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- * People for Clean Mountains
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2013

The LEAGUE LINE

Waste Industry Puts a Bull's-eye on North Carolina *S328 Would Target Vulnerable Communities*

By Therese Vick and Lou Zeller

On March 14, 2013, a one page bill fluttered through the North Carolina Senate changing current law which requires that a garbage truck be leak-proof or leak resistant. Senate Bill 328 languished quietly for a while until its real purpose became clear: the one-page bill was simply a placeholder for what was in the works, a sneak attack that virtually eliminates the protections enacted in 2007 by the NC General Assembly which stopped several mega-dump proposals in their tracks. The bill is a blow to the communities which fought so hard for the Solid Waste Management Act of 2007, and others facing waste dumps in their communities.

Steps Forward

For decades, the Blue Ridge Environmental Defense League's chapters and volunteers have played a key role halting commercial solid waste landfills at the local level. We dubbed these commercial landfills "mega-dumps" because of the virtually unlimited capacity to expand and accept ever-larger amounts of waste. The campaign culminated in the passage of landmark legislation restricting the location of landfills in North Carolina. There were many outstanding victories brought by BREDL chapters on the road to Zero Waste. A few examples follow.

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Citizens
opposing
the
location of
a regional
landfill in
Randolph
County

Isn't that special? Fracking waste is exempt from federal regulation!

By Therese Vick

Waste from fracking operations is largely exempt from the hazardous waste provisions of the federal Resource Conservation and Recovery Act. This highly toxic and possibly radioactive waste is classified as "special," which means that it can be disposed of in facilities that handle so-called non-hazardous wastes, such as landfills.

The US EPA's 2002 Report entitled "Exemption of Oil and Gas Exploration and Production Wastes From Federal Hazardous Waste Regulations" fails to justify the exemption: ³

"although they are relieved from regulation as hazardous wastes, the exemption does not mean these wastes could not present a hazard to human health and the environment if improperly managed."

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BREDL: Who and what we are

In March 1984, fifty citizens of Ashe and Watauga Counties met in the Mission House of Holy Trinity Church in Glendale Springs, North Carolina. Teachers and farmers, home-makers and merchants listened to the report of the Episcopal Church Women on the US Department of Energy's siting search for a high-level nuclear waste dump in the rain-rich east.

Recognizing that the North Carolina mountains were a region at risk, the assembled group organized the Blue Ridge Environmental Defense League (BREDL) to protect their own backyard and those of other threatened communities.

Grassroots organizing was a cornerstone of our early all-volunteer organization. One of our first multi-county boards of directors adopted our credo, which embodies our mission statement:

BREDL Credo

We believe in the practice of earth stewardship, not only by our league members, but by our government and the public as well. To foster stewardship, BREDL encourages government and citizen responsibility in conserving and protecting our natural resources. BREDL advocates grassroots involvement in order to empower whole communities in environmental issues. BREDL functions as a "watchdog" of the environment, monitoring issues and holding government officials accountable for their actions. BREDL networks with citizen groups and agencies, collecting and disseminating accurate, timely information. BREDL sets standards for environmental quality, and awards individuals and agencies who uphold these standards in practice.

Moving into the future

Since then, the Blue Ridge Environmental Defense League has grown to be a regional community-based, nonprofit environmental organization. Our founding principles - earth stewardship, environmental democracy, social justice and community empowerment - still guide our work for social change. Our staff and volunteers put into practice the ideals of love of community and love of neighbor, which help us to serve the movement for environmental protection and progressive social change in Maryland, Virginia, North Carolina, South Carolina, Georgia, Alabama and Tennessee.

Grassroots Campaigns

Nothing creates hopefulness out of helplessness like a successful grassroots campaign - and our chapters have a history of winning. For over twenty-eight years Blue Ridge Environmental Defense League chapters have protected their communities by stopping dangerous facilities and promoting safe alternatives.

In the 1980's and 1990's, BREDL prevented a multi-state ThermalKEM hazardous waste incinerator, a southeastern nuclear waste dump and a national nuclear waste dump. In the 2000's, our coordinated grassroots citizens' campaigns have had further victories. We won a legislative victory with the passage of the NC Solid Waste Act, effectively blocking at least four multi-state mega-dumps. Our Person County chapter convinced their Board of Commissioners to reject expansion of the Republic Services landfill. Our Cascade, Virginia, chapter shut down a huge hazardous waste incinerator. We eliminated mercury waste from the Stericycle incinerator, shut down a tire incinerator in Martinsville, won the landmark environmental justice court decision in Greene County, NC. Further, with our chapters we have protected air quality by blocking scores of asphalt plants, four medical waste incinerators, a PVC plant and a lead smelter, and passage by local governments of eight polluting industries ordinances. Our work on nuclear power and coal plants laid the groundwork for our new Safe Energy Campaign. Victories over twenty-four mega-dumps have resulted in our affirmative Zero Waste Campaign. Guided by the principles of earth stewardship and environmental justice, we have learned that empowering whole communities with effective grassroots campaigns is the most effective strategy for lasting change.■

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Coat of Many Colors

On February 1, 1960, the Greensboro sit-ins began with four North Carolina A&T students in non-violent protest. Within days, hundreds had joined. But the movement confined itself neither to Greensboro nor Woolworth's. Within weeks, similar demonstrations were organized in Winston-Salem, Durham, Raleigh and Charlotte.

Soon, other students in other states organized similar protests.

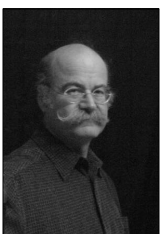


Is it not now time to expand Moral Monday's to Asheville, Charlotte, Winston-Salem, Burlington, Asheville, Sanford, Brevard, and scores of other places faced with similar threats to public health? Are these communities not where the banner of environmental justice should also be raised? Where pollution poisons the air and water, where roll-back regulations have their impacts?

The Rev. Dr. William J. Barber said, "The forces of greed, selfishness, fear, and division have a long history of promoting a divided America.

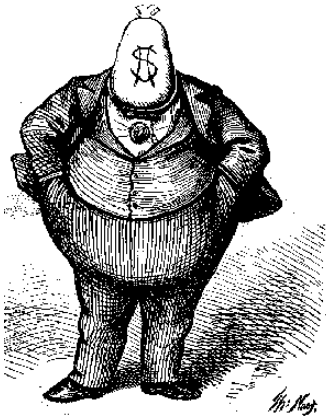
They are good at it. They are loud at it. And they are *consistent* at it." We can learn much from his leadership and the example of the A&T Four.

It is time for the forces of generosity, charity, courage and unity to band together to display an unswerving commitment to equality, equity and justice. Beginning with as few as four people, organize Moral Mondays before city halls and county courthouses across the land in harmony with those in Raleigh. Let us take steps, community by community, to unravel the golden garment being woven by the forces of greed and create a coat of many colors.



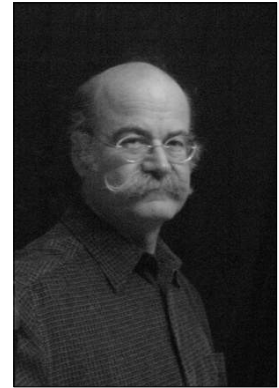
Louis A. Zeller, Executive Director

Photo credits: Rev. Dr. King, Google.com//Illustration, Saunders, New York Times//Rev. Dr. Barber, Huffington Post-AP



21st Century Robber Barons

By BREDL Executive Director Louis A. Zeller



Duke-Progress Merger Spells Trouble

The Blue Ridge Environmental Defense League, along with a broad coalition of public interest groups, objected to the merger of Duke Energy and Progress Energy when the issue was put before the North Carolina Utilities Commission.¹ The reasons were several including: The high cost to ratepayers caused by confidential side agreements, the Federal Energy Regulatory Commission agreement on the merged corporation's selling of power outside the district, and the rising costs of new nuclear and coal plants including expensive repairs at Progress' Crystal River Nuclear Power Plant in Florida and other nuclear reactors in the Carolinas.

Nevertheless, on June 29, 2012 the NC Utilities Commission voted to allow the \$32 billion merger to proceed. Part of the deal included a promise by Duke to keep Progress Energy's Bill Johnson as CEO of the expanded company. But surprises lay ahead.

Three days later, in what one corporate official described as the "one of the greatest corporate hijackings in US business history,"² Duke Energy fired Bill Johnson. The former head of Progress Energy, by agreement of all concerned, had been

appointed CEO of the merged Duke-Progress company but was fired after 20 minutes on the job.

The North Carolina Attorney General immediately weighed in, stating, "Despite our objection, Duke Energy said it needed a rate increase in order to protect its credit. Now this significant management change within hours after the merger has put the company on credit watch, so we need to get to the bottom of this to make sure we protect consumers."³ Attorney General Cooper filed a Civil Investigative Demand to determine whether there were false statements made by Duke Energy to consumers or state regulators.

(continued on page 6)

¹Letter from Louis Zeller, Blue Ridge Environmental Defense League to Chairman Edward S. Finley, Jr. North Carolina Utilities Commission, June 18, 2012, RE: Dockets E-7 Sub 986 and E-2 998.

²Letter from John H. Mullin III, former Lead Director of Progress Energy to The Wall Street Journal, July 5, 2012

³Statement by NC Attorney General Roy Cooper, Civil Investigative Demand to Duke Energy, 7/6/2012

There are never wanting some persons of violent and undertaking natures, who, so they may have power and business, will take it at any cost.

FRANCIS BACON

Does a "corporate" person, such as an electric utility, exert its power in the public interest? Does the public welfare matter to a corporate person, which is neither he nor she, but "it"? The point of this inquiry is to shed light on the merger-mania which has gripped the nation's electric utilities. On the horizon is a return to the robber baron era, when corporations endowed with the rights of persons were let loose on the land. Cases in point: the merger of Duke Energy and Progress Energy and the possible sale of the Tennessee Valley Authority. Duke-Progress is the largest investor-owned utility in the world. The Tennessee Valley Authority is the nation's largest public utility.

A Wake up Call

to the Environmental Justice Communities in America

By Rev. Charles Utley, BREDL Environmental Justice Coordinator

On June 25, 2013, the US Supreme Court's decision in *Shelby County v. Holder* revolved around Section 4 of the 1965 Voting Rights Act. This act establishes a "coverage formula" to determine which states and local governments fall under Section 5, and therefore, need to get approval before changing their voting laws. The justices ruled that Section 4 is unconstitutional, and that the formula used for decades — revised and extended several times by Congress — can no longer be used to establish those preclearance requirements, saying: "The conditions that originally justified these measures no longer characterize voting in the covered jurisdictions."

Chief Justice John G. Roberts, who has previously expressed skepticism about the continued need for parts of the Voting Rights Act, delivered the majority opinion. In the 5-to-4 ruling, he was joined by Justices Antonin Scalia, Anthony M. Kennedy, Clarence Thomas and Samuel A. Alito. Justice Thomas wrote a concurring opinion, and Justice Ruth Bader Ginsburg wrote a dissent, joined by Justices Stephen G. Breyer, Sonia Sotomayor and Elena Kagan.

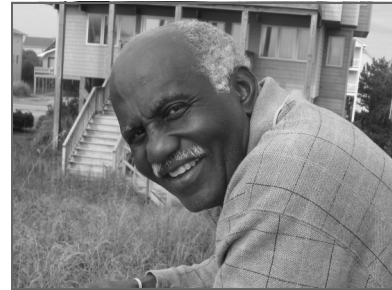
Environmental Justice is inter-woven into the Civil Right Act of 1964. And the Voting Rights Act was predicated on the Civil Rights Act. One cannot be separated from the other because of their sufficiency in importance to attempt to fix a wrong imposed against a people.

In February 1994, President Clinton issued Executive Order 12898, "Federal Actions to Address

Environmental Justice in Minority Populations and Low-Income Populations." In a separate memorandum, President Clinton identified Title VI as one of several federal laws already in existence that can help "to prevent minority communities and low-income communities from being subject to disproportionately high and adverse environmental effects."

For example, Clara E. Jenkins Elementary School is located in Augusta, Georgia, Hyde Park Community, a blighted community with poverty above the national level. In 1974, it was discovered to be contaminated by floodwaters from Creosols Wood Treatment Plant owned by Southern Wood Piedmont. It was this Environmental Justice Community that stood up to the Richmond County Board of Education when it was proposed to close this school. The community responded with a resounding "NO" being backed by the Civil Rights Act. The court upheld their request. When it was proposed to have the school closed it was this Environmental Justice Community that insisted that this one entity be left because of the Civil Rights Act of 1964. Where there is no or little transportation provided to these blighted community and their right to vote has obstacles stacked against them, this is truly an injustice that needs a continuous watchful eye, for the sake of justice.

When we have the power of courts to implement the true meaning of justice and equality for all, the system works for our citizens. With the heart of the Voting Rights Act taken out, it removes a thread which links Environmental Justice and Civil Rights together. We



must understand that our social issues, equity and equality, will be challenged with this change. There is reason to believe that the Law of the Land will indeed become blind to those who depend on it.

When the Justices gutted the power to have Voting Rights concerns addressed by the Justice Department, it diminished the power of Environmental Justice Communities. It will have a ripple effect across the nation, and an influx of changes putting these communities in jeopardy of receiving equal and equitable justice.

As this new decision comes into effect, it is more important that the Blue Ridge Environmental Defense League continue to support these Environmental Justice communities. Blue Ridge Environmental Defense League has a long history of standing for the rights of the oppressed. Therefore, this organization will not abandon the work that is so vital for the existence of these communities. ■

21st Century Robber Barons

By BREDL Executive Director Louis A. Zeller



(continued from page 4)

A Slap on the Hand

The NC Utilities Commission, caught napping, ordered an investigation. Hearings were held, and the former Duke CEO Jim Rogers, then installed as CEO of Duke-Progress, testified on the timing of the Bill Johnson ouster. Supposedly, Duke had lost confidence in him because of rising costs at the Crystal River nuclear power plant. Johnson himself also testified. And 5,964 pages of company documents were filed by order of the Commission. However, 5,033 pages of these business records were filed as confidential trade secret, shielded from public view. A Public Records Act order pried loose 4,361 pages of the so-called confidential information. But after a few months of wrangling, the NCUC rolled over once again. Rogers remained CEO. Johnson remained fired but with a \$44 million severance package intact. A Settlement Agreement states no illegal acts were committed, but that Duke's activities "have fallen short of the Commission's understanding" of its obligations.⁴

The confidential trade secret information which was made

public did provide insights. Jim Warren of NC WARN said, "Our initial analysis indicates that just two of the 17 now-exposed deals would cost small business, local government and residential customers over \$350 million by 2019 – which is more than half the total public savings Duke claimed the merger would provide during that period."⁵ Clearly, the NC Utilities Commission had access to this information, but failed to do its job of protecting the public's pocketbook.

Greener Pasture or Corporate Cabal?

Meanwhile, Bill Johnson moved on. On November 5, 2012 the Tennessee Valley Authority announced that they would hire him as their new president and CEO, effective January 1, 2013. TVA's board chairman said, "We are very fortunate to have someone of Bill Johnson's caliber...TVA will benefit from his strong leadership skills, deep industry experience and ability to drive employee engagement."⁶ Among the leadership positions cited was past chairman of the Nuclear Energy Institute. Without irony, TVA's press release stated Johnson was "instrumental in the merger between Progress and Duke Energy."

With TVA's hiring of Johnson, the plot thickens. TVA's board held no meeting to vote on Johnson's hiring. Nor did they hold a meeting to discuss the matter. Using an obscure "notational approval" method, TVA board members approved Johnson—with \$950,000 in salary and additional compensation of \$3 million—without so much as a conversation about his qualifications or anything else. TVA purposely evaded the scrutiny of its ratepayers and the public. Remember, Johnson had just been fired from Duke-Progress, who said they had lost confidence in him.

TVA for sale?

In April President Obama ordered a strategic review of the TVA with an eye toward selling it to private interests. The federal government's proposed 2014 budget states, "Given TVA's debt constraints and the impact to the Federal deficit of its increasing capital expenditures, the

Administration intends to undertake a strategic review of options for addressing TVA's financial situation, including the possible divestiture of TVA, in part or as a whole.”⁷ But TVA's \$25 billion debt is not backed by the federal government, although it is included in the overall federal debt total. Its debt ceiling was set in 1979 by Congress at \$30 billion (in today's dollars, this would be \$96 billion). For comparison, Duke Energy's long-term debt was \$39.5 billion at the end of 2012.⁸ TVA does not receive federal money for its power program. Electric power sales cover its costs, \$11 billion in 2012.

Connecting the dots

What we see unfolding here is two of the nation's largest and most aggressive investor-owned utilities involved in merger shenanigans, the end result of which is that an ousted corporate chieftain soon becomes head of the nation's largest public utility which may now be put on the auction block. It is fair to ask: Who would be in the best position to buy TVA if not Duke Energy? Who would halt such a takeover? Congress? The Federal Energy Regulatory Commission? Is Bill Johnson a stalking horse or a Judas goat?

Plainly, state regulators in North Carolina have either lost the ability or the will to regulate in the public interest. Together Duke and Progress could form the largest political action committee in the

state. Tennessee Valley Authority is not subject to any state utilities commissions, Congress hold the keys. Merged electric utilities eliminate employees, provide reduced services to their customers and act with impunity. Perhaps that is the reason that Duke Energy's latest request for a rate increase is 13.9% for residential customers, up to 10.7% for small businesses and 3% for the largest industrial customers. Still supposedly regulated as a monopoly, it seeks a guaranteed return on investment of 11.25%, far exceeding market level returns.

Robber Barons

Their deeds, in the last analysis, were determined by economic forces, we must remember. Hence we have tried in so far as possible to write of them without anger, to paint them as no more “wicked” than they or their contemporaries actually were, though we are aware now of living in another moral climate and in the midst of a new generation which carries the vast and onerous social responsibilities bequeathed to it.

From: *The Robber Barons: The Great American Capitalists, 1861–1901* by Matthew Josephson

⁴ Settlement Agreement, NCUC Docket No. E-7, Sub 1017, November 29, 2012

⁵ Jim Warren, NC WARN press statement, September 11, 2012

⁶ TVA Board of Directors Chairman Bill Sansom, Press Statement, November 5, 2013

⁷ Budget of the United States Government, Fiscal Year 2014, p. 51

⁸ Duke Energy Long-Term Debt Summary, <http://www.dukeenergy.com/docs/Long-Term-Debt-Summary.pdf>

Duke Energy Rate Hike Hearings

Photos from press conference and ratepayers assembly at the Utilities Commission on July 8:

Public hearings were held in cities around the state from May 21 to July 2.

On July 8, evidentiary hearings began in Raleigh and were preceded by a Ratepayers Assembly.

NC ratepayers are not amused at the cozy relationship between the Straw Man Sheriff (NC Utilities Commission) and the Duke Energy monopoly..... but once the crowd gets deputized to put things in order, Monopoly Man (Lou Zeller) is soon hauled off to jail. A fine example of street theatre that delighted media and activists alike.



Waste Industry Puts a Bull's-eye on North Carolina: S328 Would Target Vulnerable Communities

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In 2000, our Halifax County chapter, Citizens Against Regional Dumping, organized opposition to the county's plans for a regional, commercial landfill. By year's end, the county abandoned the proposal.

In 2001, the NC Court of Appeals ruled in favor of our chapter Greene Citizens for Responsible Growth in the Greene County landfill case. The court stated that state law requires a county government "to give careful and thorough consideration to alternative sites for a landfill within the County." The Environmental Justice statute cited requires the local government to look at socioeconomic impacts if the new landfill is within one mile of an existing landfill. In support, the Conservation Council of North Carolina and the Environmental Justice Network filed amicus briefs in this case.

In 2004, the Neighbors for Environmental Safety Today (NEST) celebrated its final victory against Waste Management Inc. The Piedmont Landfill was closed, ending WMI's attempts to expand the landfill on the Forsyth-Guilford county line. During the previous decade, we had worked with NEST to defeated WMI's attempts to expand seven times.

In 2007, our chapter Brunswick Citizens For A Safe Environment (later renamed Cape Fear Citizens For A Safe Environment) organized to defeat the Sims Hugo Neu proposal for an "auto fluff" waste dump on Mount Misery Road in the mostly African-American community of Navassa, NC.

During the sweep of victories halting dozens of commercial waste dumps, we saw ominous signs of setback. For example, the U.S. 4th Circuit Court of Appeals ruled that laws limiting out-of-state waste, tightening restrictions on trash-hauling trucks and banning garbage barges from three Virginia rivers were unconstitutional. A more comprehensive solution was called for.

Moratorium!

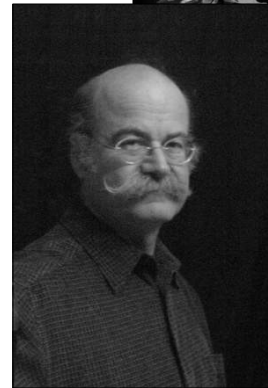
On August 7, 2006, in the face of all-out pressure from waste industry lobbyists, the North Carolina General Assembly listened instead to community activists and passed a one-year moratorium on new landfills in the state. Overwhelming bipartisan support for the moratorium demonstrated the effectiveness of this citizen campaign. The legislation imposed a moratorium on the consideration of permit applications or issuance of new permits for municipal solid waste, construction and demolition, or industrial solid waste landfills.

Key legislators in the passage of the moratorium formed a base of support for Senate Bill 1492, the Solid Waste Management Act of 2007. The Center for Health, Environment and Justice, Blue Ridge Environmental Defense League and its chapters conducted a 10-county "Don't Dump on Us Keep North Carolina Healthy" tour, urging state leaders to oppose mega-dumps and to adopt sound policies for dealing with solid waste in North Carolina. Residents opposing mega-dumps from Brunswick, Camden, Columbus, Duplin, Forsyth, Greene, Person, Richmond and Scotland counties mounted a consistent presence in Raleigh during the critical days leading to passage on the final day of the 2007 session.

The 2007 law brought stricter landfill regulations, provided funds to clean up old dump sites and required computer manufacturers to recycle their products; specifically, it increased stream buffers from 50 feet to 200 feet, established a \$2 per ton disposal fee to clean up abandoned dumps and hazardous waste sites, and prohibited landfills within five miles of a national wildlife refuge, two miles of a state park and one mile of state game land. Half a dozen mega-dump sites, spanning the state from the Great Dismal Swamp to the Sand Hills and piling trash 300 feet high, were prevented.



By



Therese Vick

and

Louis Zeller

A Step Back?

The current version of S328, much longer now, appeared on June 6, 2013, has been approved by the North Carolina Senate and is under consideration in the NC House. If passed in its current form, S328 would:

- * Extend permits for landfills and transfer stations for 30 years,
- * Restrict the North Carolina Department of Natural Resources' ability to deny permits for disproportionately impact communities already burdened with polluting industry or potential for damage to natural or cultural resources,
- * Limit environmental justice evaluation to the minimum required by federal law,
- * Allow the siting of landfills next to wetlands and reduces setbacks from streams,
- * Allow permits to be transferred from one company to another, eliminating compliance reviews currently required when facilities change ownership.

Continued >

Despite the fact that the state's waste generation is down overall,¹ there is a proposal to site a new regional megadump in the predominately African-American Eastside Community of Randolph County, already home to the county's old, leaking landfill. In Anson County, BREDL Chapter Pee Dee WALL is fighting Waste Connections Inc.'s request to double their current landfill's permitted capacity, also in a minority community.

Of additional concern, all of the major waste companies operating in North Carolina have financial interests in the handling of "exploration and production" (E&P) waste. E&P waste comes from the process of shale oil and gas development, and can be toxic and radioactive, although largely exempt from federal law. (See companion article on page 1: "Isn't that special?") For example, Waste Connections, Inc. purchased an E&P waste company in late 2012. In a June 27th interview, Waste Connections' CEO Ronald J. Mittelstaedt stated, "I think organically that the E&P waste can grow somewhere between 6-10% a year at least over the next three to five years. Now, there may be years where it's a little less, there will be years where it's greater."²

North Carolinians should be putting time and resources into reduction, reuse, and recycling, not peddling "The Goodliest Land" to those who would waste our communities. ■

¹ North Carolina. North Carolina Department of Environment and Natural Resources. *North Carolina Solid Waste and Materials Management Annual Report: FY 2011-2012*. http://www.wastenotnc.org/c/document_library/get_file?p_l_id=4649434&folderId=9377383&name=DLFE-65922.pdf

² "The CEO Series: A conversation with Ron Mittelstaedt." *Waste and Recycling News*. 27 June 2013. <http://wasterecyclingnews.com/article/20130627/VIDEO/130629941/the-ceo-series-a-conversation-with-ron-mittelstaedt>

³ United States Environmental Protection Agency. "Exemption of Oil and Gas Exploration and Production Wastes From Federal Hazardous Waste Regulations." Washington, DC. October 2002. Web. <http://www.epa.gov/osw/nonhaz/industrial/special/oil/oil-gas.pdf>

Isn't that special? Fracking waste is exempt from federal regulation!

By Therese Vick

(continued from page 1)

"In general, the exempt status of an E&P waste depends on how the material was used or generated as waste, not necessarily whether the material is hazardous or toxic. For example, some exempt E&P wastes might be harmful to human health and the environment, and many non-exempt wastes might not be as harmful."

This is classic bureaucratic double-talk. Nevertheless, the EPA report provides a warning to communities faced with existing or proposed solid waste landfills. If hydrofracking is permitted in North Carolina, or likewise in surrounding states, you may be getting a witches brew of toxic wastes along with the rest of the garbage. The watchword for the Blue Ridge Environmental Defense League in these communities will be, no fracking way.



**"The watchword for the
Blue Ridge Environmental Defense League
in these communities will be,
no fracking way."**

Spotlight on BREDL Chapter: Save Linville Gorge Wilderness

By Sue Crotts

BREDL's new Chapter, Save Linville Gorge Wilderness, is dedicated to saving the Linville Gorge Wilderness from the US Forest Service's current plan to burn the entire wilderness area repeatedly every 3-5 years. The Chapter is an offshoot of the grass roots organization SaveLGW.org, which has an online petition to the US Forest Service opposing this grant funded proposed project. Some of the rare remaining old growth forest of the Southeast is contained within this wilderness area. At risk are the highly diverse plants and animals that have inhabited the wilderness for centuries and the health of the people who live around the area ranging from Marion to Boone on either side of the area in McDowell, Avery and Burke counties.

The wilderness is a highly diverse and sensitive ecosystem. The Forest Service wants to "manage" this 12,000 acre gem, that is presently protected from the trammings of man by the Wilderness Act. The US Forest Service and their non-profit agency Grant Partners, stand to receive the funds from a \$4.5 million dollar Collaborative Forest Landscape Restoration (CFLR) Grant that is already allocated to them. The grant proposes to fund about 13 jobs to conduct landscape work of the US Forest Service and their "Partners". The proposal is one-sided, lacks comprehensiveness, is misleading and fails to meet the criteria of the Federal Grant for funding. The proposed Grandfather District CFLR plan touts the economic benefits to the local region, claims over \$6million in forest fire fighting cost savings, while no assessment was performed to evaluate the risks of out of control fire and the impact that could have on humans, animals and the environment, and did not include key local stakeholders in its development.

Call to Action

Currently, conduct of an environmental assessment by the US Forest Service is pending. At the same time, the US Forest Service is updating their current Forest Plan for the next 15 years. The Forest Service may be able to authorize prescribed burning in the impending Forest Plan Revision. It is essential to tell the Forest Service not to include prescribed fire in the Linville Gorge Wilderness Area. Reasons can include that fire will destroy recreational value of wilderness as a scenic, natural, unmaintained ecosystem and will pose unnecessary risks that will threaten quality of air, water and habitat. To stand up for the Linville Gorge Wilderness Area, please sign the petition and make comments to the US Forest Service at www.SaveLGW.org and write the US Forest Service to tell them you don't want them to manage the Linville Gorge Wilderness Area with prescribed fire. This treasure needs to be preserved and the people, plants and animal who live near it and use it need to be protected from the US Forest Service's self serving interests.



SaveLGW members Phil Phelan, Sue and Lonnie Crotts

By SaveLGW member Phil Phelan, pictured above on left:

I am 33 years young. Born in Houston TX, but grew up in Raleigh NC. I have been coming to Linville Gorge for 14 years. I have been a rock climber for going on 21 years and was born to hikers. My father taught us to walk tall and trust in the lord. My mother taught us to understand others so in turn we could understand ourselves. I have a wonderful fan club of four brothers and a beautiful sister. I am very close to the lord. This is my second consecutive year mapping the hundreds of undocumented trails in the Linville Gorge Wilderness for use in localized guidebooks and maps.

I am very happy to say, Blue Ridge Outdoor Magazine has requested a 1,000 word essay on my 160 mile journey called The Grandfather Mtn., Linville Gorge, Mt. Mitchell Challenge. My reason for doing this is to bring awareness to the proposed change to the Forestry Plan, that would allow proscribed burning in the Linville Gorge Wilderness. Starting at midnight on June 27th, I plan to finish this nearly one million step march in five days. The article will include, the logistics of the hike, the insight on the fight against the fire headed up by SaveLGW, my history and impact on the Linville Gorge Wilderness, and a plug on my new book (The Ultimate Hiker's Guide to the Linville Gorge Hiking Circuit). Along with high resolution pictures, the article is sure to be an attention grabber!! Please visit SaveLgw.org or Phil Phelan on Facebook, to support the team! Sincerely, Phil Phelan Vice-Chairman, SaveLGW / Owner, Linville Gorge Adventures LLC

The Book:

I am the author of a new book titled, The Ultimate Hiker's Guide to the Linville Gorge Hiking Circuit. Dubbed, the toughest hiking circuit east of the Rocky Mountains, the Linville Gorge Hiking Circuit is a conglomerate of 21 individual trails, that when linked, allows adventures to encircle the Linville Gorge Wilderness in its entirety. Extending 33.06 miles in length, this grand titian sports 16,605 feet in elevation change and requires nearly 100,000 steps to complete. This journey of epic proportion tests even the strongest of challengers to their core.■

15 Million

Chronology of www.bredl.org milestones: www.bredl.org Webstats

BREDL Webmaster: Mark Barker
(July 2, 2013)



February 15, 1999 - www.bredl.org was launched

July 19, 2001 - reached 1 million hits (online for 885 days)

November 11, 2001 - Online for 1000 days

November 30, 2001 - Added PayPal as a way to accept online credit card donations

March 8, 2002 - reached 2 million hits (online for 1117 days)

August 9, 2002 - reached 3 million hits (online for 1271 days)

January 14, 2003 - reached 4 million hits (online for 1429 days)

June 1, 2003 - reached 5 million hits (online for 1567 days)

November 2003 - new look for the website. New navigational design reduces amount of hits.

January 26, 2004 - reached 6 million hits (online for 1806 days)

February 15, 2004 - online for 5 years (online for 1826 days)

April 2005 - reached 7 million hits.

November/December 2005 - added BREDL Shop.

April 2006 - reached 8 million hits.

June 16, 2006 - new look for the website. Added image graphic, improved look.

October 2006 - reached 8.5 million hits.

April 2007 - reached 9 million hits.

May 18, 2007 - website overhauled to match current campaigns

October 2007 - reached 9.5 million hits.

Oct 31, 2007 - transferred website from rev.net to purehost.com servers.

May 2008 - reached 10 million hits.

November 2008 - reached 10.5 million hits.

The past 4 years, our website hits have leveled to just under 1 million a year.

Feb. 15, 2009 marked the Ten Year Anniversary of www.bredl.org

Feb. 23, 2009 - 6249 hits - highest daily hit total since website format change Nov. 2003.

May 2009 - reached 11 million hits | Dec. 2009 - reached 11.5 million hits

June 2010 - reached 12 million hits | Dec. 2010 - reached 12.5 million hits

June 2011 - reached 13 million hits | Nov. 2011 - reached 13.5 million hits

February 11, 2012 - Social Media added to homepage (facebook, twitter, blog, youtube)

May 2012 - reached 14 million hits

June 11, 2012 - 8238 hits, 1731 visits (The Monday following the Friday court ruling on Nuclear Waste Disposal)

August 27, 2012 - Google Analytics added to all BREDL html and asp pages.

May 2013—reached 15 million hits

18,768 downloads of the Browns Ferry Nuclear Plant report. That compares to 69,145 downloads of the Waste Gasification report in 2013.

June 19, 2013 - 11,543 hits (Highest hits thus far after Browns Ferry Report posted)

facebook

www.facebook.com/BlueRidgeEnvironmentalDefenseLeague

February 11, 2012 - Social Media added to homepage
(facebook, twitter, blog, youtube)

July 13, 2012— BREDL facebook page weekly reach 11,093
with 433 page likes and 250 people talking about this





Statistics for Action and BREDL come together to offer workshops, resource guides, videos, data libraries, and grant opportunities



Our April 20, 2013 workshop was lead by Ethan Contini-Field, M.Ed. a researcher and curriculum developer at TERC, a not-for-profit educational research organization in Cambridge, MA. Ethan works on the Statistics for Action (SfA) project, a collaboration between TERC and environmental advocacy organizations like BREDL, to help people in communities affected by environmental contamination to better understand, analyze, and communicate about environmental data. Statistics for Action is funded by the National Science Foundation (grant DRL-0812954).

Products of the SfA Workshop:

- * Connect information to your situation
- * Compare state regulations
- * Understand different types of emissions
- * Brainstorm how media strategy could play out
- * Understand the numbers and terms in environmental organizing
- * Analyze the data to help make strategic decisions
- * Assess risk to the community
- * Communicate key facts effectively to decision-makers and the community
- * Verify everything!
- * Check out SfA on the web at sfa.terc.edu



BREDL's Duke Nicholas School of the Environment Interns : Getting Experience and Making a Difference



SfA Workshop participants assemble math and science facts into a convincing fact sheet and present to the group.



\$2000 for your BREDL Chapter

The Statistics for Action (SfA) project at TERC can help support environmental testing in your community. If you agree, TERC may provide:

up to \$2,000 for materials and services related to conducting, reviewing, and sharing environmental tests

resources to help you plan for the tests, interpret results, and communicate results to your community

phone and email support to you in using our materials

TERC will *not* conduct the testing, design a testing plan, or interpret the test results

If you agree, we expect that your group will:

meet and use SfA materials as a group, to help with some part of the testing process. This could be before the testing, to help you think about how and where to test. Or, it could be after the test results come back, to help you understand, analyze, and/or communicate the results

After using an SfA activity, each participant will fill out a short evaluation form, and the meeting facilitators will fill out a separate feedback form

We may call you to follow up and ask questions about your experiences with Statistics for Action

TERC will provide up to \$2,000 for group expenses like:

Hiring an company to collect and analyze samples of soil, water, sediment, or air and test it for contamination

Equipment, if your community chooses to collect your own samples

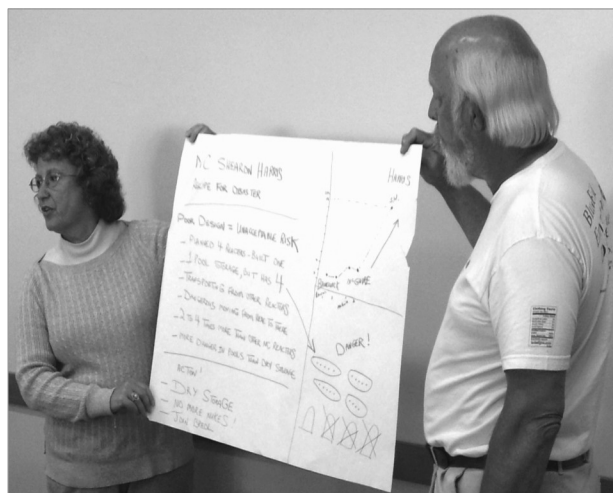
Food, photocopies, and other supplies for the meeting(s) when your group reviews the test results

Child care, transit and parking expenses, gift cards or other incentives needed to encourage people to attend

If your group uses SfA materials to come up with a message based on the numbers in the test results, funding could support a newspaper ad, banner, poster, flyer, or some other public communication of test results.



For more details
Contact Beverly Kerr,
BREDL Associate Director
336-376-9060
beverlykerr@triad.rr.com



BREDL's Alamance County Chapter, Neighborhood Environment Watch (NEW) members made a community alert from their SfA workshop fact sheet and will mail it to residents living around Shearon Harris Nuclear Plant near Raleigh.



To encourage participation, SfA generously offered: \$50 per person stipend for your time, plus dinner and mileage reimbursement! Thank you SfA! Loved our picnic in the nature park!



Introducing BREDL Development Director Kate Dunnagan



As a native North Carolinian, Kate deeply loves the beauty of our coastal and mountainous southern states. Trail hiking and beach combing with her dog are two of her favorite ways to experience the natural world around us. After finishing high school in Raleigh, Kate moved to western NC and attended UNC Asheville, where her undergraduate education began with a concentration in ceramics. She stayed in the Asheville area for 12 years, exploring the natural world and growing to hold strong values of environmental stewardship. Kate's other interests include cooking, traveling, visual arts and crafts, theater, language arts, and gardening. Rather than complete a bachelor of art, Kate left the university setting to travel and work in youth and human services for several years, returning to school in 2005 with a clear purpose- to study how humans can exist peacefully with each other and our environment. Since then Kate has completed a BA in Ethics and Social Institutions from UNCA, with a concentration in Peace Studies and Conflict Resolution, and in 2011 moved back to the piedmont to complete a master's degree at UNC Greensboro. Kate is currently a candidate for a MA in the Conflict and Peace Studies program at UNCG.

Kate has a passion for working with people, and for community organizing. Her educational and employment background is in the field of conflict resolution, which encompasses social and restorative justice theories, as well as practice in the areas of mediation, conciliation and group facilitation. As a volunteer, Kate has experience organizing with the Energy Working Group of Occupy Greensboro (including various creative, educational, and outreach activities) as well as with Planned Parenthood of Asheville, as a fundraising and outreach volunteer. The professional skills that Kate has developed while working with at-risk populations and people experiencing high levels of conflict include group facilitation, collaborative problem-solving and careful attention to person-centered goals.

Kate Dunnagan
BREDL Development Director
1208 Pamlico Dr. Greensboro, NC 27408
(919) 417-4939
katedunnagan@gmail.com
Skype: kate.dunnagan

A personal note from Kate :

It is a pleasure and an honor to begin my new position as Development Director. Primary responsibilities of the DD include coordination of fundraising activities and maintaining foundation support, as well as communication with chapters regarding membership and special events. BREDL's thirtieth anniversary in March 2014 offers an exciting opportunity to increase donations and membership through a special anniversary campaign; I am really looking forward to working with each of you on projects and campaigns in your communities.

As a new member of BREDL, I am grateful for the chance to meet you in person or via correspondence, and to learn from your experiences, skills, and expertise. Please contact me directly with information about yourselves and your chapters, including introductions, pictures, and the histories of your annual fundraising plans and efforts. I will do my best to become familiar with your chapters, missions, and unique circumstances, and I welcome the opportunities that lie ahead to work with all of you! ■



**By
Beverly
Kerr
BREDL
Associate
Director**

ATTENTION NORTH CAROLINA LANDOWNERS

Do you want your neighbors, gas companies and the State of North Carolina to tell you what to do with your property?

Do you want to be forced to sell your property rights when someone else wants you to, not when you choose?

Maybe you want to save it for your grandchildren, wait until the price goes up, for better protections, or maybe not at all.

North Carolina is deciding RIGHT NOW whether to allow Forced Pooling.

**Call Governor McCrory NOW and tell him that North Carolinians
don't want to be told what to do with their property!**

Call: (800) 662-7952,

Tweet: @PatMcCroryNC

Email: <http://www.governor.state.nc.us/contact/email-pat>



“[To be] Forced Pooled is the act of being forced by state law into participation in an oil and/or gas producing unit. Pooling is a technique used by oil and gas development companies to organize an oil or gas field.

When two or more separately owned tracts are embraced within a drilling unit, or when there are separately owned interests in all or a part of the drilling unit, then persons owning such interests may pool their interests for the development and operation of the drilling unit. It is sometimes the case that not all interests within a drilling unit are in agreement about development. In that case, a party interested in development can make an application to the concerned state authority for forced or involuntary pooling.”

Protect your property rights!

You have rights to your property,
to clean air, water and safe soil.

Learn how to protect your rights!

Organize your community
with help from BREDL!

Blue Ridge Environmental Defense League

Phone: 336-982-2691

Fax: 336-982-2954

email: bredl@skybest.com



www.bredl.org

A regional, community-based, non-profit
environmental organization.

Our founding principles are earth
stewardship, environmental democracy,
social justice, and community
empowerment.



BREDL.org
PO BOX 88
Glendale Springs, NC 28629
(336) 982-2691
bredl@skybest.com

Contact BREDL to
help organize your
community and for
workshops and
presentations,
including tips on
sustainable economic
development.

Non-profit Org.
U.S. POSTAGE PAID
Glendale Springs, NC 28629
PERMIT NO. 1



Like and share BREDL at www.facebook.com/BlueRidgeEnvironmentalDefenseLeague

BREDL is a regional, community-based non-profit environmental organization founded in 1984. BREDL encourages government agencies and citizens to take responsibility for conserving and protecting our natural resources. BREDL advocates grassroots involvement to empower whole communities in environmental issues.

Protecting children's health from environmental poisons, empowering whole communities to engage in crucial decision making, and changing the balance of power to prevent injustice are key components of our work.

Please pay your annual \$20 dues and donate online.

Check out our secure online donation forms at
www.bredl.org.

Send your tax deductible donation to:

- * BREDL, PO Box 88 Glendale Springs, NC 28629
- * or use your credit card at www.BREDL.org.

**Quarterly BREDL BOARD of Directors Meetings:
Saturday October 19, 2013, 11 am to 3 pm**

Updates on all the League's Virginia, North Carolina, South Carolina, Tennessee, Alabama, Georgia and Maryland issues including: nuclear power, uranium mining, hydrofracking, dry-cleaning solvent contamination, waste incinerators, sewage sludge, wind energy, landfills, CAFOs, pesticides, air toxics, highways, plutonium fuel, weapons site clean-up, brownfields, asphalt plants, wastewater...etc. All Chapter representatives are invited to update Board members on their activities during the last three months.

LIGHT LUNCH available during BREDL Board Meeting.
LOCATION

Kathleen Clay Edwards Branch Library
1420 Price Park Rd, Greensboro, NC 27410
(336) 373-2923

in 98-acre Price Park including bird & butterfly meadow, reading garden, walking trails, ponds and wetlands.

DIRECTIONS to Kathleen Clay Edwards Library:

From I-40, take exit 213 Guilford College Rd. Turn right off exit. Follow Guilford College Rd across Friendly Ave. Turn right onto New Garden Rd., right onto Hobbs, and right onto Price Park. ■