

Palisades Views



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November 2008

Mr. Bensman goes to Washington

Jim Bensman found himself in the U.S. Supreme Court last month as a “declarant” in a case originally filed by the Sierra Club and other environmental groups against the U.S. Forest Service.

He even wore a suit and tie.

However, the marshal told him to remove his “Obama for President” button before entering the courtroom.

“I asked the marshal, ‘What about the First Amendment?’” said Bensman, a long-time member of the Piasa Palisades Group. “And he wouldn’t answer me.”



Piasa Palisades Group member Jim Bensman poses outside the U.S. Supreme Court with environmental attorney Matt Kenna.

Bensman then did something completely out of character. He accepted the marshal’s authority without argument, figuring it was not the time or place to push the issue.

In 2003, the environmental groups sued the U.S. Forest Service in U.S. District Court, Eastern California. They argued that Bush Administration regulations allowing many timber sales, oil and gas development and off-road motorized vehicle use without public notice, comment or appeal were illegal.

The environmental groups won the lawsuit, and the court issued an injunction to stop the regulations from being used nationwide. The U.S. Court of Appeals for the Ninth Circuit upheld the decision.

The U.S. Supreme Court agreed to review the case, known as Priscilla Summers vs. Earth Island Institute. Oral arguments took place Oct. 8.

“The Forest Service position was that even if the regulations (as applied to a specific project) were illegal, we couldn’t stop them from being used across the country,” Bensman said. “We’d have to file a lawsuit in every national forest.”

Matt Kenna, a Colorado-based attorney with the non-profit Western Environmental Law Center,

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Group to hear wetland talk

The Piasa Palisades Group will take up the important and interesting issue of wetlands restoration at its November meeting.

The guest speaker is Gary Sullivan of The Wet-



lands Initiative, a Chicago-based, non-profit corporation that works to restore wetlands in the Midwest to improve water quality, reduce flood damage and increase wildlife habitat and biodiversity.

“Polluted waters, rampant flooding and lost wildlife habitat are more than just ‘environmental’ problems,” according to corporation materials. “They are issues central to the quality of life for all human beings and their wildlife neighbors.”

Wetlands have been steadily and deliberately destroyed across the upper Mississippi River basin in the past 200 years. Settlers, farmers, industrialists and urban residents have drained wet, soggy low places, backwater lakes and

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Serving the Southwestern Illinois counties of
Bond, Calhoun, Fayette, Greene, Jersey, Macoupin, Madison and Montgomery.

BLACK FRIDAY IS NOW GREEN FRIDAY!



Mark your calendar for the sixth-annual **GREEN GIFT BAZAAR** sponsored by the Piasa Palisades Group.

Local artisans and other vendors will sell eco-friendly gifts and services.

WHEN: 7 a.m. to 6 p.m. Friday, Nov. 28 (the day after Thanksgiving) & 10 a.m. to 2 p.m. Saturday, Nov. 29.

WHERE: Alton Square mall in an upper-level store at the top of the escalators, next to Vitamin World.

OTHER ACTIVITIES: Live holiday music, nature crafts for kids and a free "goodie bag" that includes a Sierra Club reusable shopping bag or nature journal for the first 200 Mall shoppers on Friday.

INFORMATION: Call the Sierra Club office in Alton at (618) 462-6802.

CHAIR'S CORNER

Weekend retreat was a success

By **Wayne Politsch**
Group chair

Over the last weekend of October, about 45 members and friends of the Sierra Club gathered at Pere Marquette State Park to renew their green spirit.

Camp Ouatoga is a great setting to celebrate the seasonal transition to the crisp temperatures and colored leaves of late fall.

Groups went canoeing and hiking and took advantage of a nighttime owl program offered by the park staff. On Saturday night, everyone shared a delicious meal and exchanged stories around a communal campfire.

The annual Weekend in the Woods retreat draws together like-minded people who enjoy nature and care deeply about environmental justice.

Many conversations focused on the uphill climb to get public opinion and policy back on a sane and sustainable track – and the hope that the U.S. presidential election would point the nation in a “moral

direction” and help us leave a decent planet for the next generation.

Everyone pitched in on many tasks, but special thanks go out to several individuals: Teri Maddox for planning and compiling registration forms; Sandy Wood for overseeing food preparation and purchase; Jennifer Politsch, Kathy Smith, Sharon Freeman and Carole Massalone for investing extra time and energy in the kitchen; chef Doug Freeman for demonstrating his talents on the sizzling grill; and Bob Freeman for sharing his expertise after many years of organizing the event with his late wife, Louise.

The weather cooperated for several outings. Thanks to Richard Keating for leading a hike to the “lost” cabin and barn and giving important historical background on the structures; and for teaching students in a nature-photography workshop. Rick Schuh coordinated the afternoon canoe trip. Thanks Rick.

Editor's note: Wayne Politsch also was an important part of the planning process.

Candidates being sought for ExCom

The Piasa Palisades Group is seeking candidates to run for election to its 2009-2010 Executive Committee.

The committee meets once a month to shape policy, goals and activities of the local Sierra Club group. Positions include fundraising, conservation, membership, budgeting and program development. The ExCom also oversees action on other issues and needs as they arise.

Four candidates will be elected to two-year terms in January. Any

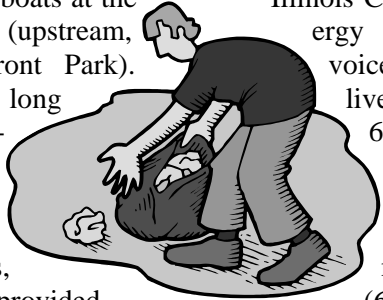
group member interesting in serving is encouraged to contact Nominating Committee member Sandy Wood at (618) 463-0358.

This is a great opportunity for Sierrans to make a valuable contribution to the success of the organization.

Don't forget to vote Nov. 4!

CALENDAR

Saturday, Nov. 8 Mississippi River clean-up (rescheduled because of high water Sept. 20). Two-hour shifts from 9 to 11 a.m. or 10 a.m. to noon, clearing trash and other debris from river banks. Board boats at the Alton Marina dock (upstream, closest to Riverfront Park). Wear sunscreen, long pants and close-toed shoes that you don't mind getting wet or muddy. T-shirts, gloves and bags provided. For more information, call Christine Favilla at (618) 462-6802.



Saturday, Nov. 8 Guided hike along the newly established Orchard Trail at Olin Nature Preserve in Godfrey. Sponsored by The Nature Institute. Continental breakfast at 8:30 a.m. followed by hike from 9 a.m. to noon on moderate to difficult terrain. The cost is \$3 per person. Meet at Talahi Lodge (see directions under moonlight hike). Wear suitable clothing for weather and walking. In case of inclement weather, call (618) 466-9930 by 3 p.m. Friday.

Monday, Nov. 10 Monthly meeting of the Piasa Palisades Group. The guest speaker is Gary Sullivan of The Wetlands Initiative (see related article). Meet at 7:30 p.m. in the community room of First Unitarian Church, Third and Alby streets in Alton. For more information, call Christine Favilla at (618) 462-6802.

Thursday, Nov. 13 Panel discussion on Green News Coverage, sponsored by the St. Louis Chapter, Society of Professional Journalists. Six panelists include Penni Livingston of Livingston Law Firm, an environ-

mental lawyer who formerly worked for the Illinois Environmental Protection Agency and now is suing Exxon Mobile Corp.; and Tom Wolf, executive director of the Illinois Chamber of Commerce Energy Council, a pro-business voice. Organizers expect a lively discussion. Hours are 6:30 to 9:30 p.m. in the Ridgeway Center of Missouri Botanical Garden in St. Louis. For more information, call Jill Moon at (618) 463-2552.

Thursday, Nov. 13 Monthly moonlight hike at The Nature Institute in Godfrey, sponsored by the Piasa Palisades Group. Explore Mississippi Sanctuary and Olin Nature Preserve. Meet at 7 p.m. at Talahi Lodge, 2213 S. Levis Lane. From Homer Adams Parkway in Alton (Illinois 3), turn right on West Delmar in Godfrey (also Illinois 3), left on Levis Lane and left on South Levis. Bring a friend! For more information, call Sandy Wood at (618) 463-0358.

Friday, Nov. 14 Wetlands workshop, sponsored by University of Illinois Extension. Learn how to improve waterfowl habitat on your farm or other property. Speakers will discuss construction, maintenance, funding and benefits of wetlands. Meet from 9:30 a.m. to 2 p.m. at McCully Heritage Project in Kampsville. An outdoor walking tour will follow indoor sessions. Optional drive to Two Rivers National Wildlife Refuge to see wetland-management practices. The registration deadline is Nov. 6. For more information, visit the Web site at www.mccullyheritage.org.

Saturday, Nov. 15 Illinois Big Tree Register workshop at The Nature Institute in Godfrey. Volunteers will learn how to measure trees under state guidelines and record global-positioning-system coordinates before hiking into Olin Nature Preserve for hand's-on experience. Hours are 9 a.m. to noon. Meet at Talahi Lodge (see directions under moonlight hike). The \$5 cost includes a tree-identification book. Registration required. For more information, call Patti Brown at (618) 466-9930.

Monday, Nov. 17 Executive Committee meeting of the Piasa Palisades Group. All members are welcome to attend! Meet at 7 p.m. at the Sierra Club office, 223 Market St. in Alton.

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Palisades Views

is a monthly publication for and about Sierra Club members.

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**DEADLINE FOR DECEMBER:
SATURDAY, NOV. 22**



CALENDAR

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Friday and Saturday Nov. 28-29

Sixth-annual Green Gift Bazaar.

Artisans and other local vendors will sell eco-friendly gifts at Alton Square mall from an upper-level store at the top of the escalators, next to Vitamin World (see related advertisement). Sponsored by the Piasa Palisades Group. Live music. Kids can make a free holiday nature craft. Hours are 7 a.m. to 6 p.m. Friday and 10 a.m. to 2 p.m. Saturday. The first 200 customers on Friday will receive a "goodie bag" that includes a Sierra Club reusable shopping bag or nature journal. For more information, call the Alton office at (618) 462-6802.

Tuesday, Dec. 2 Illinois Environmental Protection Agency hearing.

BENSMAN

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represented the environmental groups.

Bensman submitted a declaration explaining how he, as a citizen who recreates in national forests, could be injured or otherwise affected by U.S. Forest Service regulations in more than one jurisdiction.

Nearly 55 of the 60 minutes of oral arguments related to this issue; i.e., whether he had standing to "facially" challenge government regulations.

"Scalia and Roberts were the ones who didn't seem to like us," Bensman said, referring to Justices Anthony Scalia and John G. Roberts. "Judge (Ruth Bader) Ginsburg asked a lot of good questions."

Justice Clarence Thomas reinforced his reputation for dozing off during oral arguments.

Officials will listen to public comments and answer questions before making final decisions on whether to issue Title V operating permits to U.S. Steel in Granite City and support facilities such as Beelman Trucking and Stein Mill Services. U.S. Steel is in large part responsible for the area's lack of compliance with federal air-quality standards for fine particles, which can cause lung and heart disease, asthma and premature death. Several support facilities have a history of permit violations. The hearing begins at 7 p.m. at Knights of Columbus Hall, 4225 Old Alton Road in Granite City. The deadline for comments is Jan. 2. If you need help, call the Sierra Club office at (618) 462-6802.

Beyond the case, Bensman was amazed at the small size of the U.S. Supreme Court courtroom. People sat in aisles and squeezed into corners.

The justices are expected to render a decision in Pricilla Summers vs. Earth Island Institute sometime next year.

"If we lose, it's going to be much more difficult to challenge the government," Bensman said. "But the silver lining is, if there's an Obama Administration, the anti-environmental people would have a hard time challenging Obama's undoing of what the Bush Administration has done."

If you would like to read a transcript of oral arguments in the case, visit the Web site at http://www.supremecourtus.gov/oral_transcripts/07-463.pdf.

WETLANDS

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floodplains.

In Illinois alone, more than 4 million acres (nearly 90 percent of wetlands) have been lost. Rivers and streams can no longer absorb floodwaters, naturally purge pollutants and sediments or offer adequate habitat for fish, waterfowl and animals.

Thirty years after implementation of the federal Clean Water Act, 40 percent of the nation's waterways still fail to meet government standards, according to the U.S. Environmental Protection Agency.

Fortunately, problems caused by disappearing wetlands can be reversed. A large-scale and strategically located restoration provides clean water and wildlife habitat in a local watershed while also benefiting distant receiving waters.

"For example, restored wetlands can effectively and efficiently remove nitrogen and phosphorus washed from Corn Belt agriculture fields that create the 8,000 square miles of 'dead zone' in the Gulf of Mexico," according to The Wetlands Initiative.

The Sierra Club meeting will be held at 7:30 p.m. Monday, Nov. 10, in the community room at First Unitarian Church, Third and Alby streets in Alton. The public is invited. Sullivan will answer questions after his presentation. For more information, call (618) 462-6802.



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