

# Delta E Zine

Delta Chapter of the Sierra Club protecting people and the environment in Louisiana for 40 years

April 2013



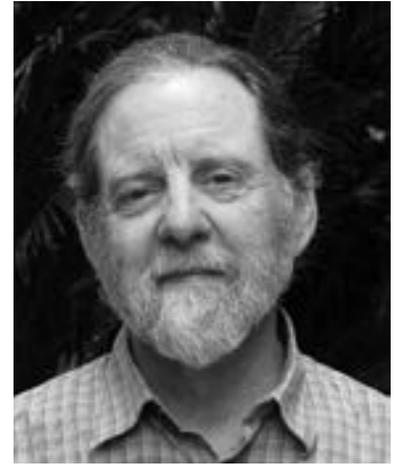
## View From the Chair

Organizations sympathetic to the fossil fuel industry, particularly the American Legislative Exchange Council (ALEC) have launched a nationwide campaign in state legislatures to reverse years of progress in establishing Renewable Portfolio Standards (RPS) in states. A great article from *Inside Climate News* provides an overview of the attack and a tally of states where RPS are threatened.

ALEC has said they are opposed to RPS because they don't think government should pick winners and losers. This is a line which makes no sense when you consider the huge tax breaks and incentives already enjoyed by the highly profitable fossil fuel industry.

Louisiana currently has a Renewable Energy Pilot Program that is showing some success in encouraging investment in small scale renewable options. We will have to wait until we get more experience with it in Louisiana and clean energy advocates will have to watch for attempts to kill our own program in its infancy.

Currently there are ALEC backed legislative efforts in twelve states to weaken or reduce RPS. But on a positive note one such effort was



recently defeated in Kansas, one of the most conservative states and home of the Koch brothers. And almost the same number of states have pro RPS bills. There seems to be a positive trend among states. States are winning against the corporate attempts to kill RPS and some are strengthening renewable energy initiatives.

Louisiana has a way to go on the road to clean energy. Our Renewable Energy Pilot Program has to prove itself and the Louisiana Public Service Commission recently reversed itself to vacate the state's new energy efficiency rules. But if clean energy can win a battle in Kansas we can win some here too in Louisiana.

Haywood Martin  
Chair, Delta Chapter  
Lafayette, LA

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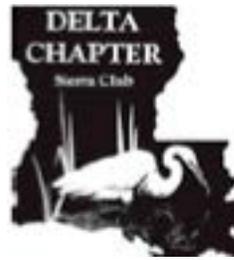
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The Delta Chapter is about 3,000 of your neighbors supporting the work of the Sierra Club in Louisiana. We advance the cause of protecting Louisiana's environment in a variety of ways, including lobbying the state legislature in Baton Rouge to create clean jobs, develop renewable resources like wind and solar and most important to protect our natural heritage for our families and future generations. We work to save the Cypress, keep the Atchafalaya Wet and Wild and promote restoring our wetlands, the natural coastal barriers. We also go outside and enjoy our beautiful planet with canoe trips, hikes and camp outs. The National Sierra Club's members and supporters are more than 1.3 million of your friends and neighbors.

Like us on Facebook. Chapter and group information on [www.lasierraclub.org](http://www.lasierraclub.org)

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## Earl's Pearls

# GUNS ALONG THE BAYOU

*“When guns are outlawed, only outlaws will have guns.”–*

*National Rifle Association*

The social and political climate of the country concerning firearms was white hot when the Executive Committee of the Delta Chapter, our leaders, representatives, honchos of the Sierra Club, met on April 1, 2013. The topic of guns was not on the agenda, but the fevered politics and rhetoric by both the supporters of gun rights and those opposed to guns of any kind influenced the committee members to open a discussion of what the Delta Chapter should say about guns.

In recent years the Sierra Club has made a deliberate outreach to those who are not part of the club's traditional constituency, including outdoorsmen and hunters. Why not an outreach to gun owners too?

A reporter from the Delta Sierran was in the meeting room, took careful notes, and made a recording with a hidden microphone. Here are some of the remarks of that meeting, with the speakers not identified to protect them from embarrassment, threats, and rotten eggs:

“Guns should be outlawed, and the hell with the NRA. One of our greatest presidents, Richard. M. Nixon, wanted a ban on all handguns.”

“Nixon?! I have trouble believing that.”

“Tricky Dick was a Quaker, don't you remember? They're against violence”

“Guns are the essence of America, guaranteed by the Second Amendment.”

[T]he right of the people to keep and bear arms, shall not be infringed.

– U.S. Constitution, Amendment 2.

“Hey, listen; there are some pretty nutty people in the Sierra Club. I think we should install screening devices to make sure nobody comes to a Sierra Club meeting or outing with a gun and starts shooting.”

“Who ever heard of somebody bringing a gun to a Sierra Club meeting?”

“That's the point. The first time will be the last time.”

“I hear the TSA is easing off on bringing pocket knives onto airplanes. This is so they can give more attention to people, not objects. Maybe we should screen the people and not worry about the guns and knives. Background checks for anybody who wants to come to a Sierra Club meeting.”

“If we do psychological profiles on Sierra Club members and disqualify those who don't look right, the club will disintegrate for lack of members.”

“No one should have to be examined by a psychiatrist to become a Sierra Club member.”

“I agree. Anybody who goes to see a psychiatrist in the first place ought to have his head examined. They don't know anything.”

When psychiatrists are outlawed, only outlaws will be psychiatrists.

“I have a better idea. Instead of all this security stuff with screenings and background checks and the like, maybe we should require that anyone attending a Sierra Club function be armed with a handgun; everybody carries.”

“Right. If somebody pulls a gun at a Sierra gathering, everybody there can pull out their piece and waste the gunman.”

“Uhh, what about all those bullets flying around? Won't some innocent people get shot?”

“That's a small price to pay as long as the shooter is down. It's a small price for the God-given right to have a gun with you at all times.”

“If Congresswoman Giffords had been armed when she was making that speech, she would still be walking and talking normally and the shooter would have been on the ground.”

God, guts, and guns; they set America free.

Exercise your right to have all three.

“We also should use the Second Amendment to protect the Louisiana black bear, threatened, endangered. The defenseless animals get shot by rogue hunters, run into by vehicles. Their lives are in peril. I move that the Delta Chapter provide the black bears with guns. After all, we have the right to arm bears, don't we?”

When bears are outlawed, only bears will be outlaws.

“We should also urge members to attend Sierra Club functions in sleeveless shirts and 'wife-beaters,' to show them that we cherish their right to bare arms.”

Happiness is a warm gun. – The Beatles

Earl Higgins



## Delta Chapter Goes to Washington

Delta Chapter showed up for the big Forward on Climate Rally at the Washington Monument on Feb 27. We were there with 40,000 other folks in a cold wind to say that we want Action on Climate. We had a great group of students from the Tulane University Green Club who carried signs showing the underwater future of south Louisiana if current trends continue.

Thanks to Nick Stracco for organizing the student expedition and thanks to Chapter members Diane Casteel, Jason Faulk, Martial Broussard, Woody Martin, Cherri Foytlin and any others from Louisiana who made the trip to make the point. This fight will continue no matter what happens with the decision on Keystone XL.

# Reflections on the Keystone Rally

The streets were jam packed in front of the White House on February 17th. Over 40,000 people had turned out to decry the Keystone XL pipeline and were screaming chants like "Michelle Obama tell your man, stop that dirty pipeline plan!" I've never felt so galvanized about climate change. I knew our movement has gained momentum lately, but this is huge.

I drove up to the capital with a group of 20 from New Orleans. Miraculously I found this many people despite the trip requiring more time in the car than in DC, but we all recognized the importance of this rally. We've heard enough talk about climate change from our government. It's about time we see some follow-through on these promises.

Once at the rally fellow Louisianans found us from the large sign I was holding that illustrated what Louisiana has to lose from just 1 meter of sea level rise, which is below the optimistic projections for us at this point. One woman took a photo of the sign and told us I was her 32nd state she had photographed at the rally. Another woman from Hawaii, upon seeing my map, realized she should have brought her state's projections too. Another memorable sign read "There is no planet B."

A friend who had driven up with us started a chant in front of the White House, "This change we create, our wetlands are at stake!" I proudly waved my sign to the crowd while belting the words.



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"Louisiana is losing around 25 square miles per year already. Climate change will only make matters worse".

But looking on the negative side won't get us anywhere. We must focus on our victories and move forward. Forward On Climate was one of these victories, regardless of Obama's decision. It was the largest climate rally in the history of the United States of America, and that is worth celebrating. We have the groundswell support. The time has come. Now we just need the political will.

Nick "Taco" Stracco  
Sierra Club New Orleans Group Member  
President, Tulane Green Club  
Executive Director, Divest Tulane

# Conservation Chair's Corner

*Address given at the Capital Area Ground Water Conservation Commission at their meeting at the office of the U.S. Geologic Survey in Baton Rouge on March 20, 2013.*

In 1974 the Louisiana Legislature passed Act 678 which became state law RS 38:3071, which created the Capital Area Groundwater Conservation District.

The Legislative Act 678 of 1974 states that the purpose of the act is to establish:

“ A. The orderly utilization of groundwater resources is hereby found and declared to be a matter of public interest.

B. It is the purpose of this part to provide for the efficient administration, conservation, orderly development and supplementation of groundwater resources by the establishment of a groundwater conservation district composed of the parishes of East Baton Rouge, East Feliciana, Pointe Coupee, West Baton Rouge and West Feliciana”.

The Commission members were given the very serious responsibility to protect, and restore the ground water resources of the Capital Area.

In 1973 and 1974 the Louisiana Constitutional Convention met and worked very hard to develop a new state constitution, which the voters passed in November of 1974.

Article IX of the Louisiana Constitution which is titled Natural Resources covers many natural resources including air, water, oil, natural gas, and forest. The first

section clearly lays out and expands on the responsibilities of all public officials who must deal with the importance of water resources

Section 1. The natural resources of the state, including air and water, and the healthful, scenic, historic, and esthetic quality of the environment shall be protected, conserved, and replenished insofar as possible and consistent with the health, safety, and welfare of the people. The legislature shall enact laws to implement this policy.

Besides reading and understanding the statute which created the Capital Area Groundwater District and the State Constitutional Article 9, Section 1 there are some very important court rulings, like the La. Supreme Court decision in the case Save Ourselves versus the Louisiana Environmental Control Commission, SOS v ECC for short, and the citation is 452 So.2d 1152. The 9-0 court decision was in May of 1984, ten years after the adoption of the 1974 Constitution and the 1974 creation of the Ground Water Conservation District.

In the 1984 court decision the Supreme Court gave us an interpretation of what Article 9, Section 1 of the 1974 Constitution means. According to the Judges the Article requires all public officials to insure that in their deliberations and decisions that they are representing the public interest. All public officials must make sure that when they are making a decision which may adversely impact human health or the

environment that the applicant has considered alternative sites, alternative projects and alternative processes and that the ones selected are the most protective of human health and the environment.

The court also ruled that officials cannot play like an umpire calling balls and strikes but must go out and actively determine what is being proposed and that the decision selected is the most effective in the protection of human health and the environment of all decisions considered.

There have been more than 100 court decisions since 1984, which have involved or cited the SOS v ECC decision, and these decisions were in every judicial district in Louisiana, and all of the decisions have confirmed and strengthened the SOS v ECC decision.

In their position on the Capital area Groundwater Conservation Commission, as Commission members they are "public Officials" and must represent the interest of the people of the state rather than whatever industry and corporation they may happen to work for. In their Commission positions they must leave their corporate interest outside of those meetings and deliberations. If they cannot do these things then I believe they must resign from the Commission.

William A. Fontenot  
Conservation Chair,  
Delta Chapter of the Sierra Club  
Baton Rouge

# Disappointing News on the Energy Front

## Louisiana Goes for Last Place Again

On Feb 27 the Louisiana Public Service Commission vacated the state's energy efficiency rule that had been adopted at their December meeting. The rule had been carefully crafted over a three year period in which testimony was taken from stakeholders and interested parties. The Louisiana rule had been modeled after the Arkansas rule which was widely considered to be a reasonable solution. There are 46 other states that have energy efficiency rules that require power companies to establish incentives for residential and commercial energy conservation. Louisiana was late to the game but now is not in the game at all.

The Feb 27 meeting was an example of Louisiana politics at its worst. The energy efficiency rules had been passed by the commission back in December. Now with one new member (Angelle), Commissioner Skrmetta, the new LPSC chair put reconsideration of the rules on the agenda late on Friday before the Tuesday meeting.

When the item came up last on the morning agenda new Commissioner Scott Angelle complained about cost to small businesses and stated some numbers not even relevant to small businesses. All of us who were there to testify were denied the opportunity to say anything or to question Angelle's assertions. Commissioners Foster Campbell and Lambert Boissiere spoke in fa-



vor of the energy efficiency rules and objected to the reconsideration. Without hearing any testimony from the public, Chairman Skrmetta called for a vote which went 3-2 with Skrmetta, Hollaway and Angelle voting to vacate the previous approval of the rules. This reversal has violated any sense of due process and has netted another big negative for the image of Louisiana. See this article in *Forbes*.

The saying is you get the government you deserve. Hard to believe we deserve this.

We thank our friends at Alliance for Affordable Energy and Jordan Macha, Sierra Club Beyond Coal Organizer, for their leadership on this issue. This is not over. We will let you know when your involvement can help the cause. In order to keep up with events and issues you can go to the *Delta Chapter facebook*.



## SUPPORT YOUR LOCAL SIERRA CLUB

Your financial contribution means a lot to us. By supporting our Chapter, you support Sierra Club's work in your own backyard. This makes you an essential part of our work to protect wilderness and wildlife, to improve the quality of life in our cities, and to promote the enjoyment of nature. **Thank you.**



Explore, enjoy and protect the planet

<http://www.lasierraclub.org>

# Delta Chapter's Scenic Rivers Project is on a Roll

The Sierra Club campaign to elevate the visibility and effectiveness of the Louisiana Scenic Rivers Program is on a roll. On Feb 23 we organized and presented a Scenic Rivers Panel at the Tulane Environmental Summit. A room full of people learned about the legal basis, the history and the practical effect of the Louisiana Scenic Rivers Act. The panel was organized by our Scenic Rivers campaign leader Hugh Penn. Second, the Delta Chapter has several wins to report. In the time we have been working on this, the Secretary of DWF has agreed to write new Management Plans for the Scenic Bayou Liberty, the Scenic Bayou Manchac and the Scenic West Pearl. These three new plans will serve as templates for other new plans state wide and will result in better protection of existing water quality, wilderness qualities and scenic values.

We are working with the Louisiana Department of Wildlife and Fisheries (LDWF) to improve their website for use by the public. We are working to persuade LDWF to post the eight hundred (800) existing Scenic Rivers Permits, all 63 Management Plans and new Applications for Scenic Rivers Permits online for public comment. In addition, we drafted and pushed for passage in the 2012 state legislature of HCR 49 which requires LDWF to study Bayou Teche for inclusion in the Scenic Rivers System. The public hearings are scheduled for March 22, 25 and 26. We are pushing for the LDWF study and public hearings to be complete in time such that a bill to include Bayou Teche in the Scenic Rivers System could be introduced in the 2013 legislative session. Stay tuned for further developments.



Photo from LDWF. <http://www.wlf.louisiana.gov/scenic-rivers>



# Delta Chapter Groups

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## Meeting Info

The Acadian Group meets the second and third Wednesday of the month at 6:30 pm. Location is the 1st United Methodist Church, 700 Lee St., Lafayette. Check out the Acadian group [web page](#) for meetings and fun outings.



Calloway and Fasic speak at BR meeting

The **Baton Rouge** Group meets on third Thursdays of the month at 7 p.m. At the Backpacker at 7656 Jefferson Hwy in Baton Rouge every other month. On alternate months, there's usually an outing. Call Nancy Grush at (225) 938-9353 for more info. (Interested in a paddle at Manchac Bayou in May?)

**New Orleans Group** meets monthly at the Audubon Zoo. Click on this [link](#) for more information or find them on [facebook](#).

Check out the event on April 18.  
 "The New Atlantis?  
 Climate Disruption and  
 New Orleans"  
 7:00pm to 8:30pm  
 Tulane Law Clinic Building, Rm 110

## Group News

### Appalachian Trail Program

If you like hiking and have ever thought of hiking the Appalachian Trail from beginning to end, you should've been at the Baton Rouge Group meeting on Thursday, March

14, when Lindsey Fasic and Colton Calloway described their six and a half month long trek along the 2,180 mile long trail with their dog, Chaser. Although technical problems prevented the slide show, both were fascinating as they described the high points, the low points, the harrowing 70 mile per hour winds on Franconia Ridge and the kindness of strangers. Although there was no slide show, be on

the look out for a documentary by them. Calloway filmed the whole trip and is down to about three hours of film that will require more shortening.

The couple set out on April 1 at the southern trailhead in Georgia. Calloway had tried to plan for everything (down to supplements that they vacuum sealed). Aside from countless hours researching everything there was to know about the trail and the best equipment for the money, he began six months of freeze-drying all their food, including meat from his hunting trips. They then calculated how much to send to each post office along the way so they could replenish their food supply. But he couldn't predict that one post office

## Appalachian Adventure Cont.

was in a town that was actually hours away from a similarly spelled town that was near the trail. Such a problem could have been a big one were it not for the generosity of a stranger who lived in towns along the way. This type of compassion and generosity were unforgettable, Calloway explained, adding that fellow hikers were just as kind.

By October 18, after replacing half of their equipment along the way; after getting their dog, Chaser, to a veterinarian following a tumble in the 100-mile Wilderness; after Lindsey had to have a toe lanced and several toe nails removed; they summated the northern terminus, Mount Katahdin, a 5,500-foot climb in Maine. By the time they reached the top, Calloway had ice in his beard. Despite such conditions, he knelt down on his knees to propose to Lindsey. The wedding is set for sometime in October of 2014.

For more information about their epic adventure, go to [the web page](#).

The next meeting of the Baton Rouge Group will be May 9, 7 p.m., at the Backpacker, 7656 Jefferson Hwy.

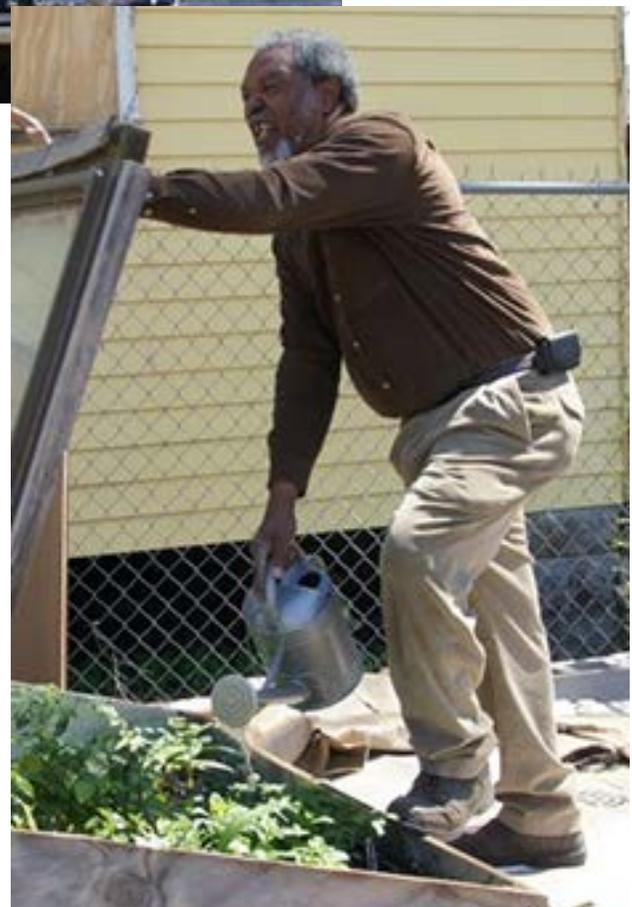
Nancy Grush  
Baton Rouge Group  
Baton Rouge



<http://www.lasierraclub.org>

## Historic Green in New Orleans

Photos from the Spring Greening 2013 sponsored by Historic Green. It is almost 8 years since Katrina and this event continues to attract 100+ College Students each year to do green projects in the Lower Ninth Ward during Spring Break. (Photos: Darryl Malek-Wiley, Sierra Club EJ Organizer).



# Chapter Retreat 2013



Delta Chapter Retreat, Lake Fausse Point State Park March 15-17

This year's Delta Chapter Retreat was held on March 15-17, 2013. This is an annual, recreational event we do for our members and their guests. After a great breakfast on Saturday we had a very informative educational program starting with Frogwatch USA with Stacey Scarce, Cypress forests in the Atchafalaya with Dean Wilson, the State of Honey Bees with Brock Barker, Knot tying, Map reading and a Sunset Boat Ride on Lake Deauterive with Harold Schoeffler. Spare time was dedicated to fishing, boating and visiting. We will be polling the membership in January about attending next year's event. All are welcome to submit ideas for things to do at future events. Just send me an email to me at [hmartin-2sc@gmail.com](mailto:hmartin-2sc@gmail.com).

Haywood Martin

# What you missed because you stayed home

## Schedule of Activities

Friday, March 15

6:00 pm Early arrivals and light dinner, optional potluck

7:00 Open social or night hike time

Saturday, March 16

8:00 am to 9:30 Pancake and eggs breakfast - Woody Martin - basics are provided, feel free to bring whatever that would add to a pancake breakfast

All day - paddle, hike or bike any time and/or attend any or all of the following:

9:30 Frogwatch USA presentation - Stacey Scarce

10:45 Cypress and Atchafalaya Basin issues - Dean Wilson

11:00 On your own at Lake Fausse Point State Park for paddling, hiking, biking etc.

12:00 Noon Lunch (coldcuts provided)

1:00 pm The State of Honey Bees - Brock Barker

2:15 Knott tying - Harold Schoeffler

3:30 Map and compass - Harold Schoeffler

6:00 Night cruise on Lake Deauterive - Harold Schoeffler

7:30 Catfish dinner - Harold Schoeffler, Woody Martin

Sunday, March 17

8:00 am to 9:30 Pancake breakfast

9:30 to 11:00 Cleanup and close out cabins. Bid adieu to new and old friends.

