Chattanooga)	Sun 1/6	Annual "Welcome the New Year Pot Luck" at Audubon Acres 900 N. Sanctuary Rd., Chattanooga, TN 37421	4:00 P.M.	
	Mon 1/28, 2/25, 3/25	Unitarian Universalist Church, 3224 Navajo Dr., Chattanooga	7:00 P.M.	
Chickasaw (Memphis)	Thu 1/17, 2/21, 3/21	Benjamin Hooks Public Library, 3030 Poplar Ave., Memphis	5:55 P.M.	
Harvey Broome (Knoxville)	Tue 1/8, 2/12, 3/12	Tennessee Valley Unitarian Universalists Church, 2931 Kingston Pike	7:00 P.M.	
Middle TN (Nashville)	Thu 1/10, 2/14, 3/14	Radnor Lake Nature Center, 1160 Otter Creek Rd., Nashville, TN	7:00 P.M.	
Watauga (Mountain City)	Tue 1/8, 2/12, 3/12	5908 Highway 421 South, Mountain City	6:00 P.M.	

Westmore bankruptcy continued...

minimize costs. In its filings, Westmoreland has described its obligations for employee health and safety, the environmental reclamation of its mines, and the restoration of polluted waterways as "burdensome regulations." The company has now begun using the bankruptcy process to try to strip away those obligations. Specifically, it's indicated its willingness to force renegotiation of collective bargaining agreements and pension and retiree health benefits. And it has announced its intention to default on its pension, healthcare, and black lung obligations. Westmoreland is seeking bankruptcy court approval to default on nearly \$335 million in post-retirement medical benefits, \$41.7 million in pension obligations, and \$21.8 million in black lung obligations. Westmoreland has made clear that it intends to transfer the few remaining assets of value to its lenders with "no obligation to assume or otherwise pay for . . . liabilities arising under retiree medical benefit plans, the Black Lung Benefits Act or the Federal Coal Mine Health and Safety Act of 1969."

Dozens of retired miners and widows who rightfully fear for the loss of their pension and health benefits have submitted moving letters to the bankruptcy court. "Judge, as you know, coal miners, both underground and surface miners, are the hardest working people in America, and their safety and working conditions are the most dangerous in this country, with black lung, silicosis,

and other breathing disorders, and from a safety standpoint, falling roofs, rocks, slips, falls, equipment mishaps, and working around beltlines, pulleys and other pinch points," writes retired miner Jim Villos in one of those letters. "We the miners kept our end of the deal and Westmoreland needs to keep their promise, too!"

Although Westmoreland has not yet taken steps in the bankruptcy to evade its environmental reclamation obligations, it has been underfunding this work for decades. For example, only about 3 percent of the company's Rosebud mine has been fully reclaimed, even though mining has been going on for approximately 40 years. Should Westmoreland choose to walk away from any of its mines, regulators would first try to cover the clean-up costs by foreclosing on third-party surety bonds. If those bonds failed to cover the full costs, taxpayers could be on the hook for the remainder.

Meanwhile, Westmoreland is throwing cash at its executives to try to entice them to stay. But the executives are fleeing the company, presumably because they recognize that the prospects for future employment in this dying industry are nil. Westmoreland laid out millions of dollars in retention bonuses in the year leading up to its bankruptcy, and is now seeking approval from the bankruptcy court to offer millions more. Westmoreland paid six of its highest-ranking executives a combined

\$5.9 million in the 12 months prior to its filing. It's also secured bankruptcy court approval for additional incentive payments of up to \$1.5 million per quarter. Despite this, Westmoreland's Chief Financial Officer Gary Kohn—who already received \$1 million in retention payments over the last year—announced his departure this month. The company's CEO left the company in November 2017 in the run-up to the bankruptcy.

Westmoreland's bankruptcy remains in process, and new twists are likely. The company has not yet announced what it plans to do with most of its operations; sale, closure, or abandonment are all options. Meanwhile, groups like Sierra Club and the United Mine Workers are opposing the company's efforts to strip away its obligations to workers and the environment.

The final trajectory for the company and its many mines and workers will come into clearer focus in the early months of 2019. But it is already apparent that—unlike in the Alpha, Arch, and Peabody bankruptcies—Westmoreland itself will cease to exist. When the oldest coal mine operator in the country shuts down, the rest of the industry should take notice. The rest of us need to make sure these companies don't succeed in shirking their responsibilities to the workers who dedicated their careers to coal mining, or to the lands that were sacrificed for the company's economic gain.

Wins At North America Largest Inland Port

Photo by Daniel Peters

It all started at a village hall meeting in Elwood, Illinois. Elwood is both a rural village of 2500 people and a critical hub in the global economy. On the eve of World War II, Elwood was selected as the site for one of the largest ammunition plants in the country--the majority of TNT used by the Allies was produced in Elwood--due to its interior location, access to rail and highways, and access to water, electricity and a large pool of workers. The redevelopment of the ammunition plant--the Joliet Arsenal--in 1995 drew on these same traits, especially the access to rail, to create the largest inland port in North America. BNSF Railroad redeveloped Arsenal land into a massive rail intermodal, moving shipping containers off trains and onto semis. As the intermodal developed, warehouses for many Fortune 500 companies located nearby. These warehouses help distribute trillions of dollars worth of goods around the country.

It was at an Elwood Village Board meeting that Brandin McDonald, who had worked at the massive WalMart warehouse in Elwood, traveled from his home in nearby Joliet to describe his experience working in the warehouse. At this meeting, the village was debating whether to approve an additional 2200 more acres of warehouses as part of the proposed "Northpoint" development. Opposition to more warehouses at these meetings had focused on community quality--the tens of thousands of trucks that travel the area daily, the pollution caused by these trucks, municipal debt and TIF taxing issues--but no one had heard much from the workers,

many of whom travel daily for work from the neighboring Joliet.

To the predominantly white village, Brandin described the working conditions at the warehouses. "My personal experience is that the warehouses have all these temps in them and they work you like a slave and underpay you. They also have sexual harassment, discrimination and they never give raises, benefits or permanent jobs even though you work hard." It was a moving testimony never before heard at these many meetings. The residents of Elwood led by Just Say No To Northpoint and organizers from the Sierra Club would go on to defeat the proposed development but the work between the predominantly white and rural Elwood community and the urban, mostly people of color workers from Joliet had just begun.

Elwood and Joliet leaders would continue to meet and mutually support one another and would also educate the public on the problems of limitless development without regards to the environment, community, infrastructure and labor concerns. The solidarity would grow and the same leaders would host the Chicagoland People's Climate March event to further draw attention to the need for environmental, community and worker justice for those living next to America's largest inland port. This march would further collaborative efforts in the area and when it came time for Elwood residents to return solidarity to the workers who supported their fight for environmental and community justice, the environmentalists were there to support workers demands in Joliet to deny

two more staffing agencies from coming into the community. Together, they won again, this time for the workers, who convinced the Joliet City Council that staffing agencies were central to the labor problem in the area. Significant, in the fact that 63% of workers in the warehouses in the area are not direct hires of the companies they make billions for, but are employed by outside employment agencies that generally do not have benefits, health insurance and pay poverty wages. While thought of as transitional employers, workers can spend years working at temp agencies at the same warehouse and not even get a directly hired, let alone receive benefits and a living wage.

While the collaboration between labor, community and environmental justice organizers has begun to change the narrative in Will County, much work lays ahead in challenging the push to continue developments that have left many in the community aggrieved. The lesson of Joliet and Elwood's solidarity is that seeing past our own self interest and working in a principled way across communities is a way to win for both labor and environmental justice organizers.

Roberto Jesus Clack is the Associate Director of Warehouse Workers for Justice, a worker center dedicated to fighting for economic, racial and gender justice for the hundreds of thousands of warehouse workers in the Chicagoland area. He is also a native of Joliet.

Ann Baskerville is a conservation organizer with the Illinois Chapter of the Sierra Club.

In the Not-So-Bleak Midwinter

By Michael Brune

Here in North America, today marks the winter solstice, the shortest day (and longest night) of the year -- and a time when most of us could use some good cheer to help tide us over until spring. And during this particular midwinter (which is also mid-term for a president who supposedly hates holiday parties because they're "not about him"), we could all use some reminders that it won't always be this dark. Because -- really! -- it won't. In spite of the Ebenezer Grinch sulking at 1600 Pennsylvania Ave, good things do keep happening. To prove it, here are a few highlights from just the past week or so that you can take into 2019.

In spite of the Ebenezer Grinch sulking at 1600 Pennsylvania Ave, good things do keep happening.

With a load of compromisin' on the road to his horizon, Ryan Zinke finally called it quits after leading the Interior Department for 21 destructive, disgraceful months. Like the equally unlamented Scott Pruitt at EPA, Zinke managed to rack up so many scandals that he actually became an embarrassment to what is already the most corrupt presidential administration in history. His overdue downfall sends an important message: We will hold those who betray their responsibility to the American people accountable. Zinke didn't just act like he worked for the fossil fuel industry -- he came right out and said he did.

Speaking of the fossil fuel industry, you'd think they'd be doing better under an admin-

istration packed with their former lobbyists. Instead, coal, oil, and gas keep losing -- especially in court. Judges at the Fourth Circuit Court of Appeals tossed out Dominion Energy's permit to bury part of its 600-mile-long Atlantic Coast fracked gas pipeline under the iconic Appalachian Trail. That follows recent major setbacks for TransCanada's Keystone XL tar-sands pipeline, too. The Sierra Club had ambitious goals for opposing these kinds of infrastructure projects this year -- and far exceeded them. Thanks to our allies, grassroots activists, and ace legal team, we've helped stop or delay an astonishing \$29 billion worth of oil and gas projects.

Here's one reason we don't need those pipelines: California announced that all new city buses must run on electricity beginning in 2029 (and that all city buses would be electric by 2040). That will be the equivalent of converting 4 million cars from gas to electric. It's not that surprising to see the Golden State leading on clean transportation, but just a few days ago, we learned the East Coast isn't far behind. Much as we like to win victories against pipelines and drilling projects, it would be much better if they never got proposed in the first place -- and that means electrifying our transportation sector asap. By the way, did you know that the one millionth electric car hit the road in the U.S. this year?

Perhaps you've noticed that during the past two years, virtually all progress on clean energy and climate action in the U.S. has been happening outside of Washington, D.C.

The current administration and Congress get zero credit. It's the District of Columbia itself that has taken the initiative. This week, the D.C. Council approved the Clean Energy DC Act in a unanimous vote. It requires that the District. run on 100 percent renewable energy by 2032. That means our nation's capital joins two states (Hawaii and California) and more than 100 cities in committing to 100 percent clean energy.

Not bad for one week, right? The truth is, we had lots of weeks like that this year, and we're going to have even more of them next year. And I haven't even mentioned until now that that the rate at which coal is being replaced by clean energy has accelerated over the past two years. This doesn't make the terrible policies of the current administration any less terrible, but it's enough to keep our spirits up until it's springtime in America again.

Finally, in the spirit of the holidays, I'd like to congratulate our president on one honor he truly did earn this year: having a newly discovered species named after him. To the untrained eye, Dermophis donaldtrumpi might look like a large, shiny worm, but it's actually a sightless, legless, burrowing amphibian. A blind creature that sticks its head in the ground? Sounds about right. Unfortunately, its rainforest habitat is threatened by climate change. Can we get the president to care about the fate of his new namesake? Perhaps if he can be convinced that it's really all about him.

Heating Hacks for Winter

How to keep the house warm without cranking up the fossil fuels

By Alison Cagle

Winter's chill can blindside home dwellers with icy window drafts breathing down one's neck. Before cranking up the heater, consider that 40 percent of US households rely on electricity as their primary heating source in winter, and another 47 percent rely on natural gas—and the government forecasts an increase in utility costs this winter because of higher global energy prices.

Keeping warm in winter doesn't have to mean a dramatic increase in nonrenewable energy use. Sealing up your home to trap heat is just as important as using energy-efficient appliances at the right time of day. Try warming up with these sustainable heating hacks and smartly monitoring your energy consumption. If you want to calculate your winter energy usage, the Department of Energy has this handy tool to help you estimate costs.

Seal Up Openings and Air Leaks

Air leaks are super greedy: They account for 30 percent of heat loss in homes, allowing built-up warmth to escape and wrecking temperature regulation for thermostats. Overall, drafts can drastically decrease the efficiency of how your home retains heat throughout the day and night. Keep that heat inside: Apply caulk on cracks less than ¼-inch thick (for thicker cracks, use spray foam insulation from your local hardware store).

For the crack under the door, thick foam door stoppers, or even a rolled-up towel, are simple yet effective ways to block drafts at night, or while you're away from home. For temporary window insulation that lasts all winter, cover the sides and the inner track above the window sill with weather stripping. This can be done with anything from tension seals, sticky foam

tape, to even plain old felt! For more weather-stripping ideas, check out guides put together by the US Department of Energy.

Keep Furnaces Unclogged and Dust Free

A furnace covered in dust is much less efficient. If you use a gas furnace, hold off on lighting that pilot light until you pop out the cover, and inspect the wires and vents for heavy dust (there will likely be a lot). Make sure the gas is turned off, then use a soft-tipped paintbrush to give the tubes, wires, and slatted vent cover a good once-over to loosen up a year's worth of debris. Afterward, suck up all the debris with a portable vacuum cleaner.

When you start using your heater, make sure it's not blocked by a bed or furniture, to allow for maximum heat circulation (also . . . fire hazard). If you don't feel comfortable cleaning a furnace yourself, you can always set up an appointment with a local utility provider, and a representative can inspect each component for security, replace outdated filters, and clean hard-to-reach areas.

Use Curtains to Harness the Sun's Warmth

According to the US Department of Energy, about 76 percent of sunlight that falls on standard double-pane windows enters a room as toasty heat. And yet, 30 percent of that energy gets lost through windows due to convection currents, when cool outdoor air enters the window and sinks to the floor as indoor heat rises and escapes.

During the day, regardless of how sunny or cloudy it is, keep the curtains pulled back and blinds up to capture the sun's heat. Once the sun sets, close all window coverings to prevent the heat from escaping back out the window. Make sure your curtains reach all the way to

the floor, to trap frosty air coming in from the window at night. If the sides of your curtains don't reach around to the wall, use duct tape or velcro to seal them down. Remember that two drapes hung side-by-side create a tighter air space than one pulled all the way across.

Adjust Your Thermostat

By lowering your thermostat at times when you don't need it—like when your windows receive direct sunlight or you're asleep—you can save as much as 10 percent on your heating costs. Try setting the thermostat to 68 degrees during the day and five to 10 degrees lower at night.

Instead of keeping a heater on for eight hours, stay warm under the covers at night with flannel sheets and thick comforters. A programmable thermostat is great for winter, as you can set it to automatically regulate with your waking and sleeping hours.

Dress Warmly and Stick to the Warmest Areas

Why waste energy heating up a whole house or apartment if you're only in one area? Attic and storage room spiders can come to you if they want to get warm.

Only turn on furnaces or space heaters in rooms that you're inhabiting; more energy is wasted trying to heat up a bathroom or bedroom that you'll only be in for a few minutes. While the common-held wisdom of closing up vents for central heating in unused rooms is now debated (doing so can decrease the efficiency of your HVAC system, and draw hot air into the colder rooms), you should still stick to the warmest parts of your home to conserve energy, like rooms with south-facing windows.

Tennessee Chapter Reaches Settlement with State Over Stormwater Regulations

by Axel Ringe, Harvey Broome Group.

Two years ago the Tennessee Chapter joined an administrative appeal of Tennessee Department of Environment and Conservation's (TDEC) "NPDES General Permit for Discharges From Small Municipal Separate Storm Sewer Systems (MS4)", or their general permit governing small municipalities' post-construction storm water runoff regulations. We have been co-plaintiffs with the Tennessee Environmental Council, Tennessee Clean Water Network, and Obed Watershed Community Association. After we appealed the permit, the Tennessee Homebuilders Association intervened in the case opposed to our appeal. The case has dragged on over the past two years with each party entering into several sets of failed settlement negotiations in an effort to avoid going to trial. On October 8, 2018,

the three parties engaged in a final all-day negotiating session with an administrative judge mediating the negotiations. At the end of the day all parties, represented by their respective attorneys, reached a tentative agreement signed by the attorneys. We, the plaintiff environmental groups, believed we have gained sufficient ground in improvement over the 2016 permit that we can accept the modified permit and avoid going to trial, which none of us could afford.

The four basic points we argued for are:

- 1. Water Quality Treatment Volume and alternatives when site-specific limitations apply;
- 2. Verification of post-construction controls: inspections and reporting Requirements:
 - 3. Stream Buffers; and

4. Public's Opportunity to Review and Comment: In the Phase II permit cycle beginning around 2022, TDEC will include a provision in the draft permit requiring draft notices of intent, stormwater management plans, and stormwater management programs from Phase II communities to be subject to public notice and comment before approval.

We did not argue #4 because TDEC has promised to include a public participation provision in the 2022 revision of the permit. We believe we forced significant improvement in the first three issues compared to the 2016 permit and compared to the Homebuilders' proposals. The settlement was finalized by the explicit approval of all parties, i.e., in our case by vote of the Chapter ExCom on October 21, 2018.

Environmental Justice Presentation at the Tennessee Chapter Retreat- October 19-21

By Dennis Lynch (Chickasaw Group)

The recent Tennessee Chapter Retreat (which was held at the Pickett Memorial State Park) included a presentation and discussion about Environmental Justice and the Jemez Principles of Democratic Organizing. Marquita Bradshaw led the discussion and asked all of the attendees to comment on their own personal experience of how they might have

been impacted by any environmental justice issue. Attendees were also asked to review the 6 Jemez Principles and consider how to incorporate these principles into their own activities in support of our mission. These principles are: 1) Be Inclusive, 2) Emphasis on Bottom-Up Organizing, 3) Let People Speak for Themselves, 4) Work Together In Solidarity and Mutuality, 5) Build Just Rela-

tionships Among Ourselves, and 6) Commitment to Self-Transformation.

There is clearly an interest and a desire at the Chapter and Group levels to more effectively integrate EJ and Jemez Principles more deeply into our work. This would perhaps include having Chapter Retreats in more accessible urban locations.

Defenders of Tennessee, 2019 NEEDS YOU!

The Tennessee Sierra Club's annual Defenders of Tennessee campaign funds our advocacy and lobbying activities. The Legislature reconvenes this month, so now is the time to make your financial contribution. During the past 23 years, this program has been very effective in representing the Sierra Club's environmental agenda on Capitol Hill. Our Defenders can be very proud of the work we have done, the accomplishments of our Legislative Committee, and our lobbyist, Scott Banbury. The Tennessee Chapter is able to hire Scott only because you and other dedicated members donate to this once-a-year solicitation.

Your contribution is not tax-deductible but is critical in enabling us to continue to have an advocate on "the hill". If we don't have a lobbyist, we don't have a voice. Whether you give a little or give a lot, each contribution is very important in enabling us to continue this vital program. The Defender campaign brings in a significant portion of the funds that we need to carry out our legislative and lobbying activities.

Those of you who have contributed in the past have received a letter inviting you to contribute again. If you have already sent your contribution back – thanks. If you haven't, consider this your reminder. If you did not receive a letter we invite YOU to join the Defenders. Please fill out the form below and send your check made out to Sierra Club. Put "Defenders" in the memo field and mail to Alice Demetreon, Treasurer, 550 Colony Rd., Coalmont, TN 37313. Thank you!

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