

The Order of the Earth

News, Views and Musings About Our Planet

August 2010

theorderoftheearth.com

Vol. 10 No. 7 Issue 100: To press 7/21/10

\$1.00



Photo by Cathy Pedler

The top photo shows what a forest SHOULD look like — the Allegheny River at twilight from the Tracy Ridge section of the North Country Trail. The bottom map shows what's happening in Pennsylvania's only national forest.



Photo by Cathy Pedler

Old oil tank from previous oil and gas activity in the forest.

NORTH COUNTRY ADVENTURE

NCT Allegheny 100 Challenge helps raise money to protect the forest

By Cathy Pedler
Forest Watch Coordinator
More Hellbender News:
July 2, 2010

The adventure started June 18th at the North Country Trail Head (NCT) on Route 346 near the New York border. John Stoneman, of Allegheny Outdoor Adventures, and I arrived just as the other hikers were starting out. Boots hit the trail at 6 p.m. sharp. The event was the North Country National Trail ANF (Allegheny National Forest) Chapter's Allegheny 100 Challenge. Hikers were traveling between 25 and 100 miles on the North Country Trail (NCT) in the Allegheny National Forest between June 18 and June 20 to raise money to protect the forest. (If you would like to contribute, please send checks to: Allegheny Defense Project, 117 West Wood Lane, Kane, PA 16735.)

Now, on with the story.

John, more competitive and in shape than I, would have burned the trail up with the rest of the group but he was kind enough to take a more leisurely pace with me. I had only committed to 25 miles rather than pushing for 100. We had parked a car at Sugar Bay planning to at least hike the entire Tracy Ridge section that evening but some of the other hikers were going to try to make it all the way to

Chappel Bay that evening (a full 25 miles). Our plan was to hike at night but to be off the trail and back to Tracy Ridge for camping by 10 or 11 p.m.

The sunset hike was beautiful. The water reflected and magnified the evening light, fortunately long into the twilight. The trail was relatively easy except for a few inclines that caused my heart and lungs to jump out of my body and smack me around for using them without sufficient warning.

We eventually caught up with some of the hikers who were resting at one of the trail's many springs and streamlets that trickle down to the Allegheny River Reservoir. We passed the hikers for a short time but regrouped with them after dark, posing for a picture by an abandoned artifact from previous episodes of human stupidity in the Allegheny (see picture on next page). Oil and gas debris became a theme on Day Two of my hike in the Tionesta Scenic and Research Natural Areas, where we were looking for Pogonias but kept stumbling onto pipes and tanks.

As it does, the sun finally left us and night came in full. There were moonbeams dappling the path. Unfortunately, John and I (who had again fallen away from the hiking group at the insistence of my internal organs) had turned

Continued on next page

Five Gas Wells Planned

Documents Outline Plans for Marcellus Shale Gas Wells in Allegheny National Forest

By Cathy Pedler,
Forest Watch Coordinator

More Hellbender News: July 2, 2010

Documents from a Freedom of Information Act (FOIA) request by the Allegheny Defense Project (ADP) show that there are currently plans for five Marcellus Shale gas wells on the public lands of the Allegheny National Forest (ANF).

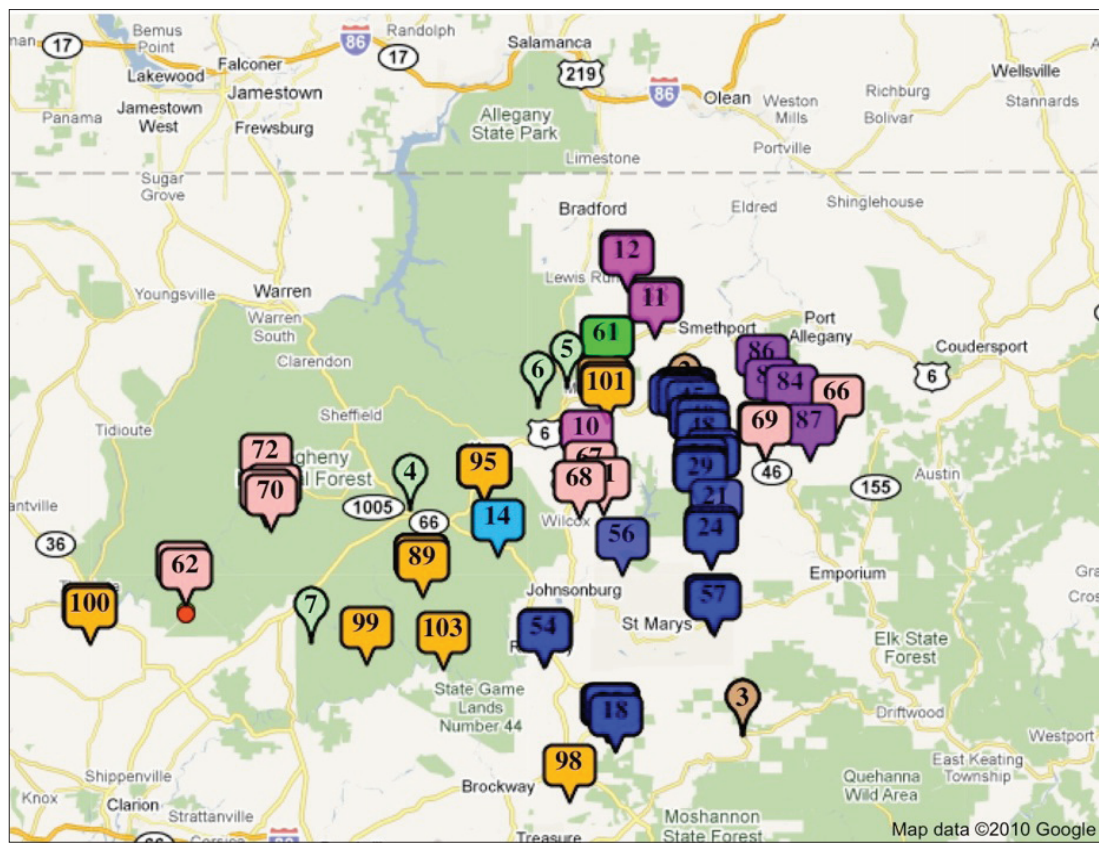
Three of the wells are planned by East Resources (Royal Dutch Shell) including,

- 1) One well in the Glad Run watershed,
- 2) One well on FR 444 in the Chaffee Run watershed (headwaters of the South Branch Of Tionesta Creek), and
- 3) One well in the Log Run watershed (East Branch of Millstone Creek).

And Pennsylvania General Energy is planning:

- 4) One well on Coalbed Run. Plus Hanley & Bird is planning

Continued on next page



in a blue wicker chair
in the white sun
hearing the hum of time
in August's insects' stretching notes —
in the wind, too, the trees' crackling
and the air, cool and dry
while all others rest quietly aware

By Sandy Chilcote
Newfoundland, Canada

Submitted with the following note: *Earth from space is like my grandmother's old blue wicker chair that was painted blue enamel over the old white enamel.*

Fossils Show Arctic Near Climate Tipping Point

BOULDER, Colorado, June 29, 2010 (ENS) — Current levels of Earth's atmospheric carbon dioxide may be high enough to bring about "irreversible" shifts in Arctic ecosystems, according to new research published today by scientists from the United States, Canada and The Netherlands.

The Arctic climate system is more sensitive to greenhouse warming than previously known said the researchers, who gathered evidence on what is now Ellesmere Island in Canada's High Arctic from a time period 2.6 to 5.3 million years ago. This period, known as the Pliocene Epoch, occurred shortly before Earth was plunged into an ice age.

"Our findings indicate that CO₂ levels of approximately 400 parts per million are sufficient to produce mean annual temperatures in the High Arctic of approximately zero degrees Celsius (32 degrees F)," said lead author Ashley Ballantyne of the University of Colorado at Boulder.

"As temperatures approach zero degrees Celsius, it becomes exceedingly difficult to maintain permanent sea and glacial ice in the Arctic. Thus current levels of CO₂ in the atmosphere of approximately 390 parts per million may be approaching a tipping point for irreversible ice-free conditions in the Arctic," Dr. Ballantyne warned.

The research team points out that the overwhelming majority of climate scientists agree Earth is warming due to increased atmospheric concentrations of heat-trapping gases generated



Photo by Cam17

Ellesmere Island natural ice sculptures like this may soon be history.

by human activities like fossil-fuel burning and deforestation.

Arctic temperatures have risen by about 1.8 degrees F. (1 degree C.) in the past two decades in response to human-caused greenhouse warming, a trend expected to continue in the coming decades and centuries, said Ballantyne.

Greenhouse gases in the atmosphere have risen from about 280 parts per million during the pre-industrial era on Earth to about 390 parts per million today.

Environmental advocates are calling on governments negotiating the next climate treaty

Continued on page 7

Forests



Photo by Cathy Pedler

The photo above shows stream water being pumped out to be used by gas drillers. The pipe below is becoming a common sight in our national forest.

Five Gas Wells

Continued from page 1

ning: (5) One well on Pine Run (headwaters of Big Mill Creek).

In addition to these five wells there are nine wells in the footprint of the ANF on private in-holdings or on State Gamelands. There are a total of 92 Marcellus Shale gas wells in the four county area of the ANF, including Warren, Forest, McKean, and Elk counties. The map on page 1 plots the Marcellus Shale gas well drilling sites with well and company data. This map also shows some of the water withdrawal locations for Pennsylvania Energy (PGE) and Seneca Resources (AKA National Fuel Gas).

The Elk State Forest has been hit hard by Marcellus Shale gas well drilling with 16 wells on this forest's state public land. The table on page 8 illustrates company operation, location and numbers of well permits.

ADP was scheduled to conduct a file review on July 8th at the Northwest Office of the Pennsylvania Department of Environmental Protection (DEP) of all of the water withdrawal points for companies operating in northwestern Pennsylvania. Keep posted for further details.

[Ed.: This is YOUR forest; do you like this drilling going on? Join ADP at alleghenydefense.org.]



Photo by U.S. Fish and Wildlife Service

The endangered small whorled pogonia is a member of the orchid family.

The small whorled pogonia, a member of the orchid family, is a threatened species. It usually has a single grayish-green stem that grows about 10 inches tall when in flower and about 14 inches when bearing fruit. The plant is named for the whorl of five or six leaves near the top of the stem and beneath the flower. The leaves are grayish-green and 1 to 3.5 inches long. The single or paired greenish-yellow flowers are about 0.5 to 1 inch long and appear in May or June. The fruit, an upright ellipsoid capsule, appears later in the year. Identifying, protecting and restoring endangered and threatened species is the primary objective of the U.S. Fish and Wildlife Service's endangered species program.

ADVENTURE

Continued from page 1

to admire the moonlight.

We missed our turnoff to Sugar Bay and proceeded unwittingly toward the Hopewell Camping area. John took a nice spill on the way down to Hopewell but caught himself with his forehead on a large, flat log. He shook it off pretty well. After we discovered our mistake at Hopewell and turned around to hike back to our missed turn (adding another few miles to our evening adventure), I took a tumble going uphill, which is a lot harder to do but hurts less than the way John did it.

Eventually, we made it out to Route 321, to the car and to Tracy Ridge for a dinner of cheese curds and Pringles. It was sometime after 1 p.m. We were bruised and beat. John looked forward to his hot-tub. I looked forward to 10 more miles the next day.

Bill Belitskus, ADP's board president, met me the next day at 10:30 a.m. near the Tionesta Scenic and Research Natural Areas. We decided to drop a car at our end point near Route 948 on FR 148 at Cherry Run.

On the way back to drop a car, we decided to try to find one of the five Marcellus Shale gas well sites planned by East Resources (leases now owned by Royal Dutch Shell) on FR 444 near the west intersection of Routes 948 and 66. We found the well site a short distance in on FR 444. The site was marked for clear-cut for the 15-plus-acre areas needed for each drilling operation. These drilling operations will permanently alter the landscape, take and contaminate millions of gallons of water for each operation, disrupt underground aquifers and seriously degrade air quality. In addition to the five Marcellus Shale gas wells planned for ANF lands there are at least nine more on private in-holdings within the footprint of the ANF and many more in the surrounding counties (see "Five Marcellus Shale Gas Wells" on page 1).

As Bill and I travelled on to the Tionesta Scenic and Research Natural Areas we passed other notable scenes of interest, including a National Fuel Gas (a/k/a Seneca Resources) Pipeline and a fine example of the U.S. Forest Service's use of Monsanto's broad-spectrum, non-selective



Photo by Cathy Pedler

The group which hiked in the Allegheny National Forest to look for endangered Small Whorled Pogonias and to raise money to support their volunteer work. To the right, Bill Belitskus shows the blue blaze on a tree in the forest marking the path littered by gas drilling pipes on the ground.

systemic herbicide, glyphosate. Eventually, we found our NCT Trail Head, parked the car and began our hike keeping our eyes to the ground looking for Pogonias. The trail was pleasant, the day was cool and our heads were down searching. It didn't take us long before we had turned down a resource extraction road instead of the NCT.

We backtracked looking for the NCT blue blaze. The difficulty in the Allegheny is that with 3,500 miles of roads at a density greater than many urban areas it is easy to lose your way in the maze of forest scars. The trail system used currently on the ANF only requires a blaze every so often to affirm for the hikers that they are still on course (see photo at right, of Bill Belitskus, a blue blaze on a cherry tree and old metal oil and gas pipe). In the ANF this system presents a problem for all but the extremely vigilant blaze watchers. Hikers on the ANF should always be prepared with topographic quad maps and a compass (and/or GPS). We had topos and compass and my trusty dowsing pendulum for extra safety.

Part of our trail wove through the old-growth area hit by a tornado in 1985. Large areas of thicket grow around the rotting

carcasses of ancient trees, which serve as nurse logs for seedlings and nutrient for mycelium and fungus. With the exception of not focusing on high-value timber species, the forest and the tornado have accomplished some of the same forest conditions the U.S. Forest Service manages for but without herbicides, clear-cuts or prescribed burning.

From the trail we didn't see much of anything that looked like a Small Whorled Pogonia (*Isotria medeoloides*) until we entered the Cherry Run Watershed. Here we saw several thick-stemmed plants that resembled Cucumber Root (*Medeola virginiana*) but without the Pogonia flower we could not make a positive identification. Cucumber Root has a thin stem but Small Whorled Pogonias have a thick stem. The non-flowering plants look similar.

We passed magnificent rock areas with fern and hemlock and some beautiful clear springs that form the headwaters of Cherry Run.

As we were on our journey as we were wandering around looking for blue blazes, we found that we were not alone. In the mud of the sidetrack we were on, we found fresh bear tracks. We looked twice at the larger footprint, which at a quick glance looked human.

Not long after, as Bill and I became distracted chatting about U.S. Forest Service shenanigans, dodging old oil and gas infrastructure, surveying trail edges for Pogonias and trying to keep a decent pace to get down the trail, that ancient sense of something approaching from behind came on me. I turned quickly probably looking like I was about to be run down by a rabid bear or an angry oil man. But, it was one of the 100-mile NCT hard-core hikers, Michael from Ohio, who was burning up the trail behind us. He had hiked from the New York border to where we were, close to Cherry Run. Very impressive!

As we hiked closer to the intersection of Cherry Run and the South Branch of Tionesta Creek we began to hear the gut-wrenching sound of new oil and gas activity. This time it was the constant roar of a compressor engine in one of Arthur Stewart's Duhring Resources drilling areas.

Duhring's drilling areas appear to be some of the worst in the Forest. Directly beside the NCT were tanks, batteries, compressors, well pads, roads, pump jacks and water-withdrawal equipment. You can distinguish Duhring's pump jacks from those of other companies because he covers the



pump engines with blue plastic tubs. We could see new well pads and roads from the trail. Some of the areas that were already in operation with pump jacks had piles of logs on the backside of the pads. This was something I had not seen before on the ANF. Typically, the timber is marked and removed, the revenue from the cut going to U.S. citizens. However, these trees had been cut and piled.

Bill reminded me of the files we had reviewed showing Duhring's complete disregard for the public's surface resources, including the timber. In his correspondence with the U.S. Forest Service Duhring threatened to get the trees out of the way that were interfering with his access to the mineral estate. From the appearance of the timber piles on the well pads, he did just that.

Near the end of our hike, an old Maple caught my attention. He was very old and large. His feet were in the creek. A completely-healed, counterclockwise spiral wound showed that this tough old tree had recovered from a lightning strike. Lately, the presence of the tough, old and scarred trees that have sur-

vived battles and wounds are my inspiration to keep up the fight against our human ignorance and self-destructive behavioral patterns.

For Bill and me, the North Country Trail ended at his green truck (which was a welcome sight) parked near the trail head at Cherry Run.

We had not found what we were looking for but we put the trail under our feet and found more of what we know needs to stop in order for species like the Small Whorled Pogonia, and us, to survive.

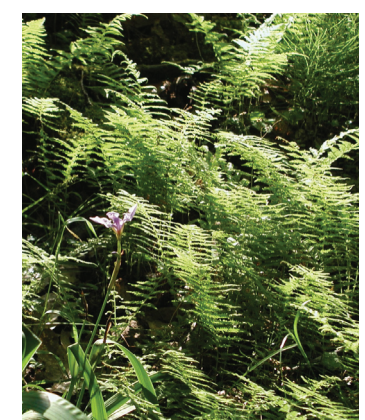


Photo by Cathy Pedler

Ferns are part of forest life, too.

Think and Act

Is There Any Way Out of This Mess?

From Endgame by Derrick Jensen (2006)

In The Culture of Make Believe, I approached the question of the culture's essential destructiveness and its death urge from an entirely different direction, exploring the mutually reinforcing interplay of an economic and social system based on competition; the belief that humans are the apex of creation and our culture is the apex of this apex (it's always been pretty clear to me that all of evolution has taken place simply to bring me into existence, so that I can watch television); the valuing of material production over all else, including (most especially) life; the consistent preference for abstraction over the particular (manifesting, to provide three quick examples among many, as the promulgation of moral systems based on abstract principles rather than circumstances; as the flood of pornography (abstract images of naked women on the Internet account for \$90 billion in revenue per year, making porn the number one cash generator online, accounting for 13 percent of all revenue) and, as the ability and proclivity to kill at ever-greater psychic and physical distances) and the increasing bureaucratization of this society.

I showed how all of these vectors come together to lead inevitably to the attempted elimination of all diversity, to the attempted killing of the planet and to the increasingly routine mass murder of fellow humans (and of course nonhumans).

I'm taking a more fundamental approach here to understanding the reasons for the implacability of this culture's violence and I'm discovering that just as all roads lead, as the saying goes, to Rome, all pathways here lead

to the perception and articulation of civilization's basis in exploitation. In other words, it doesn't really matter whether we're talking about the psychological, social/economic or physical/resource levels (none of which are separable anyway), we come to the same conclusion. To put this yet another way, the micro manifests the macro, which mirrors back the micro. Or to change terms once again, we're in trouble and we need to figure out what we're going to do about it.

Because every city-state (and now the entire globally interconnected industrial economy) relies on imported resources, our entire culture's basis in exploitation must remain in place no matter how spiritual, enlightened or peaceful we may seem to ourselves, may claim to be, or may in fact personally become. This basis in violence is in place no matter whether or not we choose to acknowledge it. It is in place whether or not we call ourselves peace-loving and whether or not we tell ourselves (each time) that we are fighting to bring freedom, democracy and prosperity to people who, unaccountably, often do not seem to want what we have to offer. Stripped of all lies, we are fighting, or rather killing, to take their resources.

(Remember Premise Four: "Civilization is based on a clearly defined and widely accepted yet often unarticulated hierarchy. Violence done by those higher on the hierarchy to those lower is nearly always invisible, that is, unnoticed. When it is noticed, it is fully rationalized. Violence done by those lower on the hierarchy to those higher is unthinkable and when it does occur is regarded



with shock, horror and the fetishization of the victims.") More precisely, those in power are doing so. More precisely yet, those in power are ordering their servants to do so, servants who have bought into the belief that those in power are entitled to take these resources.

This culture has killed a lot of people and will continue to do so until it collapses and probably long after. It must, because these killings inhere in the structure and physical needs of the society, and so are not amenable to change.

Appeals to conscience, to humanity, to decency, are thus doomed even before they're made (and in fact can be harmful insofar as they allow all of us – from presidents to CEOs to generals to soldiers to activists to people who don't much think about it – to pretend those in power could maintain that power without violence and that the material production on which the entire culture is based could continue also without violence),

not only because those in power have shown themselves – similarly to abusers in family violence, for similar reasons – eager to commit precisely as much violence as they can get away with and, not only because those in power have shown themselves psychologically impervious to such appeals (Dear Adolf, Please don't hurt the Jews, nor take land from the Slavs or Russians. Be a pal, okay?), but more importantly – and more implacably – the institutions these individuals serve are functionally just as impervious to the appeals as the individuals are psychologically. They need the resources and will get them, come the hell of depleted-uranium-induced malformations or the high water of melted ice caps. All of this means that movements for peace are damned before they start because unless they're willing to unmake the roots of this culture, and thus the roots of the violence, they can at best address superficial causes and thus, at best, provide palliation.

There are many superficial causes of the culture's violence. There is the fact that those who make the political decisions that guide this culture are more interested in increasing their own personal power and the power of the state than they are in human and nonhuman well-being.

Another way to say this is that gaining and maintaining access to resources and facilitating production are more important to them than life. Another way to say this is that power is more important to them than life. Another way to say this is that they are insane. If this were a root of the problem instead of a superficial manifestation, we could undermine the violence of this culture by simply replacing these decision-makers with those more reasonable, with those more sane, with those more humane, with those more human.

But imagine if an American president decided tomorrow that the U.S. would no longer allow corporations to take oil from any region where the people themselves (not the government) did not want to relinquish it. The same would hold for metals, fish, meat, wood. Everything. What's more, no resources would be extracted if their removal would harm the natural world in any way.

In other words, the president decided to put in place a truly non-exploitative, sustainable economy, the sort of economy all but psychopaths would say they want, the sort of economy that environmental and social justice activists say they're working toward. Presuming Congress and the Supreme Court went along – an extraordinarily dubious presumption – and presuming the

president wasn't assassinated by CIA operatives or oil or other company hirelings – even more dubious – prices would skyrocket, the American way of life would implode and riots would (probably) fill the streets. The economy would collapse. Soon, the president's head would be displayed atop the fence at 1600 Pennsylvania Avenue.

The point is that the only people fit to be President are those who can institute policies that value economic production over life. A sane and humane person would not and could not last in that position.

Email from Derrick

I have a new book out. It's called Resistance Against Empire. It's published by Flashpoint/PM Press. Like How Shall I Live My Life and Listening to the Land, it's a collection of interviews. It's now available on my Web site and should be available very soon in bookstores. Here is the description:

A scathing indictment of U.S. domestic and foreign policy, this collection of interviews gathers incendiary insights from 10 of today's most experienced and knowledgeable activists. Whether it's Ramsey Clark describing the long history of military invasion, Alfred McCoy detailing the relationship between CIA activities and the increase in the global heroin trade, Stephen Schwartz reporting the obscene costs of nuclear armaments or Katharine Albrecht tracing the horrors of the modern surveillance state, this investigation of global governance is sure to inform, engage and incite readers.

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Global in Scope, "Down-Home" in Nature

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Publisher/Editor: Iona Conner
Publishing Partners: Kim Stenley, Sally Klein
Layout/Design: Katherine Lukaszewicz, Arikia Millikan, Kim Stenley, Jennifer Michalak
Printing: ATJ Printing, Inc., Huntingdon Pennsylvania, a family-owned business using 50% recycled paper and soy-based inks.
Subscriptions: \$25 for 6 to 12 issues; \$60 international.
Circulation: 1,000 hard copies per month plus the paper is published on www.theorderoftheearth.com. We are linked with several sister groups and have more than 100 people on our elists. Our newspapers have traveled to 27 states plus the District of Columbia, as well as Canada, Italy, Australia, Sweden, Jamaica, Germany and Korea. We also send complimentary copies to contributors wherever they live if they want them.

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The Order of the Earth News, Views and Musings About Our Planet

Our Goal: To provide people with news to help bring their hearts and lives back into harmony with Nature and with Most High God and his Trustworthy And True Living Spirits, Most High's Council of Elders as found below. We are also a community of activists, writers, poets and others who care about the future of the planet and we work together to nurture each other in various ways.

Our Mission: To inspire and encourage readers to think seriously, act intelligently and be peaceful, compassionate, courageous and creative.

The Dream: Humans can co-exist with Nature and, once they do, both will flourish.

Masthead: We say "Volume 10" because Iona started producing a newsletter with the same name ten years ago. In 1995 she wrote a tiny booklet called "The Order of the Earth" and, with friends' help, made and gave away 11,000 of them. This newspaper is an expansion of that work. The photo in our masthead is the ocean in Bay Head, New Jersey taken last Mother's Day.

Most High's Council of Elders

LOVE	PATIENCE	COMFORT
TRUTH	TOLERANCE	HONESTY
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UNDERSTANDING	JOY	CONFIDENCE
KINDNESS	CHARITY	HOPE
COMPASSION	GENEROSITY	SECURITY
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MODESTY	FRIENDSHIP	CHIVALRY
HUMILITY	GIVING	RESPECT
INNOCENCE	RECEIVING	GENTLENESS
FORGIVENESS	RESPONSIBILITY	GOODNESS
RIGHTEOUSNESS	SHARING	CHOICE...etc.

DEADLINE FOR ALL SUBMISSIONS: 10TH OF THE PREVIOUS MONTH

First Amendment to the U. S. Constitution: Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people to peaceably assemble, and to petition the Government for a redress of grievances.

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I no longer believe we can use the system to change the system.
Let it all fall apart.
I no longer want to live in their world so I must create/find my own.

--- Kim Stenley, Taneytown MD

Computer Activists Help Save Sea Turtles from Being Burned Alive by BP: We Helped!

Email from CREDO
July 3, 2010

Over 140,000 CREDO Action members told BP and the U.S. Coast Guard to stop burning sea turtles alive during oil cleanup efforts. With your help, CREDO Action was the first progressive group to organize widespread grassroots pressure to end this practice. You brought national attention to the issue, forcing BP and the Coast Guard to take action.

Faced with mounting pressure from a number of organizations and the press, BP and the U.S. Coast Guard have finally agreed to new measures to protect endangered sea turtles in the oil slick burning zones.

Here is part of an article in Bloomberg BusinessWeek, July 2, 2010 by Laurel Brubaker Calkins and Allen Johnson Jr.:

"BP Plc and the U.S. Coast Guard have reached an agreement to end the inadvertent killing of endangered sea turtles trapped inside containment booms during controlled burns of the Gulf of Mexico oil spill," lawyers said.

"We've agreed to meet to work out the terms to make sure the turtles are protected," Jason Burge, a lawyer for several environmental groups suing to protect the sea turtles, told U.S. District Judge Carl Barbier at an emergency hearing today in New Orleans federal court.

"Details will be fleshed out over the weekend so that protec-



Photo from www.worldwildlife.org.

Having traveled the seas for over 100 million years, sea turtles have outlived almost all of the prehistoric animals with which they once shared the planet. Critically endangered, the sea turtle is at risk from many factors, including habitat destruction, entanglement in fishing gear, hunting and egg collection, climate change, pollution and now BP. So why is BP still in business?

tions may be in place by the time controlled burns are set to resume on July 6th, the lawyers told Barbier. The wildlife groups withdrew their request for a temporary restraining order blocking the burns, on the condition they may renew the request later if the turtle-rescue settlement falls apart... "Environmental groups sued BP and the Coast Guard on June 30th, seeking to block the use of controlled burns or require all boats involved in the process to rescue turtles from inside floating burn boxes before the oil is ignited."

BP has already killed or otherwise harmed "hundreds of rare Kemp's Ridley, Leatherback, Loggerhead and other species of

endangered sea turtles through its use of controlled burns or as a result of contamination from the oil spill itself," the lawsuit claims. The animals become trapped when shrimp boats encircle patches of floating oil with fire-resistant booms to create "burn boxes" 60 to 100 feet in diameter, they said.

[Back to CREDO] Though the details are still being worked out (and we'll need to ensure that BP and the U.S. Coast Guard follow through on their agreement) we are confident that measures and procedures are being put in place to prevent endangered sea turtles and other wildlife from being burned during oil spill clean-up activities.

Gulf Sea Turtle Eggs to Be Moved to Cleaner Waters

JACKSONVILLE, Florida, June 30, 2010 (ENS, excerpt) — To protect the eggs of endangered sea turtles from the ongoing oil spill in the Gulf of Mexico, U.S. and Florida wildlife experts are planning to relocate them in an unprecedented operation.

The plan is to move developing eggs from some 780 nests away from where they were originally laid on Florida Panhandle and Alabama beaches to a location on the Atlantic coast of Florida far from the oily waters.

"Permitted nest surveyors have been in the field locating and

marking nests daily since the start of the nesting season," said Sandy MacPherson, national sea turtle coordinator with the U.S. Fish and Wildlife Service. "Data on the nest location and the date deposited are being closely tracked. This allows us certainty in timing the nest collection phase of the plan."

Eggs will be allowed to incubate in their original nests for between 51 and 53 days. Then they will be collected by hand and individually packed in washed Styrofoam boxes with air holes lined with sand from the original nest . . .



Wildlife experts collect eggs from the nest of an endangered sea turtle and place them in a box for relocation. Photo USFWS

BP Refinery Had Huge Toxic Release

Continued from page 4

the flare would equal five million pounds and the benzene would have been 170,000 pounds," said Carman.

California regulators said that couldn't happen there. In Contra Costa County, home to several refineries, flares are to be used to handle chemical releases only in emergency situations, not regular operations.

"Refineries aren't allowed to do that in the Bay Area," said Randy Sawyer, the director of the hazardous materials programs in Contra Costa County. "If you have an upset and you need to get rid of gases in a hurry, you can send them to a flare. But if you continue to operate and dump a lot of stuff to a flare,

that's not what they were designed for and it adds to pollution." California requires refineries to keep backup hydrogen compressors on hand and it stations regulators at the plants who are alert for any unscheduled flaring.

Last year, the Texas Attorney General filed a civil lawsuit against BP for "poor operating and maintenance practices" that caused an "egregious amount of emissions."

That case cited 53 separate incidents that, taken together, are roughly equal to the 538,000 pounds BP calculates it released over the 40 days this year.

If BP had shut down the ultracracker, it would have lacked a key component needed to create gasoline suitable for its custom-

ers, said Mark Demark, the department chair of process technology at Alvin Community College.

"It's a big deal to shut the ultracracker down," he said. "It's operating at two to three thousand pounds of pressure, 700 degrees Fahrenheit — so it would take you a week just to cool that place down."

Demark, who worked for Shell for 33 years, said if he had been faced with that choice, he would probably have halted operations.

"Just from a public relations standpoint, for 40 days to have a flare going, you have to be really inconsiderate to your community," he said.

Blast at BP Refinery in '05 Foreshadowed Gulf Disaster

Continued from previous page

faded from the national spotlight but the refinery's problems continued:

- In July 2006, a contract worker was crushed to death against the basket of an aerial lift while doing work prompted by the 2005 blast.

- In June 2007, a contract worker was electrocuted while working on a lighting circuit in one of the units.

- In January 2008, the top blew off a water filter, killing a BP supervisor.

- In October 2008, a contract worker was killed after being struck by the bucket of a backhoe.

Tony Buzbee, a lawyer who has represented plaintiffs in more than 300 cases against BP, hired process safety engineer Michael Sawyer in 2008 to review BP's audits and determine whether

working conditions at the refinery had improved.

The answer was, "No." "BP presently continues to violate Federal law with respect to major process safety management requirements, including the same and similar violations as those which resulted in the March, 2005 explosion," Sawyer wrote in his report.

In October 2009, OSHA reached a similar conclusion and fined BP \$87 million.

OSHA cited the company with 270 violations for not complying with the agreement it had signed with the agency after the 2005 blast. It also found 439 new "egregious and willful" safety violations, including inadequate safety relief systems.

BP has made "significant progress but they have not made enough progress," Jordan Barab, assistant secretary of labor for

OSHA, told ProPublica. "I've often said before that we think the company as a whole has a systemic safety and health problem throughout its facilities."

Brent Coon, another lawyer who spends about 50 percent of his time on cases against BP, has asked the Justice Department to throw out the 2007 plea deal with BP because of the plant's recent problems and what has happened in the Gulf. The Justice Department declined to comment for this story but in a letter to Coon it said it is "still monitoring closely BP's required compliance with the conditions of probation."

"A lot of key decisions that they made, in the grand scheme of things, they're not saving a lot of money," said Buzbee, who has worked with Coon on some cases. "It's just the mentality of being willing to accept certain



Photo from Minerals Management Service

A land drilling rig on a man-made gravel island in the Beaufort Sea off the coast of Alaska.

Moratorium Won't Stop BP's Unprecedented Project in Arctic

By Marian Wang

ProPublica: June 24, 2010, excerpt

The Obama administration's six-month moratorium has put a freeze on new offshore drilling permits but three miles off the coast of Alaska, there's one unprecedented drilling project by BP that's still moving forward regardless.

That's according to two investigations this week — one in today's *New York Times* and the other published online by *Rolling Stone* on Tuesday.

The pieces both drilled down on a project by BP called "Liberty," a project in the Arctic for which BP has built an artificial island made of gravel — which according to the company and regulators, qualifies it as "onshore" and not subject to the offshore drilling moratorium.

The project is considered risky by some engineers because

it involves drilling two miles into the gravel island and then drilling sideways several miles more to reach a 100-million-barrel oil reservoir. *Rolling Stone* noted that it would be "the longest 'extended reach' well ever attempted and the effort has required BP to push drilling technology beyond its proven limits."

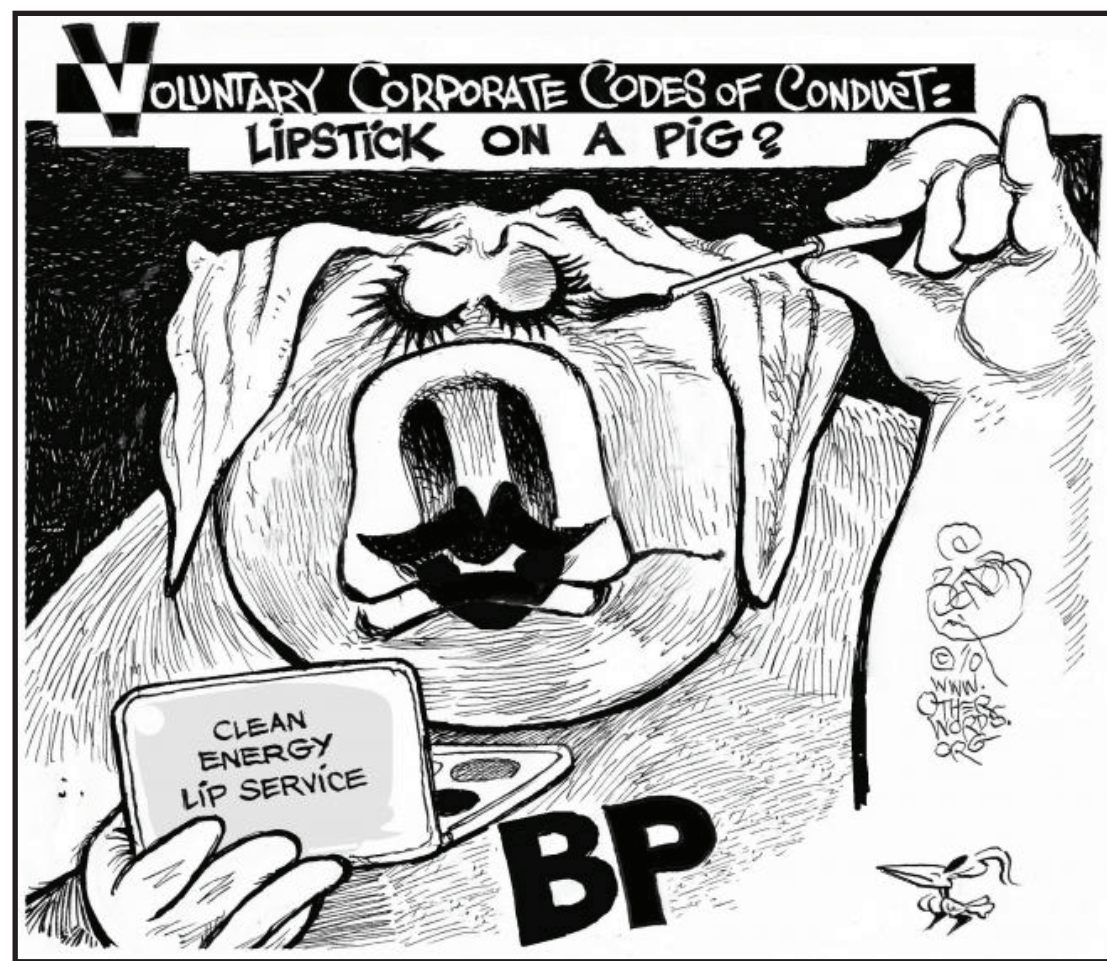
The Times reported that this wasn't the only unusual aspect of the project. It cited two scientists from the government's Minerals Management Service who said that regulators let BP write its own environmental review for the project . . . (End Wang, start NYT quote from article written by Ian Urbina.)

"The project has already received its state and federal environmental permits but BP has yet to file its final application to federal regulators to begin drilling, which it expects to start

in the fall.

"Some scientists and environmentalists say that other factors have helped keep the project moving forward. Rather than conducting their own independent analysis, federal regulators, in a break from usual practice, allowed BP in 2007 to write its own environmental review for the project as well as its own consultation documents relating to the Endangered Species Act, according to two scientists from the Alaska office of the federal Mineral Management Service that oversees drilling.

"The environmental assessment was taken away from the agency's unit that typically handles such reviews and put in the hands of a different division that was more pro-drilling, said the scientists who discussed the process because they remained opposed to how it was handled..."



Cartoon by Khalil Bendib

BP's Ethics: Voluntary corporate codes of conduct are like lipstick on a pig. Courtesy of OtherWords.org, a project of the Institute for Policy Studies.

risks that put people in danger."

BP is contesting the \$87 million fine, saying that its agreement with the government required it only to begin the improvements by fall 2009, not to complete them.

BP told ProPublica it has spent \$1 billion to improve plant safety and environmental performance at the refinery. Among other improvements, it has removed blowdown drums, installed burnoff flares and conducted pre-start-up safety reviews. This has helped improve the refinery's recordable injury rate to place it among industry leaders, BP says.

Mirrors of Texas City in the Gulf

Five years after the Texas City blast, a similar story of cutting costs to maximize profits is emerging from the Deepwater

Horizon explosion.

Internal emails and reports obtained by the House Energy and Commerce Committee show that in the days before the explosion BP made five critical choices to save money, even though it knew that the well had a "SEVERE gas flow problem," according to a document sent to BP by Halliburton, the contractor responsible for cementing the well.

In one instance, the company ignored a suggestion from Halliburton to install 21 centralizers, a step that would have helped secure the well. "It will take 10 hours to install them," a BP official said in an internal email. "I do not like this."

Instead, BP installed just six centralizers. When someone raised concerns about that decision, Brett Cocales, a BP employee, responded: "Who cares, it's done, end of story, will probably

be fine."

Four days later, a few hours after dusk on April 20, methane shot up the well and was ignited by a spark in the rig's engines. The 11 people who died there brought the total number deaths at BP's United States operations since 2005 to 32.

A memorial service for one of the rig workers, Jason Anderson, was held in Bay City, Texas, about 90 miles from Texas City.

"We definitely do not understand why Jason is gone and the other 10 members of his rig," Pastor Clyde Grier was quoted as saying to the packed church. "We cannot let the things we don't understand dismiss what we do."

ProPublica's Lisa Schwartz, Nicholas Kusnetz and Sheelagh McNeill contributed to this report.

Investigation of Penn State Climate Scientist Complete Verdict: Innocent

July 1, 2010 by Office of the Vice President for Research at Penn State – filed under: Research Protections.

UNIVERSITY PARK, Pennsylvania — A panel of leading scholars has cleared a well-known Penn State climate scientist of research misconduct, following a four-month internal investigation by the University.

Penn State Professor Michael Mann has been cleared of any wrongdoing, according to a report of the investigation that was released today. Mann was under investigation for allegations of research impropriety that surfaced last year after thousands of stolen emails were published online.

The emails were obtained

from computer servers at the Climatic Research Unit of the University of East Anglia in England, one of the main repositories of information about climate change.

The panel of leading scholars from various research fields, all tenured professors at Penn State, began its work on March 4th to look at whether Mann had “engaged in, directly or indirectly, any actions that seriously deviated from accepted practices within the academic community for proposing, conducting or reporting research or other scholarly activities.” Mann is one of the leading researchers studying climate change.

A full report on the findings of the committee can be viewed at:

<http://www.research.psu.edu/news/2010/michael-mann-decision>.

RA-10 Final Investigation Report and Decision, RE: Professor Michael E. Mann.

1. Letter from Henry C. Foley, Vice President for Research, Penn State to Graham B. Spanier, President, Penn State.

2. Letter from Henry C. Foley, Vice President for Research, Penn State to Michael E. Mann, Professor of Meteorology, Penn State.

3. Letter from Henry C. Foley, Vice President for Research, Penn State to James Kroll, Head Administrative Investigations, Office of the Inspector General, The National Science Foundation.



Photo Courtesy Environment Canada

From left: Ashley Ballantyne of CU-Boulder, Dara Finney of Environment Canada and Natalia Rybczynski of the Canadian Museum of Nature dig for fossils near Strathcona Fiord on Ellesmere Island.

Climategate Scientist Cleared in Inquiry, Again.

Cleared by one panel, Michael Mann – and climate science in general – continues to generate controversy.

By Douglas Fischer
DailyClimate.org, July 1, 2010

A Pennsylvania State University investigation has found no substance behind allegations of academic misconduct by climate researcher Michael Mann, one of the central figures in the so-called ‘Climategate’ email scandal.

It is the third formal inquiry to clear scientists involved in the scandal, which publicized more than 1,000 private emails from scientists expressing doubts about their data, refusing to share information and questioning the work of others.

The Penn State findings, released Thursday by a panel of five senior faculty members, concluded Mann never participated in research or other scholarly activity that “deviated from accepted practices within the academic community.”

“We consider this issue closed,” said university spokeswoman Lisa Powers.

The emails were purloined from a server at the University of East Anglia in Britain, one of the most respected climate research centers in the world, and posted on the Web in November just before the United Nations climate talks in Copenhagen got underway. Critics seized on the correspondence as evidence scientists, including Mann, were cooking their books to emphasize society’s role in climate disruption.

“The scientists have been exonerated,” Mann said in an interview. “The science behind human-caused climate change is

solid. This really is a problem that we need to confront.”

Penn State investigated four charges of misconduct raised against Mann stemming from the emails: That he allegedly suppressed or falsified data; deleted or concealed emails and data; misused confidential information and deviated from accepted academic practices.

In January the university cleared Mann of the first three charges but concluded the fourth – academic misconduct – merited further investigation.

The five faculty members conducting the follow-up investigation were unanimous in concluding this fourth charge, too, was unfounded.

“Obviously the topic of climate change and climate research is one of great debate,” said Powers. “From our perspective we have done due diligence . . . Academic misconduct does not happen very often and, when it does, we consider it to be a very serious matter.”

The university, Powers added, receives \$765 million annually in research money. “We would not put our reputation at risk over a single researcher. Our expectations are very high.”

For Mann, a professor of meteorology and director of Penn State’s Earth System Science Center, the six-month ordeal was simply a “distraction.” It kept him from research and teaching but it also comes with the territory: Allegations of misconduct and impropriety, he said, will continue to dog climate researchers.

“I don’t doubt for a minute that the climate-change deniers will continue their campaign of disinformation and smear. That’s all they’ve got left,” he said.

This is not the first time Mann has been down this path.

In 2005, Rep. Joe Barton, R-Texas, called Mann before Congress to testify about his now ubiquitous “Hockey-Stick” graph, showing temperatures in the Northern Hemisphere over the

past millennia, with an abrupt spike upward at the end showing human influence on the climate. The hearing sparked a National Research Council investigation, which confirmed the data behind the graph.

In mid-July a fourth panel, headed by Muir Russell, a retired British civil servant, is expected to release its conclusions on the professional behavior of scientists identified in the Climategate emails.

And a separate investigation by Virginia’s attorney general into Mann’s activities while at the University of Virginia remains underway. Attorney General Ken Cuccinelli questions whether Mann defrauded taxpayers when he accepted five grants worth almost \$500,000; he has asked the school to turn over all correspondence between Mann and other scientists. The University of Virginia is fighting the request.

Cuccinelli spokesman Brian Gottstein declined to comment on how Penn State’s findings may influence the agency’s effort. “All of our commentary will be presented in our July 13th reply brief in court,” he said in an email.

Mann is confident these efforts to discredit scientists and undermine climate science will ultimately be judged harshly by history.

“They will continue to attack the science and the scientist,” he said. “But I believe that as (the evidence) becomes increasingly compelling, as the public continues to understand that climate change is already unfolding . . . we will look back with scorn at those who denied climate change.”

“All they did, by muddying the water and confusing the public, is delay action to the point where necessary work to mitigate the effects is more expensive,” he concluded.

DailyClimate.org is a nonprofit wire service covering climate change.

Ancient Fossils Show Arctic Near Climate Tipping Point

Continued from page 1

to limit greenhouse gas emissions to 350 parts per million, the level many scientists say will help to avert the worst consequences of climate change.

The research paper is being published in the July issue of the journal *Geology*. The study was funded by the U.S. National Science Foundation, the Natural Science and Engineering Research Council in Canada, the Netherlands Organization for Scientific Research and the European Research Council.

Co-authors included David Greenwood of Brandon University in Manitoba, Canada; Jaap Sinninghe Damste of the Royal Netherlands Institute for Sea Research; Adam Csank of the University of Arizona; Natalia Rybczynski of the Canadian Museum of Nature in Ottawa and Jaelyn Eberle, curator of fossil vertebrates at the University of Colorado Museum of Natural History and an associate professor in the geological sciences department.

“Our findings are somewhat disconcerting regarding the temperatures and greenhouse gas levels during the Pliocene,” said Eberle. “We already are seeing evidence of both mammals and birds moving northward as the climate warms and I can’t help but wonder if the Arctic is headed toward conditions similar to those that existed during the Pliocene.”

At the Ellesmere Island research site, called the Beaver Pond site, organic materials have been “mummified” in peat deposits, allowing the researchers to conduct detailed, high-quality analyses, said Eberle.

They found that in the Pliocene, Ellesmere Island had for-

ests of larch, dwarf birch and northern white cedar trees, as well as mosses and herbs.

The island was inhabited by fish, frogs and mammals now extinct, including tiny deer, ancient relatives of the black bear, three-toed horses, small beavers, rabbits, badgers and shrews.

But the research value of the site is now threatened by a proposed coal mine. Eberle said there is high concern by scientists over a proposal to mine coal on Ellesmere Island near the Beaver Pond site by WestStar Resources Inc., a mineral exploration company headquartered in Vancouver, British Columbia.

The Beaver Pond site is close to Strathcona Fiord on Ellesmere Island in the Canadian Territory of Nunavut. In the 1980s, reconnaissance exploration conducted by Petro-Canada and others described coal seams up to 12 meters (39 feet) thick close to the surface along the steep north shore of the fiord.

“Paleontological sites like the Beaver Pond site are unique and extremely valuable resources that are of international importance,” said Eberle. “Our concern is that coal mining activities could damage such sites and they will be lost forever.”

For this study, the team used three independent methods of measuring the Pliocene temperatures on Ellesmere Island.

They measured oxygen isotopes found in the cellulose of fossil trees and mosses that reveal temperatures and precipitation levels tied to ancient water.

They analyzed the distribution of lipids in soil bacteria which correlate with temperature. And they inventoried ancient Pliocene plant groups

that overlap in range with contemporary vegetation.

“The results of the three independent temperature proxies are remarkably consistent,” said Eberle. “We essentially were able to ‘read’ the vegetation in order to estimate air temperatures in the Pliocene.”

The scientists found that while the mean annual temperature on Ellesmere Island during the Pliocene was about 34 degrees Fahrenheit (19 degrees Celsius) hotter than it is today, levels of the greenhouse gas carbon dioxide were only slightly higher than present.

Elevated Arctic temperatures during the Pliocene are thought to have been driven by the transfer of heat to the polar regions and perhaps by decreased reflectivity of sunlight hitting the Arctic due to a lack of ice, said Ballantyne. One big question is why the Arctic was so sensitive to warming during this period, he said.

Multiple feedback mechanisms have been proposed to explain the amplification of Arctic temperatures, including the reflectivity strength of the Sun on Arctic ice and changes in vegetation seasonal cloud cover, said Ballantyne. “I suspect that it is the interactions between these different feedback mechanisms that ultimately produce the warming temperatures in the Arctic.”

Presently, Arctic sea ice is declining at a rate of 11.2 percent per decade according to the National Snow and Ice Data Center.

Some climate change experts are forecasting that the Arctic summers will become ice-free within a decade or two.

No matter how you feel or think about global heating (climate change), there are certain things that are simply bad for the planet and human health and well-being and those things must be stopped.

—Jona

POLICE NAB TRUCKS HAULING DRILLING WASTE

State enforcement blitz puts 250 vehicles out of service.

PA DEP, June 23, 2010 (excerpt)

HARRISBURG — The Pennsylvania State Police placed 250 commercial vehicles out of service during a three-day enforcement effort last week that focused on trucks hauling waste water from Marcellus Shale natural gas drilling operations across the state, Commissioner Frank E. Pawlowski announced today.

Pawlowski said state troopers worked in partnership with personnel from the Department of Environmental Protection, the Pennsylvania Public Utility Commission and the federal Motor Carrier Safety Administration as part of Operation FracNET. In total, 1,137 trucks were inspected from June 14th to 16th.

“Pennsylvania has experienced significant increases in heavy truck traffic in areas

where Marcellus Shale natural gas drilling operations are taking place, particularly in Bradford, Clearfield, Susquehanna, Tioga and Washington counties,” Pawlowski said. “The process of hydraulic fracturing, or fracking, requires significant amounts of water to be delivered to the sites and later trucked away.” He said the enforcement effort centered on identifying commercial vehicle safety deficiencies that could lead to crashes.

Pawlowski said 131 of the 250 vehicles placed out of service were trucks hauling waste water. He said 669 traffic citations and 818 written warnings were issued as the result of waste water truck inspections. In addition, 23 of the 45 drivers placed out of service during the operation were waste water vehicle operators.

“As activities at natural gas sites continue to increase, it is important that everyone involved, including the waste transportation industry, understands Pennsylvania’s environmental and traffic safety laws and complies with them,” said DEP Secretary John Hanger...



The Heat is On in the Allegheny National Forest

Staff, Allegheny Defense Project
 Hellbender News: July 2, 2010

The heat is on in the Allegheny. As citizens begin to take action to protect their homes and drinking water, industry representatives are getting more aggressive. Several recent incidents in the Allegheny National Forest including a verbal assault by an oil field worker in Kinzua Heights and theft of legal monitoring equipment on private property suggest that citizen action is riling the oil and gas industry.

An oil field worker in Kinzua Heights, Allegheny National Forest expressed anger about Allegheny Defense Project (ADP)'s Forest Watch work. During the week of June 14th, Bill Belitskus, ADP's board president and a photojournalist, revisited the Kinzua Heights site in the Allegheny National Forest that was one of the focus areas of ADP's May 22nd Forest Watch Training.

During Forest Watch monitoring ADP documented the oil and gas drilling site of Freedom Oil Ventures, LLC and submitted a report and photos to the Pennsylvania Department of Environmental Protection (DEP), the Environmental Protection Agency, the U.S. Forest Service and PA Fish and Boat Commission. See Kinzua Heights: Freedom Isn't Free. Citizens Bear Costs of Violations by Freedom Oil Ventures, LLC at alleghenydefense.org. Look up "Events" June 5, 2010.

During the week of June 21, 2010 the Hendryx family, who lives directly adjacent to a

Number of Marcellus Shale Gas Wells by Company in Four Counties of the Allegheny National Forest

Company	ANF Land	ANF Footprint	Elk State Forest	Warren, Forest, McKean, Elk Counties	Total
EOG	-	-	16	29	45
Seneca Resources (NFG)	-	4 (2 of 4 on gamelands)	-	13	17
Pennsylvania General Energy	1	4 (1 of 4 on gamelands)	-	7	12
Anshutz Exploration	-	-	-	4	4
East Resources (Royal Dutch Shell)	3	1	-	-	4
St. Mary Land & Exploration Co.	-	-	-	4	4
J.W. Operating Company	-	-	-	2	2
Quail Energy	-	-	-	2	2
Enervest Operating	-	-	-	1	1
Hanley & Bird	1	-	-	-	1
TOTAL	5	9	16	62	92

planned East Resources (Royal Dutch Shell) Marcellus Shale gas well, found that a ladder on their property was stolen and a fence with "No Trespassing" signs, which faced the Hendryx property, was torn down. The Hendryx family used the ladder to observe and film the excavation of a PENNDOT landfill adjacent

to their property. East Resources is planning to drill a Marcellus Shale gas well on the landfill. East Resources erected the fence and posted the "No Trespassing" signs facing the Hendryx property. The proposed Marcellus Shale gas well site is located on the PENNDOT landfill at the intersection of FR (Forest Road) 150/

Mead Run Road and U.S. Route 219. East Resources plans to drill the well within 1,000 feet of the Hendryx family's water well. The Hendryx family has appealed the DEP permit for the Marcellus Shale gas well to the Environmental Hearing Board and has filed a report of the stolen ladder with the PA State Police.



Photo by Cathy Pedler

Please join our Forest Watch efforts. Check the details at alleghenydefense.org. Document and report industry violations in the Allegheny National Forest by sending reports and photos to the people listed below.

John Hanger, Director
 Department of Environmental Protection
 Rachel Carson Office Building
 400 Market Street
 Harrisburg, PA 17101
jhanger@state.pa.us

Shawn Garvin
 Environmental Protection Agency Region 3
 1650 Arch Street (3CEOO)
 Philadelphia, PA 19103-2029
eyesondrilling@epa.gov

Robert T. Fallon, Marienville
 Ranger District
 Allegheny National Forest
 131 Smokey Lane
 Marienville, PA 16239
rfallon@fs.fed.us

Kent Connaughton, Regional Forester
 USDA - Forest Service

Eastern Region - R9
 626 East Wisconsin Ave.
 Milwaukee, WI 53202
kconnaughton@fs.fed.us
garvin.shawn@epa.gov

Robert Nestor
 PA Fish And Boat Commission
 Northwest Region Office
 11528 State Highway 98
 Meadville, PA 16335
rnestor@state.pa.us

Leanne M. Marten
 Allegheny National Forest
 4 Farm Colony Drive
 Warren, PA 16365
lmarten@fs.fed.us

Anthony V. Scardina, Bradford
 Ranger District
 Allegheny National Forest
 29 Forest Service Drive
 Bradford, PA 16701

A Fracking First in PA: Cattle Quarantine

Submitted by Angel Smith
 Clearville, Pennsylvania

By Nicholas Kusnetz
 ProPublica: July 3, 2010

Agriculture officials have quarantined 28 beef cattle on a Pennsylvania farm after wastewater from a nearby gas well leaked into a field and came in contact with the animals.

The state Department of Agriculture said the action was its first livestock quarantine related to pollution from natural gas drilling. Although the quarantine was ordered in May, it was announced Thursday.

Carol Johnson, who along with her husband owns the farm in north-central Pennsylvania, said she noticed in early May that fluids pooling in her pasture had killed the grass. She immediately notified the well owner, East Resources Inc.

"You could smell it. The grass was dying," she said. "Something was leaking besides ground water."

The Johnsons' farm sits atop the Marcellus Shale, a layer of rock that lies under swaths of West Virginia, Pennsylvania, New York and Ohio. As ProPublica has reported, reports have proliferated of groundwater pollution, spills and other impacts of hydraulic fracturing, a drilling technique that injects massive amounts of water, sand and chemicals underground to break up the formations that hold the gas.

In the Johnsons' case, a mixture of fresh water and wastewater that had been injected into the well leaked from an impoundment pit on the farm, the state Department of Environmental Protection (DEP) said. Tests performed for East Resources Inc. found hazardous chemicals and



Photo Courtesy PA DEP

heavy metals, including chloride, barium and strontium. East did not dispute that a leak had occurred.

It's unclear whether the Johnsons' animals drank any of the wastewater. The quarantine was put in place to ensure the animals did not go to market with contamination.

An inspection conducted May 3rd by the DEP found two seeps from the impoundment. According to the inspection report, an East Resources employee said a contractor had inspected twice in April and he was unsure why the leak wasn't detected earlier.

The DEP inspector issued four violations for the leak and resulting pollution. One cited East's failure to notify the department of the pollution, saying the agency learned about it from the Johnsons' daughter.

State records show that the well, also on the Johnsons' property, was issued five violations by DEP in January, including one labeled "Improperly Lined Pit." A February inspection found no violations.

Stephen Rhoads, director of external affairs for East Resources, said the January violations were for spilled drilling mud and were unrelated to the subsequent pit leak.

East Resources said tests of the leaked fluid did not show unhealthy levels of any contaminants and that the quarantine was unnecessary. Rhoads said hydraulic fracturing, called fracking for short, had begun April 2nd and that wastewater wasn't impounded until a week later.

Upon being notified May 2nd, Rhoads said, the company immediately fenced off the Johnsons' pasture and began to empty the impoundment and remove all contaminated soil. The well has since been shut down.

The incident isn't the first report of farm animals being affected by fracking. As we reported more than a year ago, 16 cattle died in Louisiana after drinking a mysterious fluid next to a drilling rig.

The Johnsons' cows have fared better so far. "They're happy, contented, fat," Johnson said.

Residents Concerned About White Day Creek's Future

Creek Runs Between Marion and Monongalia County Lines

By Macall Allen
 June 24, 2010
 Submitted by Angel Smith, Clearville, Pennsylvania

MORGANTOWN, West Virginia — Residents say they're trying to be proactive to save White Day Creek, the very healthy stream that runs near

their homes, and they say it's in danger of being polluted.

They say at least three natural gas wells are going in on properties near White Day Creek.

And millions of gallons of water are used to extract the gas from the Marcellus Shale.

Residents are afraid that if the water is taken from White Day Creek it will dry it up and hurt the wildlife in it.

They're also concerned as to where the waste water will go after it's used.

"We're concerned that the same thing that happened to Dunkard Creek is going to happen to White Day Creek - it's

going to wipe it out as a viable fishing stream," said resident Mark Moran.

According to the West Virginia Division of Natural Resources the creek is in great shape right now.

"White Day Creek is the most pristine water stream in the mainstream Monongahela River basin," said Frank Jernejic, WVDNR.

There is no current state law regulating how much water can be taken from waterways or how it is treated after the drilling process.

THE U.S. ENVIRONMENTAL PROTECTION AGENCY HAS A HOTLINE TO REPORT SUSPICIOUS NATURAL GAS WELL ACTIVITY: 1-877-919-4372 (4EPA) OR BY EMAIL AT EYESONDRILLING@EPA.GOV.



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Mountains

Deaf to 'Music Saves Mountains,' EPA Approves New Surface Coal Mine

WASHINGTON, D.C., July 1, 2010 (ENS, *excerpt*) — The U.S. Environmental Protection Agency has given its conditional approval to a new mountaintop removal coal mining permit, as long as the mine operator makes changes to protect downstream water quality.

The permit for Arch Coal, Inc. in Logan County, West Virginia involves a 760-acre mountaintop removal operation known as the Coal-Mac Pine Creek Surface Mine. The permit was among those applications subject to a stricter permit review guidance imposed by the EPA in April under the Obama administration's effort to reduce environmental impacts from Appalachian surface mining.

Environmentalists support the stricter review guidance but coal industry officials are opposed and the West Virginia Department of Environmental Protection is contemplating a legal challenge to the EPA guidelines.

Environmental and community groups are concerned about the effects of the Pine Creek mining operation that will blast away mountaintops and dump the unwanted rock into three valleys, burying headwater streams.

Bill Price, Sierra Club Environmental Justice organizer in West Virginia, said, "We had high hopes that the EPA's more stringent guidance for mountaintop removal coal mining would mean protection for our communities but apparently we were mistaken. It's time to turn words into action and end this destructive practice."

"The massive Pine Creek Surface Mine and the neighboring communities and watershed suffer from the cumulative impacts of being surrounded by other mountaintop removal coal mines," said Price. "Mining companies have already buried close to 2,000 miles of Appalachian streams beneath piles of toxic waste and debris. We can't allow even one additional mine to destroy our communities."

But the EPA has decided to grant the permit if Arch Coal would build each valley fill separately over a three year period. In a June 21 letter to the U.S. Army Corps of Engineers in Huntington, West Virginia, John Pomponio, director of the EPA's Environmental Assessment and Innovation Division, said waiting to start the next fill until the previous one is finished would allow monitoring of each fill "to ensure that predicted water quality outcomes are achieved."

Arch Coal officials have not said whether or not they would accept the new EPA conditions.

Vivian Stockman of the Ohio Valley Environmental Coalition lives in Logan County. "In approving the Pine Creek permit, the EPA has failed our community," she wrote today on the Web site IloveMountains.org. "Any more mountaintop removal mining in Logan County is going to further degrade the watershed,



Photo by Vivian Stockman, Ohio Valley Environmental Coalition
Mountaintop removal mining in southern West Virginia.

increase pollution-related health impacts and increase the likelihood of more flooding."

"As deforestation on the Arch Coal mine site would continue to dismantle an important global carbon sink, the mine itself would produce over 14 million tons of coal which, when burned in power plants, would contribute over 40 million tons of carbon dioxide greenhouse gas pollution to the planet's atmosphere," she warned.

Community efforts to call a halt to mountaintop removal mining have attracted the support of well-known musicians Dave Matthews, Emmylou Harris, Alison Krauss, Patty Griffin, Kathy Mattea, Patty Loveless, Big Kenny and Buddy Miller. They are working with the Natural Resources Defense Council (NRDC) in a new campaign called Music Saves Mountains.

At a sold-out benefit concert in May at Nashville's Ryman Auditorium organized by the NRDC, they raised money for this cause and pledged to generate public awareness of the dangers of this type of coal mining.

Kathy Mattea told ENS in an interview that songs can have a powerful effect on public opinion.

"Music has a way of telling a compelling story in three minutes, that would take many words to convey in print," Mattea said. "Art wakes us up from a different place and that is music's advantage. Compelling songs can wake people up and get them involved."

"Events like the one at the Ryman can galvanize a movement and help the people on the front lines to gather together and re-energize when they may have gotten weary from working so hard," she said.

"And I suspect there were people in the audience who had been drawn by an affinity for the music that may have never heard of mountaintop removal. I think drawing people to an event like that helps expose them to the discussion that was going on as the background to the concert."

"I am from these mountains," Mattea said. "I grew up there and as a kid I was all over West Virginia —

hiking, camping, caving, fishing, swimming. When I saw Mountaintop Removal for the first time, I was heartbroken. Then I met locals who live near these mines and heard their stories and it was a sea-change moment for me. I resolved to try to help with whatever resources I could bring."

"Sometimes that's been meeting with the governor or lobbying state legislators or U.S. senators and representatives. Sometimes that's been speaking to college students. Sometimes that's been singing with other like-minded people. Sometimes it's been in the form of speeches or articles. Sometimes it's been in the form of long conversations with grassroots activists or people in the coal industry," said Mattea. "I am interested in being of service in any way I can."

William Kenneth Alphin, known by his stage name Big Kenny, says songs are one way to make more people aware of the need for change. "I just want parents to know that the job they have, that is putting food on the table for their kids, is the same job that is contaminating the water their children are drinking and poisoning them," he told ENS in an interview.

Big Kenny first became aware of mountaintop removal mining about three years ago while flying from Nashville to the family farm in Culpeper, Virginia.

"We saw this abominable destruction from mountaintop removal mining at low level," he said. "It looked like a moonscape — unbelievable. We saw black lakes and immense destruction. When I returned to Nashville I started researching what was happening and ended up going back to ground zero of this destruction and found out first-hand from the people who live there that mountaintop removal is not good for our clean water and the basic human rights of our communities. Coal has oppressed the people of Appalachia for centuries. Few profit off the harm of many."

Kenny said the words of Ameri-

Continued on next page

ARMY CORPS SUSPENDS NATIONWIDE PERMIT FOR MOUNTAINTOP REMOVAL MINING

WASHINGTON, D.C., June 17, 2010 (ENS) — The U.S. Army Corps of Engineers today suspended the use of a fast-track nationwide permit, Nationwide Permit 21, for mountaintop removal mining operations in the six states of the Appalachian region.

Now, proposed surface coal mining projects that involve discharges of dredged or fill material into waters of the United States will have to go through the individual permit process to obtain Department of the Army authorization under the Clean Water Act.

The individual permit evaluation procedure provides increased public involvement in the permit evaluation process, including an opportunity for public comment on individual projects.

Nationwide Permit (NWP) 21 is used to authorize discharges of dredged or fill material into waters of the United States for surface coal mining activities.

The suspension is effective immediately in the Appalachian region of Kentucky, Ohio, Pennsylvania, Tennessee, Virginia and West Virginia. Nationwide Permit 21 continues to be available in other regions of the country.

The suspension in Appalachia will remain in effect until the Corps takes further action on Nationwide Permit 21 or until the permit expires on March 18, 2012.

This announcement comes more than a year after a March 2009 U.S. District Court decision ruled these permits illegal.

The nationwide permit gives a blanket authorization to mountaintop removal coal mines to dump their mining waste in streams and waterways. The District Court ruled that this overly-generalized permitting process could not guarantee compliance with the Clean Water Act and that mining companies must apply for individual permits in order to be able to fill streams with mining waste.

Earthjustice senior legislative counsel Joan Mulhern said, "Using nationwide permits to rubber stamp the destruction of streams across hundreds of miles of Appalachia is an abomination."

"We are relieved that the Army Corps of Engineers is finally taking this permit off its books in a move that is long overdue, but what the Corps really needs to do is change the Bush administration policy that allows the dumping of mining waste in streams and waterways until they are destroyed and buried completely," said Mulhern.

On June 11, 2009, the U.S. Department of the Army, U.S. Department of the Interior and

Continued on next page



At 9:00 a.m. July 9, five people entered the headquarters of the EPA in Washington, D.C. They sat down in the center of the lobby, locked themselves together with metal lock boxes and began to play West Virginia's adopted state song, John Denver's "Take Me Home, Country Roads" mixed with intermittent sounds of Appalachia's mountains being blown apart by MTR.

Activists Stage EPA Sit-In

By Jeff Biggers, July 9, 2010

Speakeasy: <http://blogs.alternet.org/speakeasy>

Listen here, Lisa Jackson.

Do you hear yourself?

"No or very few valley fills that are going to be able to meet standards like this."

Blaring the EPA administrator's own words from last April's press conference with her intent to end mountaintop removal mining valley fills on an amplified soundtrack, five sit-in protesters are currently occupying the lobby of the EPA's headquarters in Washington, D.C.

According to the Rainforest Action Network: After entering the EPA building, activists sat down in the center of the lobby, locked themselves together with metal 'lock boxes' and began to blast West Virginia's adopted state song, John Denver's 'Take me Home, Country Roads,' with intermittent sounds of Appalachia's mountains being blown apart by MTR explosives spliced into the song.

An additional activist has climbed to the top of the EPA front door on Constitution Avenue and is standing with a banner reading: "Blowing up mountains for coal contaminates Appalachia's water, Stop MTR."

Despite Jackson's promise last April to enforce new guidance rules to end the reckless process of mountaintop removal mining, the EPA stunned coalfield residents and human rights and environmental advocates across the nation last week with the announcement of their green light for a new mountaintop removal permit at Pine Creek in West Virginia.

"We're sitting down inside the EPA to demand the EPA stand up to protect Appalachia's precious drinking water, historic mountains and public health from the devastation of mountaintop removal," said Scott Parkin of Rainforest Action Network, who participated in the sit-in. "At issue here is not whether mountaintop removal mining is bad for the environment or human health, because we know it is and the EPA has said it is. At issue is whether President Obama's EPA will do something about it. So far, it seems it is easier to poison Appalachia's drinking water than to defy King Coal."

Jeff Biggers is the American Book Award-winning author of *Reckoning at Eagle Creek: The Secret Legacy of Coal in the Heartland* (Nation/Basic Books), among other books. Visit his Web site: www.jeffbiggers.com.

Lights, Camera, Action: Ashley Judd vs. Mountaintop Removal

"Children in eastern Kentucky draw creeks black. They don't know they're supposed to run clear."

Ashley Judd
(NRDC Web site)

She was a vision in white. Just as you might expect from a Hollywood starlet, Ashley Judd emerged from the back of the car stylishly dressed and perfectly coiffed. A few fans awaiting her arrival approached for autographs and photos, for which she graciously complied. Then it was up to the top floor for a brief "meet-and-greet" reception with a few honored guests before her luncheon speech at the National Press Club yesterday, which NRDC arranged. With her Southern charm and natural grace, she dazzled the crowd with tales of her Appalachian heritage, her deep love of the land and people, and her extensive first-hand knowledge of the damage wrought by rapacious mining throughout the region she proudly calls home.

Here's some initial coverage of Ashley's appearance. Fortunately,



Photo by Jesse Hamilton
Ashley Judd wields the speaker's gavel at the National Press Club.

C-SPAN live-streamed her remarks on its Web site. It's well worth watching the entire speech.

Here are some of her comments:

"I am very proud to be a Kentuckian. And, of the many things my Creator has seen fit to allow me to accomplish, being an eastern Kentuckian is the simple fact that brings me the most honor, the greatest sense of self. I love and am proud of being a hillbilly."

Warm applause followed this

eloquent introduction. It made me think that if instead of the nation's capital we were sitting in a room located anywhere west of the Blue Ridge and east of the Mississippi the crowd would have absolutely erupted in cheers. All of the Appalachians I've met have this in common — they are fiercely proud of their mountain heritage, as well they should be.

Ashley traces her family to the mountains of this region, going back at least eight generations. In researching her own genealogy, she has come to real-

ize that her own well-traveled life pales in comparison to "the wonderful adventure of journeying back through my family history in the Appalachian Mountains."

She added: "There is no better home than Kentucky. We have a deeply-ingrained mystical sense of place, a sense of belonging that defines us. Although I currently make my home in rural middle Tennessee and in Scotland, Kentucky calls to me. It is my Avalon."

In genuinely poetic fashion that appears to come easy for her, Ashley described the ache she feels for her mountain home as more than bittersweet nostalgia — more akin to a "searing tear, a gaping wound" in the fabric of her life and in the lives of all Appalachians.

"And it gets bigger with every Appalachian mountaintop that is blown up, every holler that is filled, every stream that is buried, every wild thing that is wantonly and recklessly killed, every ecosystem that is diminished, every job that is lost to mechanization, every family that is pitted one against the other by the state-sanctioned, federal-government-supported, coal-industry-operated rape of Appalachia: mountaintop removal coal mining."

"The Appalachian Mountains are the oldest in North Ameri-

ca. They may well be the oldest mountains in the entire world, as Ashley rightly pointed out. Then she lowered the boom:

"I am here to tell you, mountaintop removal coal mining simply would not happen in any other mountain range in the United States. It is utterly inconceivable that the Smokies would be blasted, the Rockies razed, the Sierra Nevadas flattened, that bombs the equivalent to Hiroshima would be detonated every single week for three decades. The fact that the Appalachians are the Appalachians makes this environmental genocide possible and permissible."

"This is happening not just because coal lies beneath those hallowed hills but because those profiting from it are aided and abetted by political leaders whose vision is willfully blinded by the injustice that is shockingly obvious to everyone outside the region.

"What used to be home for human, flora and fauna and the potential economic boom for a classically exploited and distressed area, has become, in the coal company's callous terminology, 'overburden.'

"The Smokey Mountains, as the crow flies, not so far away, generated a billion dollars in tourism revenue last year for the

state of Kentucky. Using shovels the size of buildings, the essential ingredients of deep time is pushed into the lauded and mythical hollers of Appalachia, indiscriminately burying all that is produced and lives there: watershed, perennial and permanent streams, all plant and wildlife, contaminating the ground water in the process."

Ashley did a fabulous job covering all aspects of this controversial issue. She concluded by imploring the press club members in the room to wake up to the plundering of Appalachia and to commit their journalistic integrity to stopping mountaintop removal immediately.

We are lucky to have someone unabashed about using her celebrity to shine a spotlight on what truly is a national shame. Her message was clear: The iconic Appalachians may be beloved by those who live there but they should be revered by all Americans. These mountains form the backbone both for our country and our national heritage, in addition to the bountiful natural resources they provide. We are all Appalachians. And like Ashley, we must each of us do our part to bring an end to the madness that is mountaintop removal coal mining.

Reviews

10 Easy Steps for Becoming a Radical Homemaker

By Shannon Hayes
YES! Magazine

When I first released *Radical Homemakers: Reclaiming Domesticity from a Consumer Culture*, I was advised to make a list of “easy steps for becoming a radical homemaker” as part of my publicity outreach materials.

My shoulders slumped at the very thought: Three years of research about the social, economic and ecological significance of homemaking and I had to reduce it to 10 easy tips? I didn't see a to-do list as a viable route to a dramatic shift in thinking, beliefs and behaviors. But since the objective of such a list was smoother discussion and communication of Radical Homemaking ideas with the public, I did it.

I came up with the simplest things I could imagine — like committing to hanging laundry out to dry, dedicating a portion of the lawn to a vegetable garden, making an effort to get to know neighbors to enable greater cooperation and reduce resource consumption. I would perfunctorily refer back to them when radio dialogues flagged, when interviews seemed to be getting off track or to distract myself when an occasional wave of personal sarcasm (I do have them on occasion) threatened to jeopardize an otherwise polite discourse about the book. After about 40 media interviews, I was pretty good at rattling them off and I began to see their power and significance beyond helping me to be polite.

Take hanging out the laundry as an example. At the outset, it is deceptively simple: It saves money and resources and it's easy. As I spoke about line-drying laundry more, however, the suggestion took on more meaning.

Of course everyone would like to hang out the laundry. But many people don't do it. They're too busy. Thus, the commitment to hanging out the laundry represents a commitment to slowing down — it means starting to align one's daily household activity with the rhythms of nature. In my mind, hanging out the laundry moved from being a simple chore to being an act of meditation and reflection on a deeper, more profound commitment that a person wanted to make.

Thus, draping shirts and socks on a clothesline wasn't just about getting a chore done; it represented the new, sane world so many of us are working to create. Every time a person sticks a clothespin on a pair of undies, he or she is saying, “I want a better world. And I'm willing to do what it takes.” Laundry may be a simple first step but it ultimately leads to something bigger.

Laundry became the central theme of a talk I gave recently in an affluent community, where golf-course-quality lawns are ready at a moment's notice as the backdrop for the season's latest fad: large screen outdoor television sets. I was speaking at a community eco-festival where volunteers were teaching residents about the importance of composting, solar panels, buying locally and changing light bulbs.

In my session, I talked about the power of living by one's values, the misery of excessive consumption, the importance of social change, the deep fulfillment and happiness that results from living with less and having more.

To help me drive my point home, my husband Bob armed me with a seemingly endless collection of images of fellow Radical Homemaker's lives: pictures of happy kids showing off their homemade toys, families gathering for feasts, piles of tomatoes on a kitchen counter following an early Fall harvest, a sink full of grapes ready for juicing, friends in their backyard gardens, smiling bike riders.

At the end of my talk, I was presented with a single question from a man wearing an expensive watch: “Americans fall on a spectrum with money,” he explained, holding his hands about a foot apart from each other. “Most of the people you're talking about fall on this end,” he said, waving one hand. “And what you're talking about may work for them. But what about those of us on this end?” With that, he waved his other hand. “What are we supposed to do to be able to live



Photo by Iona
Laundry freshly hung on the publisher's tornado-proof clothesline made by her husband, John, of 4 by 4s. Hanging clothes outdoors is one of Iona's favorite Earth-care activities, one which she has done most of her life.

10 Easy Steps for Becoming a Radical Homemaker

- Commit to hanging your laundry out to dry.
- Dedicate a portion of your lawn to a vegetable garden.
- Get to know your neighbors. Cooperate to save money and resources.
- Go to your local farmers' market each week before you head to the grocery store.
- Do some spring cleaning to identify everything in your home that you absolutely don't need. Donate to help others save money and resources.
- Make a commitment to start carrying your own reusable bags and use them on all your shopping trips.
- Choose one local food item to learn how to preserve for yourself for the winter.
- Get your family to spend more evenings at home, preferably with the TV off.
- Cook for your family.
- Focus on enjoying what you have and who you are with. Stop fixating on what you think you may need or how things could be better “if only.”

like that?”

There were a number of snarky remarks on the end of my tongue. But this man's eyes were earnest. Perhaps he saw something in those slides that his affluence could not buy. Nevertheless, my sarcasm propensity meter was no longer registering on the dial.

It was time to switch to the safety zone and draw from my 10 easy tips: “Grow some vegetables in your backyard. Try learning how to can,” I chirped at him.

Once I re-gained my bearings, I talked about changing the world by moving toward what we love, not running away from what we fear. I talked about the power of small changes to result in a deep personal shift. I suggested he hang out the laundry.

There were no further questions. People politely thanked me for my time and left the room.

One other man, who sat in the back corner, lingered. A longtime activist, he expressed his despair at the lifestyles of his neighbors. The social pressure to have a perfect lawn is huge, he explained. For years, he'd been doing programs to encourage residents to allow parts of their lawn to go wild for habitat — an even simpler step than gardening. The majority of his efforts were unsuccessful. There was too much shame.

“It's so much easier for you,” he lamented. “You can hang out the laundry.” I gave him a quizzical look.

He went on to explain local zoning codes. By law, people in his community weren't allowed to hang clothes outside. It was trashy. It would diminish property values.

But what about home values? I felt deeply sad for his neighbors. They'd devoted their life energy in pursuit of the material affluence required to live in this particular community. At the same time, the number of people in attendance at this eco-festival suggested they truly wanted to play a role in healing the planet. Ironically, the very laws of their community — both social and written — compelled them to turn their backs on their personal values.

Henry David Thoreau's observations about the imprisonment of wealth were spot on: “The opportunities for living are diminished in proportion as what are

I talked about changing the world by moving toward what we love, not running away from what we fear. I talked about the power of small changes to result in a deep personal shift. I suggested he hang out the laundry.

Every time a person sticks a clothespin on a pair of undies, he or she is saying, “I want a better world. And I'm willing to do what it takes.”

called the ‘means’ are increased,” he wrote.

That day I saw people who cared about the Earth, who wanted a better world. But their power to act according to these concerns was limited to their purchases alone — to buying solar panels, buy local campaigns, buying new light bulbs. They could try to buy some of their beliefs. But they couldn't live them.

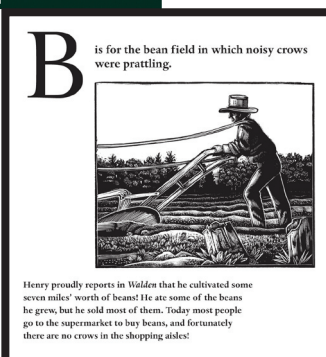
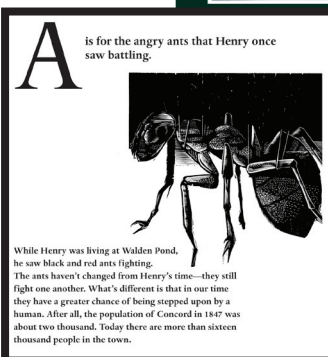
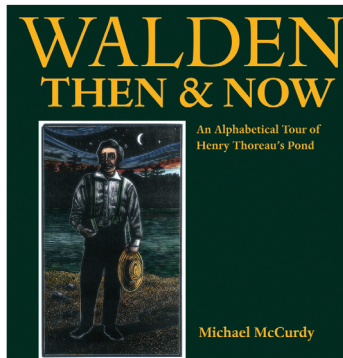
I suppose that is the deepest wealth in the Radical Homemaker lifestyle. By needing less, we are free to live our beliefs. To us, this seems ordinary. To someone else, a values-driven lifestyle might seem an extraordinary act of bravery.

We need that bravery. Now.

Worrying about our planet while adhering to local zoning codes or social norms forbidding ecologically sensible behavior is a recipe for disaster. Such laws require citizens to commit an ecological injustice by using a disproportionate share of our Earth's resources. They scream out for civil disobedience. As Thoreau reminds us, “Break the law. Let your life be a counter friction to stop the machine.”

Go on and live dangerously. Hang out the wash.

Shannon Hayes wrote this article for “YES! Magazine,” a national, nonprofit media organization that fuses powerful ideas with practical actions. Shannon also wrote *The Grassfed Gourmet* and *The Farmer and the Grill*. She is the host of *grassfed-cooking.com* and *radicalhomemakers.com*. Hayes works with her family on Sap Bush Hollow Farm in Upstate New York.



New Children's Book

With Old Theme

Walden Then and Now

Note from Iona: I loved *Walden* in high school and have read it many times since then so I was happy to see this new book come out from a publisher whose children's books we have publicized before. *Walden Then & Now: An Alphabetical Tour of Henry Thoreau's Pond* by Michael McCurdy is handsomely bound in dark green cloth and full of illustrations from wood carvings by the author. There are two story lines, one above for younger children and one below with more detail for older readers.

“I hear a song sparrow singing from the bushes on the shore.”

Henry David Thoreau, *Walden*

The following is from the publisher:

Henry David Thoreau was an author and naturalist whose book *Walden* still inspires readers today. In it Thoreau documented his experience living in a cabin on Walden Pond, reflecting on the beauty of nature and Mother Earth. Much of his writing, including *Walden*, propelled the environmental movement that exists today.

Over one-hundred-and-fifty

years later, Michael McCurdy pays tribute to this influential figure and the historic place that inspired Thoreau during his lifetime. In *Walden Then & Now*, readers take an alphabetical journey around Walden Pond. McCurdy explores Thoreau's simple life in his cabin surrounded by nature and highlights what has changed and what has stayed the same from Thoreau's time to our own. Readers discover the animals, plants, seasons and thoughts that Thoreau recorded during his life on the pond as they gain an appreciation for nature and environmentalism.

McCurdy's beautiful wood engravings illustrate this celebration of the joy, solitude and drama of the natural life of Walden Pond — then and now.

In a starred review, *Kirkus Reviews* says, “This elegant alphabet book brilliantly conveys the essence of 19th-century American author, naturalist and philosopher Henry David Thoreau's solitary sojourn at Walden Pond.”

In the introduction, Julie Cummins wrote: “Who was Henry David Thoreau? Who is Michael McCurdy? One was a man of nature and one is a man of art. Although they are sepa-

rated in time by more than a century, both of these New England men share a passion for preserving the natural world. Would they have liked each other? Probably. There's no doubt they would have admired each other's work.

Henry David Thoreau's book *Walden*, published in 1854, is a tribute to Mother Nature and the wildlife community of one particular pond. [In this new book] Michael McCurdy pays tribute to this historic place with dramatic images of its creatures and charm.”

To order a copy (hardbound, \$16.95), contact Donna Spurlock at 617-926-0329, extension 122 or email her at dspurlock@charlesbridge.com. Please tell her you saw this write-up in OE.

Michael McCurdy is the author and illustrator of An Algonquian Year, Hannah's Farm and Walden Trapped by the Ice. He is also the illustrator of more than 200 books for adults and children including The Founders: 39 Stories Behind the Constitution and Walden The Train They Call the City of New Orleans. He lives in Springfield, Massachusetts with his wife, Deborah.

ARMY CORPS SUSPENDS NATIONWIDE PERMIT FOR MOUNTAINTOP REMOVAL MINING

Continued from page 9

U.S. Environmental Protection Agency signed a Memorandum of Understanding (MOU), with each agency agreeing to work together to reduce the adverse environmental impacts of surface coal mining activities in the Appalachian region.

As a part of the MOU, the Corps agreed to issue a public notice to seek comment on the proposed action to modify NWP 21 to preclude its use in the Appalachian region.

On July 15, 2009, a Federal Register notice was published soliciting public comment on the Corps' proposal to modify NWP 21. The notice also proposed to

suspend NWP 21 in order to provide more immediate environmental protection while the longer-term process of modification is fully evaluated.

The Corps received approximately 23,000 comments during the comment period that concluded on October 26, 2009, of which 1,750 were substantive comments that the Corps says were nearly evenly divided for and against the proposed modification and suspension actions.

The Corps determined after a review and consideration of comments that continuing use of NWP 21 in this region may result in more than minimal impacts to aquatic resources.

“This joint Army Corps-Envi-

ronmental Protection Agency rule wiped out 25 years of clean water protections,” said Mulhern.

“For the first time, the Bush-era rule officially allowed industrial and mining waste to be dumped in streams, opening the door for more mountaintop removal mining companies to fill streams with the waste from blowing off the tops of mountains to mine coal,” Mulhern said.

“This practice ravages habitats and harms communities. It is long past time for this rule to be overturned,” she said. “We hope the Corps takes steps immediately to ensure that our streams and waterways are no longer used as dumping grounds for mining waste.”

Deaf to ‘Music Saves Mountains,’ EPA Approves New Surface Coal Mine

Continued from page 9

ca's founding father Thomas Jefferson inspired him to take action against mountaintop removal mining.

“Since Thomas Jefferson wrote ‘life, liberty and the pursuit of happiness’ just 30 miles from where I was raised a seventh-generation Virginia Rock and Roll Farm Boy, it really hit home for me. These are my people and the Appalachia is where my people live. I need to do everything I can to let them know that we have better options for power in our country than any process of exhuming coal that poisons our land, our air, our water and our children.”

“Protecting Appalachia's natural heritage is critical in pre-

serving both our musical legacy and the future of our craft,” said Harris. “The Appalachians have inspired countless country, folk, bluegrass, gospel and Americana songs. Now those sources of inspiration are being secretly destroyed. We're standing together with one voice to send the message that we will not sit idly by while our mountains are being blown apart.”

The coal companies on one side and the musicians, environmental groups and affected communities are locked in a battle that is not going to end anytime soon.

But the Music Saves Mountains participants say their campaign is not an anti-coal industry movement. Rather, it seeks to raise awareness and put an end

to just one destructive form of coal mining, mountaintop removal. Less than seven percent of the coal mined in the United States comes from mountaintop removal, its opponents point out.

“Nothing good comes from mountaintop removal,” said NRDC President Frances Beinecke. “It costs jobs, destroys forests and poisons drinking water. People become sick as a result of this form of mining and communities are forever damaged. Mountaintop removal would never be allowed in America's other treasured mountain ranges, such as the Rockies, the Sierra Nevada or the Adirondacks. It should not be allowed in the Appalachians, and it must stop.”

Are WWI Weapons Buried Near or In C & O Canal?

Submitted by Allen Hengst, Washington, D.C., with this note:

Below is an excerpt from Chapter 13 (*The Continuing Search for Burial Sites*) of Dr. Richard Albright's book entitled *Cleanup of Chemical and Explosive Munitions*. The following URL's from my blog link to the Google Docs text of Chapter 13 at <http://wmdindc.blogspot.com/2010/06/were-wmds-buried-under-c-canal-in-1930s.html> and the book itself is at <http://wmdindc.blogspot.com/2008/05/cleanup-of-chemical-and-explosive.html>.

(also) "After the World War II, Congress expressed interest in developing the C & O Canal and towpath as a parkway. However, the idea of turning the canal over to automobiles was opposed by some, including United States Supreme Court Associate Justice William O. Douglas. In March 1954, Douglas led an eight-day hike of the towpath from Cumberland to D.C. Although 58 people participated in one part of the hike or another, only nine men, including Douglas, hiked the full 184.5 miles. Popular response to, and press coverage of, the hike turned the tide against the parkway idea and on January 8, 1971 the canal was designated a National Historical Park."

~ Wikipedia



Photo by Chiggins

The CCC may have been used a steam shovel to bury World War I munitions under the C&O Canal in 14 locations.



Photo Courtesy of Wikimedia Commons

Near this spot at Fletcher's Boathouse in Washington, DC, a steam shovel was lowered from the bike path (formerly a railroad) into the then-empty canal to do repairs and other "chores" in the 1930s.

Report of the Burial of Shells by the Civilian Conservation Corps

The District of Columbia Department of Health, Environmental Health Administration received information from a resident of Spring Valley consisting of, among other things, a February 25, 1993 memorandum of a phone call from Ian MacFee to the Mayor's Office of Constituent Services alleging that the Civilian Conservation Corps (CCC) buried munitions in 14 pits at the AUES [American University Experiment Station]. The caller stated that he worked with the CCC in the 1930s under the command of a Lt. Wray Noel...

The Corps supplied the entire investigative package which confirmed that Lt. Noel's military history does include a CCC assignment. In addition to the confirmation that Lt. Noel existed, there were other intricate details in the telephone call that confirmed facts previously known to the District of Columbia staff (i.e., "French 75s and mustard gas") but which are known to only a small circle of experts. These facts recited by the caller suggested a very knowledgeable witness. Also, the statement was made spontaneously in response to a newspaper story, reducing the possibility of fabrication. Accordingly, the District of Columbia staff was obligated to consider the witness credible...

Findings

To have a large-scale munitions burial in the 1930s, there had to be munitions remaining after the site was closed. The District of Columbia and the Corps discovered facts during the investigation that provide evidence of potential munitions storage areas: "The shell pits, powder magazines, detonator house and explosives service building on the Spaulding property were boarded up and enclosed with fences or barbed wire to prevent access." [A Brief History of the American University Experiment Station and the U.S. Navy Bomb Disposal School, American University by Gordon, Sude, Overbeck, & Hendricks, Office of History Headquarters, U.S. Army Corps of Engineers, May 1994; hereinafter referred to as Brief History].

Further, a 1927 aerial photograph reveals the continued presence of three shell pits (POIs 21, 22, and 23) and nearby magazines. Surprisingly, the grounds adjacent to these structures appear to be kept clean of debris that would have been expected to accumulate over nine years in a forested area. The paths leading to these pits are still clearly visible. By contrast, the wide swath cut through the woods for a double water main (now Dalecarlia Parkway) was completely

overgrown between the 1927 and 1937 photos. The appearance that the magazine area and shell pits were maintained after the site was otherwise abandoned adds to the suggestion of some continued use. Finally, there is anecdotal evidence that these shell pits were smoking in the 1930s...

The District of Columbia was able to confirm that a Lt. Wray Noel was attached to the 1376th Company, District No. 1, in the Third Corps CCC operation, which covered Luray, Virginia and, more importantly, that his first tour as a Second Lieutenant ended on July 4, 1937. He finished Reserve Officer training at Fort Meade on or about May 3, 1935. Thus, if the information provided by the phone call is correct, the alleged burials had to occur between May 3, 1935, and June 19, 1937, based on the dates Lt. Noel was on active duty...

It is thus clear that the CCC and the related Public Works Administration were tapped for chemical ordnance disposal projects at Aberdeen, as indicated by MacFee and the supporting documentation. It is also clear that the leftover World War I District of Columbia chemical munitions were in a dangerous state by 1931. If CWM [chemical warfare material] were stored at the AUES, they likewise should have been in a similar dangerous condition by 1935 and 1936 when MacFee would have most likely completed the burials as determined from the service dates of his supervisor...

Because the final disposition of salvageable items at the AUES did not occur until 1921, it is possible that any leftover munitions stored at the facility fell between the cracks of two different departments. Because the Ordnance Department was extremely shorthanded at this time, any munitions may have been left there in storage. There was a standing order placing a moratorium on depots receiving any more munitions referenced in a memorandum dated June 4, 1919 that stated, "due to

the congested conditions and the embargo of our depots" ...

Although the request for shipping orders for the leftover munitions from the AUES was signed March 1919, several months ahead of the demise of the CWS [Chemical Warfare Service], the railroad required special trains for chemical munitions. With the tremendous stores of ordnance coming back from overseas and being shipped from manufacturing facilities, such trains were in demand, necessitating a long wait. Thus, the CWS may have ceased to exist before shipment could be made. Because the Corps has not found a record of Edgewood receiving the shipment, the District of Columbia could not assume that shipment occurred in light of the embargo and these other facts...

The District of Columbia was able to obtain FG-118-120. This photograph is dated April 30, 1937 and covers 22 months of Lt. Noel's 24-month service period. Therefore, this series should contain evidence of the massive burial reported. Indeed, as EPIC [Environmental Photographic Interpretation Center] predicted the photo contains an obvious linear feature approximately a half mile long parallel to the C & O Canal suggesting mechanically-worked earth. EPIC briefly examined the photo and confirmed the District of Columbia's observation. This area had railroad access and it would have been possible to bring a steam shovel into the area as MacFee indicated. It was also federal property and close to the AUES. Further, the area upon physical examination still shows clear evidence of earth that has been excavated by mechanical means, compatible with the aerial photograph representation.

The District of Columbia obtained a permit from the National Park Service and the District's staff surveyed this area with a Fisher Gemini-3 Radio Frequency Transmitter-Receiver Metal Detector. They repeat-

ed the survey using a Schonstedt GA-72 Cd Magnetic Locator.

Thus far, the District has located 13 anomalies that are compatible with munitions burials. Additionally, the EPA's expert in UXO recovery has confirmed the compatibility of several of the District's anomalies with deep munitions burials and has located a 14th anomaly... The District also obtained another photograph showing the shovel in the canal, which had been drained. Could it be that the burials occurred in the canal while they were shoveling out the flood debris and silt?

Recommendations

Because the District of Columbia was able to confirm so many of the representations contained in the memorandum of the phone conversation, the Corps must make a substantial effort to find the burials. Because EPIC has now analyzed the aerial photographs and found no pits near the canal, it is likely that the burials were made in the canal proper while the crane was there for the purpose of rebuilding the towpath. The aerial photograph was taken after water was again allowed to enter the canal and therefore the pits are not visible.

In either case, the District of Columbia requested that the Corps of Engineers or the EPA fund further geophysical examination, soil gas, groundwater or other sampling of the C & O Canal for potential sites. If munitions are confirmed, the Corps of Engineers must excavate the sites.

The EPA has contacted the Naval Research Laboratory (NRL), which has developed an ordnance detection system valued at \$750,000. The NRL represents that their system is capable of determining depth and shape of any burials. The District of Columbia is under the impression that this instrument is able to distinguish between munitions burials and hot rocks and believes that this is the best available technology for this site.



ENCOUNTERS WITH WONDER Blue Crab Etude

By Elizabeth Ayres
California, Maryland

Nana taught me how. No matter how early I got up or how fast I slipped on my summer uniform of shorts, top and flip-flops, she would already be down there in her sundress and hat. Kneeling on the rough wood planks of the dock. Chest butted up against a piling. Left hand working the string, right hand holding the net.

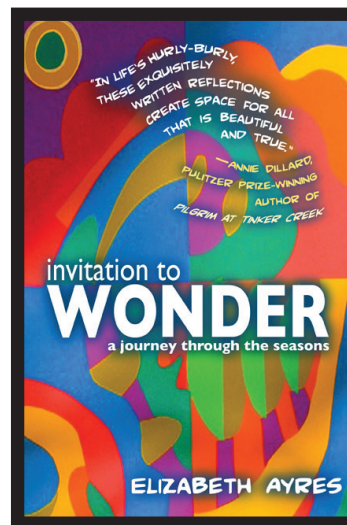
I see the scene so clearly. Those four front-most pier posts, darkly creosoted, each wrapped with pale twine. The cord plays out into the water at a wide angle to its tether on the piling and no child of the river needs to be told what invisible tug-o'-war holds the line so taut. On the sandy creek bottom, a blue crab struggles to swim away with its carrion prize: a chicken neck tied tightly to the end of the string my grandmother painstakingly works.

On memory's split screen, I see a closeup of her left hand: the twine, threaded through Nana's fore and middle fingers, pinned in place with her thumb. Over and under. Thumb up, thumb down. Inch by upward-bound inch, crab and bait rise. Where it slices into the water, the net pole appears to break, a distortion that makes distance hard to gauge.

Speed is out of the question, the water offers too much resistance so, with a stiff right arm, Nana maneuvers the net's wooden shaft by quark-sized increments until the head is directly under the feeding, oblivious creature. Anything, even a flickering shadow, will startle her prey into its peculiar, sideways scuttle. She continues. Cautiously. To tease that awkward trio - crab, baited string and meshed hoop - to the surface. Then one deft, skywards jerk. "Got him," she says, grinning. I scamper off to the live-box with our catch.

Popi also taught me how, although kids were not welcome to join him. "You're too noisy," he would bark, "You scare the crabs away." So I would watch from a distance as he waded along the shore like some long-legged marsh bird. Pants legs rolled up above bony knees. Skinny calves protruding. His far off, silent prowling is keyed forever in my mind to the constant slap of water against pier pilings, against moored boats, against the endless beach where tall sea grass whispers *snick snick* in a hot, dry breeze.

Popi is a vigilant hunter. He marches all day from one end of our cove to the other, net pole



cradled - shotgun style - against a bent left elbow. From that position he can brandish either end of his weapon. Wield the wooden handle to poke under logs and rocks. Or, like a bayonet, stab the hoop end into the water to nab his elusive prey: a blue crab, freshly molted, butter soft. Supremely confident in his ability, Popi refuses to carry with him any sissy storage basket. Instead, he returns to the pier with 2 or 3 huge jimmies stacked in the same net he used for their capture. Popi's grin is all for himself. Tucked into his chin. Elusive.

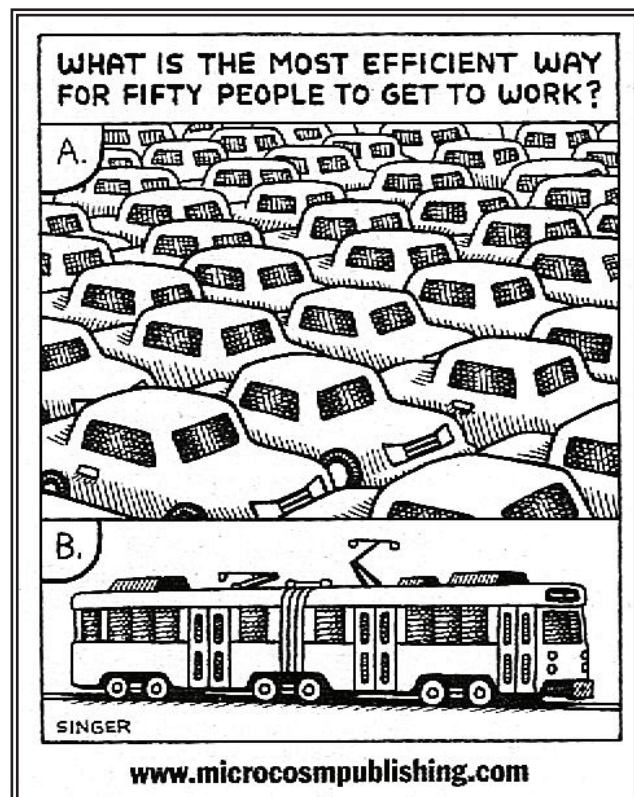
An etude is a musical composition designed to provide practice in a particular technical skill on a solo instrument. Pianists may turn to Chopin to learn their parallel thirds. Flutists might rely on Boehm for their fingering style. I could walk down to the pier right now and catch a crab the way my grandparents showed me. Or I could stay at this desk. Teasing thoughts to the surface word by upward-bound word.

And what of this perpetual tug-o'-war called life, where a taut line is sometimes all we have of what we need? Where bait and prize are often indistinguishable. And there's too much resistance. Too long a solitary prowl.

I know that ceaseless effort is the cost of all things hoped for, yet ever and always I am tempted by the hiss of What's the use?

Still, I don't give up. Nana and Popi didn't teach me how.

Elizabeth Ayres, author of *Know the Way and Writing the Wave*, is the founder of the Center for Creative Writing (CreativeWritingCenter.com). A book-length collection of her reflections - *Invitation to Wonder: A Journey through the Seasons* - will be available in September from Veriditas Books.



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Grassroots Power

How Making a Difference Can Make You Happy

By **Tim Kasser**
YES! Magazine

Democracy depends on the time, energy and engagement of ordinary people. But it remains quite difficult to motivate average citizens even to vote, much less to engage in the more intensive forms of political activism needed to counteract powerful forces that work against rule by the people.

That's why Malte Klar and I set out to determine whether people's engagement in political activity might be associated with the motivator of personal well-being. In other words, despite the struggles inherent in political activism, does being politically active brings its own rewards in terms of happiness and life satisfaction? Such a relationship seemed plausible to us, given past studies illustrating the well-being benefits of volunteering and of having pro-social attitudes and values.

To test this possibility, Klar and I surveyed one group of 344 college students and then a larger group of 718 adults (all United States residents, half of whom were recruited from an online activism registry and the other half of whom were community members recruited to match the activists on several demographic variables).

Subjects' political activism was assessed via measures like their commitment to activism (e.g., "I take the time I need to engage in activism") and their sense of identity as an activist (e.g., "Being an activist is central to who I am"). Subjects were also asked how often they planned to or had participated in activist behaviors – ranging from sending "a letter or email about a political issue to a public official" to higher-risk activities like engaging "in a political activity in which you knew you will be arrested."

Statistical analyses showed that after controlling for demographic factors like age, race, political orientation and education, study participants who scored higher in political activism also reported higher levels of personal well-being. Specifically, political activism scores were associated with feeling more pleasant emotions, reporting greater life satisfaction and having more experiences of freedom, competence and connection to others.

Our application of past research on "psychological thriving" further showed that 28 percent of the politically active adults had reached this highest level of well-being, compared

to 18 percent of the community sample.

Because these correlational findings cannot establish whether being politically active actually caused increases in well-being, Klar and I conducted a third study. We asked students to write letters to the head of their college's dining services. Some students were assigned to write about "hedonistic" aspects of the food, commenting on the food's taste and how enjoyable it was to eat, while other students were assigned to write about ethical and political aspects of the food, such as whether its production supported fair trade and social justice.

Afterwards, students reported on their current personal well-being. Even with this relatively weak and short-term political action, results showed that subjects assigned to write about political issues reported feeling significantly more alert, energized and alive than did those who wrote about the hedonistic aspects of food.

There are of course many limits to the three studies Klar and I conducted, including their use of only U.S. citizens and their short-term nature. Our results also have an important caveat: Engagement in "high-risk" activist behaviors that can lead people to get arrested or physically injured bore no systematic associations with personal well-being.

Nonetheless, the results clearly suggested that being politically active is associated with higher levels of personal well-being and may even cause improvements in vitality.

Politicians and activists typically attempt to motivate ordinary citizens to participate in democracy on the basis of moral appeals or attempts to fix a problem. Our results suggest that it might also be worthwhile to highlight the internal rewards citizens can obtain from being politically engaged: A sense of satisfaction, the experience of pleasant emotions and of connection with others, and a feeling of aliveness.

Tim Kasser, Ph.D., wrote this article for YES! Magazine, a national, nonprofit media organization that fuses powerful ideas with practical actions. Tim is professor and chair of Psychology at Knox College in Galesburg, Illinois. The paper this essay is based on was published in the journal Political Psychology under the title "Some benefits of being an activist: Measuring activism and its role in psychological well-being."



Photo Wikipedia.org

This mural in Seattle's Chinatown echoes the slogan of the World Social Forum: 'Another world is possible.' The World Social Forum is an annual meeting based in Brazil that defines itself as "an opened space – plural, diverse, non-governmental and non-partisan – that stimulates the decentralized debate, reflection, proposals-building, experiences exchange and alliances among movements and organizations engaged in concrete actions towards a more democratic and fair world . . . It is held by members of the alter-globalization movement (also referred to as the global justice movement) who come together to coordinate world campaigns and inform each other about movements from around the world and their issues."

The Answers Are Coming from the Bottom

Legendary Detroit Activist Grace Lee Boggs on the U.S. Social Forum

By **Amy Goodman and Grace Lee Boggs**
Democracy Now! June 23, 2010

Amy Goodman: We're on the road in Detroit on the opening day of the U.S. Social Forum. Thousands of people are here for one of the largest gatherings of grassroots activists and community organizers in the country. The event this week marks the second time the Social Forum has been held in the United States. The first one was three years ago in Atlanta.

Detroit is a city with one of the highest unemployment and foreclosure rates in the country. But to many longtime Detroit-based activists, the city today is not just a picture of devastation and ruin. To them, Detroit is a city of hope, a place that seeks to nurture sustainability and community-building.

Democracy Now!'s Anjali Kamat and I spoke to the legendary Detroit-based radical organizer and philosopher Grace Lee Boggs. Born to Chinese immigrant parents in 1915, Grace Lee Boggs has been involved with the civil rights, Black Power, labor, environmental justice and feminist movements for over the past seven decades. Along with her late husband, Jimmy Boggs, Grace has been at the forefront of efforts to rebuild urban communities. In 1992, she co-founded the Detroit Summer youth program to renew her city.

Grace Lee Boggs turns ninety-five this week and is speaking at a number of events at the Social Forum, including a public conversation with Immanuel Wallerstein.

On Monday night, we visited Grace Lee Boggs at her home in Detroit on the east side, where she has lived for over fifty years. The city is considering declaring her home to be an historical landmark because it has served as an incubator for countless social justice organizations. We asked Grace Lee Boggs to talk about the importance of the U.S. Social Forum coming to Detroit.

Grace Lee Boggs: You know, the World Social Forums began after the Battle of Seattle in 1999. And the slogan, "Another World Is Possible," emerged out of a completely new mentality when people recognized that essentially those in control are dysfunctional and that the old social democracy dependence on those in power to give you things, that period is over.

And I think it's really wonderful that the Social Forum decided to come to Detroit because Detroit, which was once the symbol of miracles of industrialization and then became the symbol of the devastation of de-industrialization, is now the symbol of a new kind of society, of people who grow their own food, of people who try and help each other, to how we begin to think, not so much of getting jobs and advancing our own fortunes but how we depend on each other. I mean, it's another world that we're creating here in Detroit. And we had to. I mean, we didn't do so because we are better people than anybody else but when you look out and all you see is vacant lots, when all you see is devastation, when all you see – do you look at it as a curse or do you look at it as a possibility, as having potential? And we here in Detroit had to begin doing that for our own humanity.

Anjali Kamat: So what do you think the rest of the United States can learn from Detroit?

Boggs: Well, I'm hoping they

will learn and I spoke to two young groups today, one of them from California and another one from Ithaca, New York. Downtown they had come in vans for the Social Forum. I hope they understand from Detroit that all of us, each of us, can become a Cultural Creative. That's what's taking place. We are creating a new culture. And we're not doing it because we are such wonderful people. We're doing it because we had to, I mean, not only to survive materially but to survive as human beings. We couldn't give up. And that's why I think – that's what I hope people will learn, because the United States is going through some difficult times and unless we understand that and that that is what it means to evolve – to see what is negative as a potential positive.

Goodman: Grace Lee Boggs, we're here with you in Detroit at the time of the U.S. Social Forum – Detroit, the center of the fossil fuel economy – at a time where, in the Gulf of Mexico, it's experiencing the worst environmental catastrophe in U.S. history, the BP oil geyser. The wars in Iraq and Afghanistan are continuing. How do you put these together? And what needs to be done about them?

Boggs: Well, I think we have to see this as an opportunity and not just as a danger. I mean, it's difficult to do that and look at the catastrophe in the Gulf and to look at what's happening in Afghanistan and not think that the world has come to an end.

But it's a fantastic opportunity to – you see this T-shirt? It says, "Revolution is evolution." It's this fantastic opportunity to advance our humanity, to become more creative, to know that there are other ways to live and the way that we have lived has been at the expense of so much, so many other people and so many of the Earth and that

we don't have to live that way, that that was only 300 years, that before that, people thought that the Earth was more important than land and that work was more important than a job. This capitalist society has not lasted forever; it's only a few hundred years old.

Goodman: Your assessment of how President Obama is dealing with these issues? Exacerbating them or solving them?

Boggs: Well, I think that anyone who attempts a top-down solution can't succeed. And I don't think that, from the very beginning, he was so close to the grassroots. I think that he had – I think he – I don't know. I remember asking Bill Ayers once, who knew Obama in Chicago, "How would you characterize him?" He says, "He's a very ambitious person. He believes in advancing and climbing the ladder."

A lot of people believe that, that when you climb the ladder and you end in the White House and you have the Pentagon and you don't – and you rehire Bob Gates and Lawrence Summers. It's very sad. It's very sad.

But I think it's very helpful to understand that, you know, when – I'm going to be talking to Wallerstein. Wallerstein understands how the feudal lords could not run European society, how the serfs were running into the cities, how disease was spreading and they became dysfunctional. And I think we see the dysfunction in the White House. We see the dysfunction at the top level. We see how they propose top-down solutions for education, for example: testing, more testing, more standardized testing, punishment.

The answers can't come from the top.

And that's why the Social Forum is so important. The answers are coming more from the bottom.



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