

Tennessee Sierran

SIERRA
CLUB
TENNESSEE CHAPTER

Bi-monthly newsletter of the Tennessee Chapter of the Sierra Club

Volume 54, Number 5 — September / October 2021

PIPELINE DEFEATED!!!



Masthead photo ©Ron Shrieves
Cover photo: Justin J. Pearson, Co-Founder of Memphis Community
Against the Pipeline, speaks at a rally March 14, 2021. Used with
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Explore, Enjoy, and Protect

From Mac Post, State Chair

The Problem with Recycling



Like many of you, I do my best to reduce, reuse, and recycle the stuff that would otherwise end up in an ever-growing landfill. Still, I wonder how much of the paper, aluminum and steel cans, and plastics (#1 and #2) I put in the recycling bin actually gets turned into something that is used again. While what happens to materials placed in bins for recycling varies from place to place, our recycling systems are largely a mess. In the U.S. we have failed to curb the rise of plastic, failed to build domestic demand for recycled material, and failed to ensure that product designers consider their products' end-of-life. As one measure of this failure, it is estimated that plastic is 60% to 90% of our refuse and only about 10% recycled. Annual plastic production globally is 300 million tons and is

expected to triple by 2050. Of course, this waste stream will only grow.

The Tennessee Wildlife Federation is leading an anti-litter initiative called the Tennessee CLEAN Act (<https://tennesseecleanact.org/>) with goals to: create legislation that deters littering and encourages Tennesseans to recycle 85% of certain plastic, glass and aluminum containers; significantly reduce the presence of single-use plastic bags; and create a statewide program to comprehensively address and reduce litter. All these ideas require that industries help recycle and manage waste. Supporting and incentivizing businesses to create solutions is a component. The Tennessee Advisory Commission on Intergovernmental Relations (TACIR) has recommended funding a comprehensive study of litter pollution in the state. The study will address sources and composition of litter, financial and environmental costs, economic opportunities of recovering waste, effectiveness of existing efforts, and solutions to recover litter.

While the Tennessee CLEAN Act is an important component of solving the environmental problems associated with waste, it is not enough. To date, litter clean-up programs and recycling have largely been marketing methods to pass responsibility to consumers and the public. It is time for waste producers to step up to their responsibilities for their part in this environmental problem. Many other states are doing much more than Tennessee by developing Extended Producer Responsibility (EPR) Laws for packaging and plastics. EPR legislation places responsibility for treatment and disposal of consumer products on producers, manufacturers, and retailers. Maine is the first state to pass such a law. The bill's purpose is to charge producers for the costs associated with the management and recycling of packaging waste. It covers most packaging materials but excludes beverage containers, since Maine already has a container return program. EPR bills are in process in a dozen other states. States use EPR legislation to promote recycling efforts and require producers to develop take-back programs and more sustainable product designs.

The United Kingdom is doing even more. In 2020 the country introduced a plastic packaging tax which levies a charge of \$277 per ton on manufacturers and importers when packaging contains less than 30% recycled plastic. The UK is also developing a system in which consumers pay a fee that is reimbursed when reusable packaging is returned to a designated location.

The Tennessee CLEAN Act is necessary but the structure it proposes relies on consumers and communities. Additional legislation must incentivize producers to meet environmental, social, and governance standards for sustainability. Products and packaging must be easily recyclable and contain much more recycled content. What should an Extended Producer Responsibility law look like for Tennessee?

Chapter Welcomes New BCC Representative



Amy Kelly officially joined Sierra Club as Tennessee Beyond Coal Campaign (BCC) Representative on July 14. Amy joins the Campaign with a deep sense of dedication to a just and clean energy transition in the Southeast that will benefit the people of the Tennessee Valley and our planet. Amy previously worked with two of our allies focused on transforming TVA — Appalachian Voices and Statewide Organizing for Community eMpowerment (SOCM).

Sierra Club's Beyond Coal Campaign is replacing coal and gas with clean energy by mobilizing grassroots activists to advocate for meaningful energy changes in their communities, including retiring coal plants, preventing new fossil fuel plants from being built, and working to stop the expansion of fracked gas.

Amy has familial roots in East Tennessee dating back to the 18th century. She grew up in Kingsport as one of many children in her neighborhood with debilitating childhood asthma caused by heavily polluting industrial factories. These factories were also the source of income for her family, and this early experience shaped how she came to understand and care about the intersection of human rights and environmental justice. Her work in the region has focused on grassroots leadership in many campaigns, including green jobs, anti-racism, and utility programs, bringing her to each region of the Tri-Star State. Amy holds a Master's degree in Community Development with a focus on rural asset development. Her recent study applied participatory economic development models in coal-dependent regions of Appalachia.

If you would like to be involved as a coal-to-clean energy ambassador, you can connect with her directly at 423-398-3506 or amy.kelly@sierraclub.org.

Tennes-Sierran

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November Issue of the Chapter E-Newsletter by October 22
December Issue of the Chapter E-Newsletter by November 19
November / December Issue of The Tennes-Sierran by October 31
Request Submission Guidelines at sierratnnews@gmail.com

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Message from the Chapter Vice Chair

On August 13th, Michael Brune tendered his resignation to the Sierra Club's Board of Directors after serving as Executive Director for more than 10 years. Dan Chu will serve as Acting Executive Director. Mr. Chu is the current executive director of the Sierra Club Foundation and will also continue in this role. More information will be provided as details become available.

—Cris Corley, Vice Chair of Tennessee Chapter
Delegate Council of Club Leaders
Contact Cris at: drcriscorley@gmail.com

Reports from Across the State



by Scott Banbury, Tennessee Chapter Conservation Program Coordinator

Since 2017 the Tennessee Chapter of the Sierra Club (TN-SC) has been fighting the efforts of Plains All American (PAA), a partnership engaged in pipeline transport, marketing, and storage of liquefied petroleum gas and petroleum, to put together a crude oil pipeline from Cushing, Oklahoma, to the Gulf of Mexico. We lost the fight to stop the 20" diameter Diamond Pipeline from Cushing to Memphis, but when PAA decided to connect the Diamond Pipeline to the Capline Pipeline running to export facilities in Louisiana via the proposed Byhalia Pipeline, we were successful in stopping the project. We joined up with the local environmental justice group,

Memphis Community Against the Pipeline (MCAP), Protect Our Aquifer (POA), and the Southern Environmental Law Center (SELC), to stop the pipeline, using legal, political and community organizing. On July 2, we received word that the project had been abandoned and on July 30, we learned that they had relinquished all their permits.

On July 20, the Memphis City Council was told that toxic coal ash left over from the Tennessee Valley Authority (TVA) Allen Fossil Plant would be trucked through predominantly black communities to a municipal landfill in South Memphis. This was being done despite the fact that the Tennessee Department of Environment and Conservation (TDEC) had yet to approve two state, or any local permits, required for the project. Needless to say, local elected officials were taken by surprise, and Sierra Club, along with our partners, quickly moved to make sure the affected communities would be informed and involved. TVA quickly backpedaled on their plans and announced that they would engage the community before moving forward.

In Rutherford County, where the rapidly filling Middle Point Landfill receives garbage from 34 Tennessee counties, the Central Tennessee Solid Waste Planning Board unanimously rejected Republic Industries' proposal to nearly double the size of their landfill, which is already under heavy scrutiny for odors and potential water pollution. TN-SC is working closely with concerned residents to find other solutions to Tennessee's solid waste challenges, recently reported to be two times greater than the national average. Even though both the Rutherford County Commission and the City of Murfreesboro have adopted the "Jackson Law" (1989 legislation that gives them the right to refuse to allow the expansion of landfills in their jurisdictions).

Republic Industries claims that because their permit preceded the law, they are not subject to it. TN-SC is working on corrective legislation.

A similar situation is occurring in Davidson County where Waste Management is attempting to expand the Bordeaux Landfill, a construction demolition dump, over the objections of local residents and the Nashville Solid Waste Region Board (SWRB). The SWRB decided in March not to allow expansion of the dump, citing a conflict with the City's long-term Solid Waste Master Plan, a comprehensive roadmap that calls on the city to achieve near zero-waste landfills by 2050. Even though the Metro Council adopted the "Jackson Law" in 2017, Waste Management says they have proof that the landfill was in operation before 1989 and thus is not subject to the law.

In Wilson County, TN-SC is working with local residents and planners to stop the permitting of a quarry that has yet to receive approval under local zoning ordinances. In this case, TDEC thinks it's okay to give the quarry a state permit to pollute Tennessee waters even if the local government hasn't permitted the site under its local zoning rules. This issue echoes unpassed 2021 legislation that would exempt such decisions from local control altogether. This case will likely be decided by state courts, which have been under the assault of the super majority in Nashville.

In a rapidly growing Tennessee, as more people decide to move to our state, laws that regulate storm water run-off from construction, the pollution from distributed sewer systems and the intake of potable water from our streams and groundwater appear inadequate. Legislative initiatives last year (if they passed) would have removed TDEC from the review and approval of alternative sewer (septic) systems. More recently, new rules have been proposed that would significantly reduce TDEC's role in preventing pollution from construction site runoff. Similarly, officials in Marshall County want to withdraw as much as six million gallons per day from the Duck River, one of Tennessee's most biodiverse streams, to the detriment of endangered and threatened aquatic organisms, all in the name of "growth."

In West Tennessee, Sierra Club is continuing to work with local communities to stop the onslaught of massive Concentrated Animal Feeding Operations (Chicken Stuffing Operations) that threaten public health, our streams, and our quality of life, as Tyson Chicken builds out the world's largest meat processing facilities. Thus far, all our elected officials in Tennessee have done is deregulate the industry, hand out massive financial incentives, and block local governments from doing anything about it.

If you would like to get involved with any of these issues, contact Scott Banbury at scott.banbury@sierraclub.org or call 901-619-8567.

Support Scott's work. Donate to the Defender's Fund. See back cover.

Regional Conservation Committees

Clarksville-Montgomery County (CMC) by JoAnn McIntosh

In early July, we were pleased to learn that the new Sustainability Board had been seated by the Clarksville City government, and that it includes two Sierra Club CMC members. Their meetings will be open to the public.

We held our first in-person monthly meeting July 20, and were joined by Brian Taylor of Clarksville Department of Electricity. Brian provided a presentation on the 15MW solar farm planned for Clarksville, expected to be operational by mid-2022. We had a great Q&A from our members present, both in-person and via Zoom.

With the help of the Chapter transportation team, CMC made a presentation to City Council August 5 on electric vehicles (EVs) for city fleets. The City has a number of and variety of replacement fleet vehicles budgeted for 2022 and had not considered EVs.

September events: RiverFest (Sustainability tabling, EV demos); park/river cleanup with Cumberland River Compact and City Parks & Rec.

Care NET by Bill Kornrich

Care NET continued its work on an exhibit entitled "Holston River: It's Your River, Hawkins County." This exhibit, produced with a grant from Humanities Tennessee, will be on display for six weeks in conjunction with the traveling "Tennessee Waters" exhibit produced by Humanities Tennessee and the Albert Gore Research Center at MTSU. Both exhibits will be on display for a total of six weeks, two weeks each in county libraries in Surgoinsville and Church Hill, and at the Printing Museum in Rogersville.

The Black Lives Matter quilt created by Care NET members and others was on display at the Morristown Public Library for the month of August. Discussions are underway for future displays at the Unitarian-Universalist churches in Gray and Knoxville. Hawkins County School Board invited Care NET members to make a presentation at their August meeting to support the purchase of several electric school buses. The school system's transportation supervisor arranged for an electric bus (from Thomas Bus in North Carolina) to be on hand for public and school board viewing (see story on page 4).

Group Scoop

Contact information on page 2. Meeting times on page 8.

Chickasaw Group (Memphis) by Shenée Simon

Group Spring and Summer momentum has been in full swing. Pivoting to virtual programming and advocacy on progressive topics within the environmental and conservation space has yielded compelling discussions on current hot-button environmental issues and how they intersect with various segments of our community. We were fortunate to have an Intern from Rhodes College, Anna Cole, a rising junior majoring in Political Economy, join us as a Summer volunteer (More in "Anna Cole" on page 7; read the article she co-wrote on page 5).

Our June program was "Wilderness Pride," a panel discussion to center the voices, programs, and policies that promote or deter peace, safety, and security for the LGBTQIA+ community in shared natural and outdoor spaces. The July program was "Local Resistance Workshop & Panel on Community Mobilization," the first of a two-part discussion. This program featured three organizations leading change and changing the future: Memphis Community Against Pollution/Pipeline (MCAP), Climate Reality Project Mid-South, and Stand for Children. In August, part two was "Local Resistance & Influencing Decision Makers." We plan to table September 18 at the annual Cooper Young Festival with Protect Our Aquifer & MCAP.

Harvey Broome Group (Knoxville) by Jerry Thornton

The HBG ExCom recently voted to help fund another Greenhouse Café at Socially Equal Energy Efficient Development (SEED) in East Knoxville, where the group will set up a Sierra Club recruiting booth. SEED is a leader in environmental sustainability and training of underserved youth for productive careers. Because TVA will not have public listening sessions these days, HBG co-sponsored a "People's TVA Hearing" August 4. HBG has written a letter to the Knoxville City Council urging reconsideration of the decision to place a large, modern sculpture in a half-acre, triangular park downtown known as the "Cradle of Country Music Park." The proposal requires the removal of several 30-to-40-year-old pin oak trees and paving most of the park.

Tennessee's First Electric School Bus Arrives in Jonesborough

by Nancy Bell, Care NET Regional Conservation Committee

The white-topped bus with the lightning bolt on its side made by the Lion Electric Company of Mirabel, Quebec, was parked June 3 in front of a packed audience of local and state leaders, including David Salyers, Commissioner of the Tennessee Department of Environment and Conservation (TDEC).

Dr. Jarrod Adams, Assistant Director of Washington County Schools and a major force behind the project, spoke briefly. Justin Maierhofer, TVA Vice President of Federal Affairs (Knoxville office), also spoke, saying that the electric vehicle (EV) is “the innovation of the 21st Century” and that “Jonesboro’s electric bus will illustrate that historical moment.” He wants to increase EVs on highways, and praised TVA for being 50% carbon-free, naming such non-carbon producers as nuclear, hydro, wind, and solar (emphasis on nukes, with solar getting a quick mention at the end). Maierhofer expressed excitement that “there will be chargers every 50 miles” along interstate highways. He mentioned electric carmakers in Tennessee (GM, VW, and Nissan) and planned battery plants.

Jeff Dykes, CEO of local BrightRidge Power Company, emphasized, among other things, getting rid of diesel pollution and the educational effect for student riders. He praised the help of Tim Whaley, BrightRidge’s Public Relations & Governmental Affairs Director. Richard Lee, Eastern U.S. Director of Sales for the Lion Electric Company of Quebec, emphasized the elimination of tons of CO₂ and the 80% reduction in fuel costs. He said that a driver told him he could now hear the kids because he was not sitting over a diesel engine, and that helped with discipline. Lee added that the drivers

reported better sight lines, too, with the shorter bus hood. Lee emphasized that he will work with state officials, even donating trees to school districts.

Joe Grundy, Washington County Mayor, praised the cooperation of TVA and BrightRidge, which together made up the cost difference of the bus over a comparable diesel bus. He pointed out that the electric bus “sets a good example” for the students. Tony Roberts, School Bus Garage Superintendent, was commended for readily adopting and adapting to eleven propane buses, and now to an electric bus.

During the bus ride, Richard Lee also explained that maintenance is mostly monitored by the Lion Company, and that each bus is monitored individually. You can see an example of this, including mileage and kilowatt use on the Lion



Jodi Jones, a Washington County Commissioner, speaks to a packed audience at the inauguration of the County’s first electric school bus. Photo by Jonathan Overly.

Company website (thelionelectric.com).

Lee described a leasing program available in some areas, which generates vehicle-to-grid (V2G) revenues according to contractual agreements which allow buying kilowatts at a low rate during charging at night and selling back to the grid at the higher daytime rate, generating income that can go to the leasing company. Lee welcomed an invitation to speak at the Hawkins County School Board and Knox County School Boards.

Jonathan Overly of Drive Electric Tennessee and East Tennessee Clean Fuels was on hand, helping people make connections, as well as Alexa Voytek, TDEC’s Energy Programs Administrator, who is active in the State’s EV activities.

Contact Nancy at Nancywithbell@gmail.com

Toxic Metals from Coal Ash Threaten Anderson County’s Future

by Adam Hughes, Statewide Organizing for Community eMpowerment



Selenium, arsenic, mercury...

The Anderson County courtroom fell silent in shock as the import of the slides on screen sunk in.

Beryllium, nickel, lead...

Look, we all knew storing coal ash in giant unlined pits, under the water table and right next to the river and the local community, was a recipe for pollution. But to see the evidence coming from the state officials assigned to protect us, and to see so many heavy metals had entered the ground and surface water...

Cobalt, lithium, barium, molybdenum, copper...

All measured in excess of the protective standards. For families living near the Bull Run coal plant, for the children who play in the adjoining playground, for anyone who recreates on the river, this is a permanent problem — and one that a growing coalition of allies demands immediate action to address.

The Bull Run Neighbors group, composed of community members and allies associated with the Sierra Club, Statewide Organizing for Community eMpowerment (SOCM), and Appalachian Voices, has been demanding for years that TVA commit to a just economic transition as they close the Bull Run Fossil Plant by the end of 2023. We’ve attended meetings and demanded real answers, and won a huge victory last year when TVA pulled its proposal for a new coal ash landfill that would disturb the Worthington Branch stream in a densely populated neighborhood. Increasingly, it’s become apparent that a sustainable future for Anderson County isn’t possible until something is done about the coal ash.

With increasing vaccine availability, we saw the opportunity to return to our most effective tactic of in-person organizing—though still advocating for masks and distancing. The July 12 Anderson County Intergovernmental Committee meeting seemed like the perfect opportunity to ask tough questions. Chair Catherine Denenberg had requested the Department of Environment and Conservation be present to hear from community members, and department officials Pat Flood and John LeCroy duly showed up, with Robert Wilkinson participating remotely.

To prepare the community, SOCM and Appalachian Voices, with support from Sierra Club members, had hosted a community presentation on July 8th called “What’s Going on with Bull Run?” The Southern Environmental Law Center’s Amanda Garcia and Lisa Evans from Earthjustice had presented the facts on coal ash and power plant transition, and community members brainstormed a list of questions for TDEC. Our outreach efforts worked. The courtroom was packed for the Intergovernmental Committee, with both



Left: At the Intergovernmental meeting, Bull Run District Commissioner Tracy Wandell expressed his frustration: “I was for leaving the coal ash in place, but what I’m seeing now, I’m not for it. In fact, I’m a little upset that it continues to sit there, that our people continue to live in it. And what’s worse is TDEC knows it. And what’s even worse is TVA knows it.” **Right:** TDEC’s Pat Flood listens as long-time TVA coal ash worker Jason Williams asks why TDEC and TVA were testing fish and mayflies when “They’re not dead. The geese and the ducks are dead. The workers are dead. I’m the only one left in this room from last time!” Photos by Todd Waterman.

long-term activists and newly-minted community advocates ready to learn and act. Unfortunately, they didn’t get the chance to ask all their questions—an unexpected presentation from TDEC took over half the community’s time, forcing us to follow-up with our question list via email. What we did learn, however, galvanized us for the long struggle for justice that lies ahead. Commissioner Tracy Wandell summed up the mood with a passionate speech decrying the slow release of testing results and saying his mind was changing about the wisdom of keeping coal ash in the community.

We carried this outreach into our next community meeting on August 5th at Melton Lake Park Pavilion, where we discussed success stories for coal plant transitions across the country and gathered the community’s ideas for what they want their community to look like after Bull Run shuts down. But we also had fun—ice cream and Jay Clark’s music. Bull Run Neighbors has shown our power, rooted in the amazing Claxton community, and we will keep organizing until we get the just outcome we seek.

As SOCM’s East Tennessee Organizer, I’m privileged to work alongside Sierra Club organizers and members, many of whom are SOCM members as well. As we prepare to celebrate 50 years of community organizing for social, economic, and environmental justice, SOCM knows we have no stronger allies than the Sierra Club. Our strengths complement each other, and our shared history involves important advocacy for our air, water, wildlife, and communities, and demands for accountability at every stage of the coal mining and burning process. I look forward to continuing to work with all of you (as a Sierra Club member myself!) in Claxton and beyond for a safe and healthy, prosperous and sustainable Tennessee. (Update on page 7)

Contact Adam at adam@socm.org

Big Win for Memphis: The Byhalia Pipeline Defeated

by Aaron Butler, Volunteer Writer, and Anna Cole, Chickasaw Group Volunteer

American Author Og Mandino famously said, “Victory comes only after many struggles and countless defeats.” For members of the Protect Our Aquifer (POA) interest group, Memphis Citizens Against the Pipeline (MCAP), the Sierra Club and the Southern Environmental Law Center (SELC), it must seem as though their struggles to protect the Memphis Sand Aquifer, known to be one of the purest sources of underground fresh water in the world, will never end. But for this one moment activists may take a deep breath and pat themselves on the back for a job well done. Their almost-two-year fight against the Byhalia Pipeline, a proposed 49-mile stretch of pipeline that would wind its way through predominantly low-income and minority communities in the Memphis area, has ended with a huge win.

In December 2019 two companies, Plains All American and Valero, proposed the Byhalia Pipeline as a means of transporting crude oil between two of their key points of infrastructure. It’s no surprise this venture, known as Byhalia Pipeline, LLC, touted the proposal as beneficial for the economy and local citizens. Jeff Cosola, public affairs advisor for Plains All American, said the pipeline would, “contribute approximately \$3.6 million per year in property taxes across Shelby, DeSoto, and Marshall Counties” during the first three years of construction. While proponents continued to assert the benefits of this pipeline for consumers, many others saw it for what it would really be. Sierra Club’s Tennessee State Chapter Conservation Program Coordinator Scott Banbury didn’t hold back: “This project was never about serving any domestic needs. This was about making it easier for these companies to get oil exported to international markets where the most profit can be made.”

Opponents of the Byhalia Pipeline say the project is a glaring example of “environmental racism.” But what do they mean? Environmental racism, defined by Robert Bullard, author of *Dumping in Dixie*, is “any policy, practice or directive that differentially affects or disadvantages (whether intended or unintended) individuals, groups or communities based on race.” Southwest Memphis, a predominantly black community, unfortunately has been used as a dumping site for toxic materials repeatedly. As a result, one 2013 study assessed that the cumulative cancer risk in Southwest Memphis, is already “four times higher than the national average.” There are over thirty industrial facilities nearby including iron and steel mills, a pesticide manufacturer, and the Valero oil refinery which pumps 195,000 barrels of oil per day. As if that wasn’t enough, there’s also a coal ash pond containing toxic heavy metals and radioactive matter left behind by the TVA Allen Fossil Plant.

One representative of the project offended many Memphians when he called the selected route for the pipeline the “point of least resistance.” Decades of zoning and racist redlining policies have lumped low-income families together in areas surrounded and blanketed by environmental hazards; in the Memphis area these low-income communities are predominantly African American. Because these communities have the least means to oppose such environmentally detrimental projects, generally they are the “point of least resistance.” There’s a reason we don’t see pipelines and landfills in affluent communities like Germantown. For a visual depiction of how this plays out in reality, just take a look at the map below. If the shortest distance between two points is a straight-line then doesn’t the route of



Planned route for the Byhalia Pipeline would have meandered through low-income neighborhoods. New Madrid Fault line (black line), proposed route of the Byhalia pipeline (dark red line), Capline pipeline (light red line). Original image from Karen Edelstein, March 17, 2021 (<https://bit.ly/Edelstein2021>)

this pipeline seem oddly conceived?

Alongside concerns for the Byhalia Pipelines impact on low-income and predominantly African American communities, there are also well-founded fears about Plains All American and Valero’s extremely poor track records of safety and crude oil spills. See the box in the column on the right for just some of these companies’ history of environmental mistakes.

Although Plains All American and Valero didn’t directly cite efforts by the SELC and other interest groups as the impetus

for their decision to abandon their efforts, on July 2, Byhalia Pipeline LLC announced that they are no longer “pursuing the Byhalia Connection construction project.” And on July 28, Byhalia Pipeline, LLC, formally submitted written notice to both the Tennessee Department of Environment and



Justin Pearson (second from right), Co-founder of Memphis Community Against the Pipeline, and family members and supporters celebrate the defeat of the Byhalia Pipeline with a selfie. Photo by Lucy Garrett for MLK50.

Conservation (TDEC) and the Department of the Navy relinquishing the permits they’d received for construction.

What happens now? Although Plains All American and Valero can reapply for permits and pick up where they left off at any time, for the moment, the Byhalia Pipeline project is dead. But the fight against the Byhalia Pipeline exposed that Memphis drinking water is, for the most part, unprotected under local law. Looking forward, we need laws that will ensure our aquifer and environment are protected for generations to come. In August, as we go to press, the Memphis City Council is expected to vote on Ordinance 5794 which will create a board to review all underground infrastructure project applications and make recommendations to City Council. The ordinance requires that environmental justice concerns be taken into account. An article published by the SELC July 28 calls the ordinance “a critical next step in making sure future pipeline projects cannot threaten Memphians health and contaminate their drinking water.” By providing an additional layer of review and approval, this ordinance will make it more difficult to receive permit approvals for projects that could have negative environmental and environmental justice consequences.

Of a few things we can be certain. Threats to the Memphis Sand Aquifer will continue. We urgently need laws that will ensure the aquifer and communities are protected for generations to come. This recent success is to be celebrated but not rested upon. And those willing to endanger the drinking water and health of hundreds of thousands of people in Memphis are in for one hell of a fight.

Contact Aaron at abutler@essentialrecruitingllc.com

and Anna at anna.cole2408@gmail.com

Read Anna’s comprehensive report: <https://bit.ly/ByhaliaPipelineReport>

Plains All American’s History of Environmental Mistakes

- 2010 – As a result of 10 separate incidents between 2004-2007 (spills cumulatively totaling over 273,420 gallons of crude oil) and numerous citations for violating the Clean Water Act, Plains All American settles with the Environmental Protection Agency (EPA) to pay \$3.25 million dollars in civil penalties and spend \$41 million on infrastructure upgrades.
- 2011 – A subsidiary of Plains All American, Plains Midstream, spills 28,000 barrels of crude oil in northwestern Alberta, Canada. Multiple beaver ponds and wildlife habitats were ruined while nearby residents reported nausea, burning eyes and headaches possibly from resulting fumes.
- 2012 – Plains Midstream spills 122,245 gallons of crude oil into the Red Deer River and Glennifer Lake in Alberta, Canada.
- 2014- A broken pipeline releases over 19,000 gallons of crude oil in Los Angeles, California.
- 2015 – Plains All American spills over 100,000 gallons of crude oil at Refugio State Beach in California with over 20,000 gallons making their way to the Pacific Ocean. Clean up efforts continue today.
- 2020 – Valero leaks 800 gallons of crude oil and 10 pounds of benzene, a carcinogenic chemical, near the planned destination of the Byhalia pipeline.
- 2021 – Plains All America agrees to pay \$60 million dollars in damages for the Refugio Oil Spill in 2015. They agree to the judgement while still refusing to accept responsibility.

MAKE PLANS FOR THE FALL RETREAT

October 29 - 31 at Booker T. Washington State Park



Please note that this event is subject to cancellation depending on directions from Sierra Club concerning the SARS-CoV-2 virus.

Join us October 29-31 for the Fall Chapter Retreat at Booker T Washington State Park in Chattanooga! It's great to be able to get together again for a weekend surrounded by the beauty of nature and fellow Sierrans.

This fun weekend includes multiple hike options led by Tennessee State Naturalist Randy Hedgepath. Past Sierra Club president and current board member Aaron Mair is the featured speaker for both Friday and Saturday nights. Aaron, a former epidemiological-spatial analyst with the New York State Department of Health, has more than three decades of experience with environmental activism. On top of these awesome events, Outdoor Leader Training will be offered, to get interested parties certified to lead official Sierra Club outings. The training will include two sessions, along with an additional session on Basic First Aid and CPR. The First Aid and CPR course has a fee of \$25. Learn more about Outdoor Leader Training:

<https://bit.ly/TNSC-Outdoor-Leader-Training>

Friday's activities include time to get acquainted with fellow Tennessee Sierrans, along with a talk by Aaron Mair about African American units of the Civilian Conservation Corps. Saturday is a fun-filled day, featuring breakfast, Outdoor Leader Training, hikes around the beautiful Booker T Washington State Park, First Aid and CPR training, a talk from Paul Davis on "A Coming Storm: TDEC stormwater regulations and sewage issues," and a silent auction. After a delicious dinner (with vegetarian options), Aaron will deliver his keynote talk about how the Sierra Club is working with the Biden Administration to further environmental goals and, most importantly, how our Chapter can help. The evening will wrap up with a campfire to celebrate Halloween. On Sunday, there will be breakfast and hikes offered to wrap up the weekend.

Registration

Register by October 22 to receive Early Bird Discount

Online: bit.ly/TNSC-Fall2021-Retreat OR Contact:

State Chair Mac Post at (865) 806-0980, mpost3116@gmail.com

Rates

Registration for the weekend covers dorm lodging, 2 breakfasts, & Saturday dinner (Vegetarian options). Cash or check only at check in.

Adult Registration - \$50 — Late registration (after October 22) - \$60

First retreat attendees - \$25 — Students - \$15 — Under 16 years- Free

Sat Only (with dinner) - \$30 — Sun Only - (with breakfast) - \$10

Covid Notice

Sierra Club activities may enforce group size limits, PPE, social distancing requirements to comply with COVID-19 restrictions of the meeting venue, city, and county rules where the activity takes place. Since these are subject to change please contact the activity organizer for any updates. Due to the continued evolution of SARS-CoV-2, mitigation measures are necessary among the vaccinated and unvaccinated. Indoor settings present an elevated risk of transmission. Consultation with your health care provider in best practice prevention is recommended.

Legal Stuff

The Chapter retreat will begin at 4 PM on Friday and end 2 PM on Sunday. All retreat participants are required to sign the standard Sierra Club outings liability waiver at check-in: <http://bit.ly/SierraClubOutingWaiver>. Attendees under the age of 18 not accompanied by parent or legal guardian must have a signed liability waiver and medical authorization form upon arrival. To review or print this waiver visit: <http://bit.ly/SierraClubMinorRelease>

Questions? Contact Mac Post (865) 806-0980 mpost3116@gmail.com

Booker T. Washington: The Man and the Park



In his acclaimed autobiography *Up From Slavery*, Booker T. Washington wrote, "I pity the man or woman who has never learned to enjoy nature and to get strength and inspiration out of it." For Washington, the man for whom Booker T. Washington State Park is named, these words celebrate the uplifting experience of the great outdoors. Born into slavery around 1856, Washington was freed at the age of about nine under the Emancipation Proclamation. His mother was a slave and his father, whom he never knew, a white plantation owner. Washington worked his way through school and went on to become the founder and director of Tuskegee Institute in Alabama. As a leader of former slaves and a dominant national leader of African Americans, he encouraged African Americans to develop vocational and agricultural skills rather than fight directly against the oppressive Jim Crow laws. In this position, he found himself at odds with other prominent African-American intellectuals, such as W.E.B. DuBois.

Established in conjunction with the nearby and much larger Harrison Bay project, Booker T. Washington State Park is one of two Tennessee state parks originally built for use by African Americans only. Situated on the shores of scenic Chickamauga Lake, not far from the city of Chattanooga, the 353-acre park offer visitors phenomenal scenery, several interconnected hiking and mountain biking trails, including a challenging, yet rewarding, six-mile mountain biking trail. The park features a day-use boat launch ramp and large fishing pier, both conveniently located. Bait, tackle, snacks, and fishing licenses are available off-site.

Chapter Volunteer Needs

The Tennessee Chapter has many activities that involve direct actions—responding to action alerts, contacting local, state, and national elected officials, showing up for community events, making comments at public meeting, and more. We appreciate all of you who respond to these Calls-to-Action. There are ongoing administrative activities that are required to develop these opportunities for action. If you would like to deepen your involvement with the Tennessee Chapter, please consider volunteering to help with any of the following important support activities. Unless otherwise noted, please contact Mac Post with questions or to volunteer (mpost3116@gmail.com or 865-938-3116).

- **Chapter Treasurer** — This is an important position that entails oversight of the finances for the Chapter. Fortunately, we have an excellent bookkeeper who is knowledgeable about Sierra Club policies and procedures and does much of the detailed work.
- **Membership Committee** — Several people are needed to recruit and engage new volunteers in a way that furthers the Chapter mission.
- **Fundraising Committee** — Three volunteers are needed for the following tasks: creating and sending thank you notes and emails to donors; identifying and cultivating major donors (estate planning, 401K mandatory withdrawals); helping increase the number of our monthly donors.
- **Elections Committee** — Three volunteers are needed for about eight hours of work in December to collect and count ballots, and report results of Chapter and Group executive committee elections. Contact Cris Corley (driscorley@gmail.com, 615-477-9090).
- **Digital Strategies Team** — Digital strategies leader, website administration, social media, working with Sierra Club tools (Salesforce, Marketing Cloud, Campfire). Contact John Behn (By text at 615-390-8079 or email at Digital.Strategies@Tennessee.SierraClub.org).

Anna Cole, Chickasaw Group Volunteer



I am thankful that I worked with the Sierra Club Chickasaw Group in my fellowship with Rhodes College. This summer was historic for environmental justice—Memphis won the fight against the proposed Byhalia pipeline (see story on page 5).” Among many valuable moments I had with the Chickasaw group, I attended a meeting where members of the Sierra Club, Memphis Community Against the Pipeline, and Protect Our Aquifer urged the Tennessee Department of Environment & Conservation

to revoke a permit for the Byhalia Pipeline. I will never forget the energy and determination I saw in the activists who spoke at the meeting, among them Scott Banbury of the Tennessee Chapter of the Sierra Club and Justin J. Pearson of Memphis Community Against Pollution. They inspired me to demand environmental justice in Tennessee. Witnessing these changemakers build relationships with state officials also revealed to me the power of local government. So, when I was presented the opportunity to plan the Chickasaw Group’s July program, I chose to focus on local resistance. During the event, Memphian community organizers provided participants with insight into best practices when contacting county commission and city council members. I am grateful that I was part of this program that celebrated activists in our community and helped our members grow their skills in pushing for environmentally just legislation.

Now that my fellowship is over, I am excited to be an involved volunteer with the Chickasaw Group. I encourage others to engage with their local Sierra Club group or the Tennessee Chapter. The leaders in the organization are motivated to organize and educate others for environmental justice and conservation in our state.

To read Anna’s comprehensive report about the Byhalia pipeline controversy, go to: <https://bit.ly/ByhaliaPipelineReport>
Contact Anna at anna.cole2408@gmail.com

Tree Frogs

by David Baker

One starts. The still heat is a blown curtain.
The curtain wavers then—now two of them—

and another from beyond the blue agave.
Soon the whistling, *wheet-eet-eet*, the many,

so many, tree frogs “no bigger than thumbprints,”
Eleutherodactylus coqui, the common coqui,

which we’ve never seen but in books, not once.
Now the purring, the rolling coo of

the mourning dove song of the island toads
among the hundred frogs, and crickets, Gryllidae,

in late day rising salt background waves,
as, in the bay, the small squall we didn’t see

at first is a gray-bellied cloud in the still
yet azure twilight sky, and the container ship

pulls on through the sheath of mist—
a distant bell among the white cedars.

Can the ending of things ever be heard?
So slowly it crawls with the gross weight

of all our needs, our goods, our ghosts.
Such little things we are, and so much noise.

“Tree Frogs” was first published in *Swift: New and Selected Poems* and is reprinted with permission of the author.

Dear Eartha: Advice from An Eco-Guru

Dear Eartha,
I’m starting my senior year of high school and am thinking about what college to attend next year. I want to stay in-state because of cheaper tuition, and I would like to attend a school that incorporates sustainability and environmental responsibility. Which schools in Tennessee stick out for being green friendly?

—Grace the Student

Dear Grace,

I like where your head is at! Your interest in eco-friendly higher education is shared by the majority of college-bound teens and their parents. According to a survey done by *The Princeton Review* (2020 College Hopes & Worries Survey), 66% of the 12,845 respondents said that “having information about a college’s commitment to the environment would affect their (or their child’s) decision to apply to or attend a school.”

In the state of Tennessee, there are 184 accredited colleges and universities, which includes public and private universities, community colleges, and technical and vocation-specific schools. I’m not sure which you are interested in, but the *Review*’s recent guide may be helpful. Each year, since 2010, they have published a *Guide to Green Colleges* that ranks the greenest schools. Their ranking methodology is based on “a combination of school-reported data and student opinion” using the following criteria:

- whether students have a quality of life on campus that is both healthy and sustainable
- how well a school is preparing students for employment in an increasingly green economy
- how environmentally responsible a school’s policies are

This year’s guide compared 700 colleges. and On the Top 50 Green Colleges list, only one school is in Tennessee: Vanderbilt University came in at #20. The *Review* also developed a list of 416 Green Colleges. This larger list included a few more Tennessee schools: Belmont University, Tennessee Technological University, The University of the South, and The University of Tennessee, Knoxville. As you can see, there is a mixture of public and private universities, but it looks like they only included four-year institutions. I encourage you to do a deeper dive on those schools to see what resonates with your morals (and your budget!).

Keep in mind that most schools have a student environmental group, Office of Sustainability, or green efforts underway to some extent. Wherever you decide to go, studious Grace, find that activist group or committee on campus and join! Back in the early 2000s in my college days, I helped with a campus campaign to raise funding for sustainability efforts at UT, Chattanooga. We were successful, which meant we were able to start recycling on campus, retrofit existing buildings to be more efficient, and purchase blocks of green power. It’s satisfying to know that I helped make that happen. Your involvement can really make a difference! Here’s to being lifelong learners and doers!

Eartha

This column was written by Allie Stafford. Dear Eartha is usually written by Rita Bullinger.
Submit your question for Eartha to SierraTNNews@gmail.com

The Bull Run Coal Ash Threat Part 2

(Find Part 1 on Page 4)

by Todd Waterman, Harvey Broome Group

We turned out again on August 9th for the County Operations Committee meeting to debate a resolution asking TVA to move the popular Claxton Community Park’s facilities to the site seized for the blocked coal ash landfill. Knoxville reporter Jamie Satterfield had revealed that the park’s ballfields beside Bull Run’s Dry Fly Ash Stack had been built over coal ash fill, and that Duke researcher Dr. Avner Vengosh had found fly ash toxins in soil at the adjacent children’s playground. At the meeting, passionately arguing the playground should be closed, were three Kingston survivors (one recently widowed), three locals, and Satterfield herself (“I can’t sleep at night, knowing...”). County Mayor Terry Frank countered that Vengosh’s study hadn’t found actionable contamination. And Tracy Wandell said not one of his Bull Run District constituents had asked him to close the playground, so it should stay open. All five Kingston survivors defiantly stalked out, pursued by two TV stations. The committee unanimously voted to keep the playground open. But once again, the media would carry our message to thousands. And in Claxton, where kids still play within blowing distance of huge piles of dry fly ash (now concealed behind a high bank), a debate is raging.

Contact Todd at jtoddw@gmail.com

Welcome Susan Johnston, Our New Defenders Fund Chair



I was sitting on my deck this morning, gazing out over the lush rain garden that runs through my co-housing community and at the huge cottonwood whose leaves flutter sideways like Queen Elizabeth waving. I'm lucky to live here, in this community where we share the work as well as play. Much of the work I have chosen is the gardening, and much of the gardening is with native plants. They thrive here, of course, being natives, and that means there's constant work just keeping their exuberant growth within the bounds we have set for them. It's a joyful

battle, and I have a few scars to attest to it.

I'm Susan Johnston and I have agreed to replace Sherry Loller as Sierra Club's Defenders Chair. I was looking for a way to pay back a tiny bit of what

I have gained from this beautiful state where I have lived for over forty years. I love the term "Defenders," and I love that Sierra Club Defenders are funding one of only two lobbyists for the entire state of Tennessee. I feel as protective of Tennessee's natural beauty as I do of my own children and grandchildren. I want them to have what I have, and right now their future is threatened. Our lobbyist, Scott Banbury, lets us know when there is something coming before the State Legislature that needs our help. Be sure to read Scott's report on page 3.

I hope you will use the form below to make a donation to the Defenders Fund. Think about it. Think about what is happening right now out west. This world needs our help. Please give what you can to help Scott protect our corner of it, the piece that we are responsible for. Then sleep a little better tonight.

Contact Susan at susan.johnston2011@gmail.com

YES! I WANT TO SUPPORT OUR LOBBYIST! [] \$50 [] \$100 [] \$250 [] \$500 [] \$1000 \$ _____ **Surprise us!**

NAME: _____ ADDRESS: _____

CITY, STATE, ZIP: _____

Please select a method of payment. Make checks payable to Sierra Club Tennessee Chapter with "Defenders" in the memo line or use your credit card:

[] Mastercard [] Visa [] Discover

Credit card number _____ Expiration date (mm/yy) _____

Name on card _____ Signature _____

[] Please send me email alerts when there is a critical vote and Sierra Club needs for you to contact your State legislators.

[] Please send me weekly email updates from the Tennessee Conservation Voters during the legislative session.

Email address _____

May we publish your name in the Tennes-Sierran as a donor? [] Yes [] No

[] I do not need an acknowledgment letter. Please save the Defenders' funds for program purposes.

Mail to: Susan Johnston, Sierra Club Defenders, 1325 5th Ave N #23 Nashville TN 37208. Thank you!

Defenders Fund Contributor

Many thanks to Brian Paddock who contributed to the Defenders Fund in support of our lobbyist in the state legislature.

MEETINGS

COVID-19 NOTICE

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Check Website for Zoom or In-Person Meeting Status. bit.ly/SCTNcalendar



Group Meetings

Group	Date	Time
Cherokee (Chattanooga)	Mon 9/27, 10/25, 11/22	7:00 PM
Chickasaw (Memphis)	Thu 9/16, 10/21, 11/18	6:00 PM
Harvey Broome (Knoxville)	Tue 9/14, 10/12, 11/9	7:00 PM
Middle TN (Nashville)	Thu 9/9, 10/14, 11/11	7:00 PM

Group Business Meetings

Group	Date	Time
Cherokee (Chattanooga)	Mon 9/6, 10/4, 11/1	7:00 PM
Chickasaw (Memphis)	Wed 9/1, 10/6, 11/3	6:30 PM
Harvey Broome (Knoxville)	Tue 9/28, 10/26, 11/23	7:00 PM
Middle TN (Nashville)	Mon 9/20, 10/18, 11/15	6:30 PM

Regional Conservation Committee Program Meetings

Committee	Date	Time
Tri-Cities	Tue 9/14, 10/12, 11/9	7:00 PM

Regional Conservation Committee Business Meetings

Committee	Date	Time
Clarksville	Tue 9/21, 10/19, 11/16	6:00 PM
CareNET (Rogersville)	Thu 9/23, 10/28, 11/25	6:00 PM
Watauga (Mountain City)	Tue 9/14, 10/12, 11/9	5:00 PM
Tri-Cities	Wed 9/22, 10/27, 11/24	7:00 PM

SEPTEMBER 18 2021
WATAUGA LAKE CLEANUP

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#wataugalakecleanup
(423) 534-4785

RETREAT SCHEDULE

Fall 2021	Booker T. Washington State Park October 29-31 Tentative due to Covid Please check website for status www.sierraclub.org/tennessee
Winter 2022	Cedars of Lebanon State Park January 14-16
Spring 2022	Fall Creek Falls State Park April 29-May 1
Fall 2022	Pickett State Park October 28-30