

Dear PRN Supporter,

This unrelentingly hot summer has been a tumultuous ride for climate action. In June, the U.S. Supreme Court ruled that the U.S. EPA cannot force coal-fired power plants to transition to cleaner fuels unless Congress explicitly authorizes it.

This blow to addressing climate change comes as the globe is gripped by deadly, record-breaking heat waves and flooding!

The Court's decision put the responsibility for action back on the legislative branch, which for years has been dysfunctional and mired in gridlock. Finally, on August 12th, Congress passed legislation that will make historic investments in climate solutions. Relentless pressure on lawmakers from environmental advocates around the country, including PRN, made the Inflation Reduction Act possible, and it is worth celebrating. But it is just a first step, and a far cry from the full suite of transformative changes we need to protect our world from climate disaster. We need action at every level of government if we are to reach our climate goals.

Prairie Rivers Network and our supporters (that's YOU!) are making a difference for the climate. It's up to us to keep the momentum going in this, the fight of, and for, our lives.

Illinois must continue to lead on climate, just as we have been doing through the Climate and Equitable Jobs Act (CEJA), ensuring that electricity generated within the state comes from renewable, climate-friendly sources. Last year, we passed CEJA, a major victory for our state and the culmination of three years of grassroots community organizing and leadership by PRN and our partners at the Illinois Clean Jobs Coalition. Hundreds of you contacted your legislators telling them you support CEJA because it puts Illinois on a path to a 100% clean energy future and provides for a just transition for fossil fuel communities.

With Congress' future uncertain, and courts that have hobbled federal agencies, it is groups like PRN that ensure our air, water, and land is safe.

We need your support to protect our planet, because if we don't, who will?

Thanks to our members, people like you, Illinois has a fighting chance. Your financial support and PRN membership helps protect our environment on so many fronts:

- You are protecting clean water flowing through our rivers by forcing the coal industry to clean up their dirty legacy of leaching toxins into our waterways and groundwater.
- You are healing our land by helping farmers use better farming practices that capture carbon and reduce runoff of pesticides and fertilizers from farm fields into our streams.
- You are restoring our rivers' natural flow and their floodplains to provide wildlife habitat and protect communities from flooding.

Please make a donation right now because our environment needs your support!

Together, we can make a difference in these extraordinary and overwhelming times. But we can only do that with you by our side. Please give generously today!

Sincerely,

The Staff of Prairie Rivers Network

Kim Erndt-Pitcher Catie Gregg Ryan Grosso Robert Hirschfeld
Jeff Kohmstedt Vickie Nudelman Amanda Pankau Andrew Rehn Sarah Scott



YOU STOPPED BULLDOG MINE!

By Andrew Rehn

Victory at last! In a huge win for community organizing and the environment, the long-proposed Bulldog mine in Vermilion County is dead. And what a battle it has been! The fight against Sunrise Coal began over a decade ago when the company began swallowing up coal leases under farmland between the towns of Homer, Allerton, and Sidell. On May 16, 2022, the permit expired due to lack of use, effectively killing the proposed mine.

This victory is a testament to the hard work and collaboration of PRN and Stand Up To Coal (SUTC) and other groups like Eco-Justice Collaborative, Heart of Illinois Sierra Club, and Citizens Against Longwall Mining. The grassroots effort came together in 2010 as word spread of the proposed mine. PRN members, local farmers, landowners, and community members, including former PRN board member Charles Goodall, banded together with the support of PRN staff to stand up for the drinking water, farmland, and clean air in surrounding communities.

“This important victory is an amazing example of the power of people working together,” former PRN Water Resources Specialist Traci Barkley said of efforts to stop the mine. Barkley worked on the issue from 2010 to 2015. “PRN and SUTC really activated a diverse group of people to do the difficult, strategic, and sustained work to defeat outside corporate extractors.”

Fighting this mine required a multi-pronged strategy and years of community involvement. In 2011, SUTC and PRN held multiple public education meetings, spreading the word and building a case against the mine. In 2014, the Illinois Department of Natural Resources (IDNR) held a public hearing that was packed with community members challenging the mining permit. Then in 2015, the Illinois Environmental Protection Agency heard from over 70 concerned community members about the proposed mine’s water discharge permit.

Despite years of fighting and public outcry, and a nearly three-year delay by

Sunrise Coal in addressing 60 permit deficiencies, IDNR issued the mining permit in 2019.

“The fight to stop Bulldog mine didn’t end with the permit issuance,” says PRN Senior Water Resources Engineer Andrew Rehn. “Instead, SUTC challenged the permit through an Administrative Review, a complicated legal process that reviewed the permit to ensure that it met the letter of the law. Even though the permit was still ‘under review,’ it was considered final, meaning that Sunrise could break ground at any time.”

When the permit was issued on April 5, 2019, a three-year clock started ticking. If Sunrise Coal didn’t break ground within that period, the permit would expire. Fast forward to April 2022, IDNR found no mining activity at the site and terminated the permit.

Stopping the Bulldog mine was a long, hard fight, but this grassroots victory shows what’s possible when a community stands up to major fossil fuel interests. No single action turned the tide, but the tenacity of Stand Up to Coal and its members, and PRN and our members working together achieved this major win for clean water! //

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STAFF MESSAGE

In May, we said farewell to our Executive Director, Elliot Brinkman, when he announced that he would be leaving PRN to support and spend time with his family. Understandably, the staff and board of directors were saddened at losing an incredible leader who has dedicated over a decade to our organization, from his time as a Water Resources Specialist to when he became Executive Director three years ago. Elliot's cool-headed leadership helped PRN navigate the challenges of the COVID-19 pandemic while leaving PRN on firm financial footing. The staff and board thank Elliot for his years of service to PRN and wish him all the best in his future endeavors!

Elliot has left the organization in good hands. An interim management team consisting of board and staff is ensuring that the day-to-day operations and important work of PRN continue seamlessly. Our search committee is seeking a leader with a wealth of experience and talent who can mentor, lead, and empower our qualified and committed staff while bringing passion and excitement to the mission of creating social change that improves lives, communities, and landscapes.

We thank all of you for your continued support and will keep you updated through our communication channels — e-mail, website, and social media! Not getting our emails? Be sure to sign up at prairierivers.org/riverweb so you don't miss a thing. //



WHY WE GIVE

We support PRN because the protection and restoration of our local environment offers the immediate reward of living in flourishing natural and human communities as well as the knowledge that the downstream benefits are contributing to global health. Since the 1980s, we've enjoyed bicycling to Allerton Park, the Middle Fork, and the many other green spaces, rivers, and forests in our area. Sometimes we ride 25 miles of farmland one way just to enjoy a few miles of winding road along a creek.

We want to give back to those organizations that let us enjoy the endless horizons, prairie flora, and tree-lined waterways. We choose to give to PRN monthly because supporting an organization with such reach is vital to protecting our surprisingly biodiverse environment and the places we love to ride to!

Audrey Ishii and Charlie Smyth

OUR MISSION: Protect Water. Heal Land. Inspire Change.

Using the creative power of science, law, and collective action, we protect and restore our rivers, return healthy soils and diverse wildlife to our lands, and transform how we care for the earth and for each other.

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PROTECT WATER.

RESTORATION ON A GRAND SCALE

For years, PRN has been a partner in efforts to restore the Mississippi River. That work has borne victories and disappointments, but we are truly excited for the opportunity in front of us now.

By Ryan Grosso

People across the Mississippi River basin and the country are working to pass the Mississippi River Restoration and Resilience Initiative (MRRRI) Act, a bill that would establish a basin-wide federal program to direct conservation funds where they are needed most.

We recognize that this is a critical moment, and Illinois must play a role in restoring one of the most important river systems in the world. We also must acknowledge the magnitude of the issues facing the Mississippi and the communities that call it home.

The Issues

With climate change and its consequences already on our doorstep, the Mississippi River is in dire need of a focused, comprehensive approach to its restoration. This year, our partners at American Rivers listed the entire Mississippi as one of the country’s Most Endangered Rivers due to pollution and the alarming rate of habitat loss.

Because of what humans do on the landscape, massive amounts of pollutants flow from farmlands into the Mississippi River, inundating the system with nitrogen and phosphorus and harming its many tributaries from Minnesota all the way to the dead zone in the Gulf of Mexico.

In many areas, the river is disconnected from its natural floodplain. Not only is this disastrous for wildlife, communities see higher floodwaters and longer flood events because of how the river is managed and treated as a superhighway for barges and a pipeline for commerce.

The Solutions

The issues are daunting, but part of the solution is currently in our hands. The MRRRI Act would create a geographic program within the Environmental Protection Agency (EPA), an office with the ability to distribute funds for restoration projects along the Mississippi River and in the basin. Plenty of folks would be eligible for funds, from state, regional, and local governments to non-profit organizations.

Once Congress passes MRRRI and the President signs it into law, the EPA will begin a two-year process to outline priority

projects with stakeholder engagement at the forefront. These projects will address one or more major focus areas: Clean Water, Habitat Restoration, Natural Infrastructure, and Aquatic Invasive Species.

What Can We Expect to See in Each Focus Area?

Clean Water: Projects (e.g. cover crops and voluntary conservation easements) that promote soil health and keep agricultural inputs on the landscape instead of entering our streams and rivers. Efforts to reduce pollution from urban stormwater systems.

Habitat Restoration: Projects that restore and reconnect the Mississippi River with its floodplain, helping support more than 780 species of fish and wildlife.

Natural Infrastructure: Projects that modify or remove levees to make the river less constricted and less volatile. Efforts to reduce flood risk for communities by utilizing the river’s natural ability to handle more water.

Aquatic Invasive Species: Research into effective ways to manage and deter harmful non-native species like invasive carp and zebra mussels. Projects that also reintroduce native aquatic species.

MRRRI also contains important provisions that direct funds to communities of color and low-income communities in an attempt to address years of systemic inequities.

Next Steps

We will continue to update you on MRRRI’s progress, but until then, take action! Turn to page 7 of this newsletter to learn about what you can do to get MRRRI passed! //



HEAL LAND.

A LIFELINE FOR ABANDONED MINE LANDS

The bipartisan Infrastructure Investment and Jobs Act is being called a “once-in-a-generation investment.” For the nation’s legacy of abandoned coal mine lands and the communities and lands they impact, the Act means even more.

By Amanda Pankau

The bipartisan Infrastructure Investment and Jobs Act included a “win” that PRN had been advocating for — it reauthorized the expired funding mechanism (a per ton fee on mined coal) for the Abandoned Mine Land (AML) Reclamation Program trust fund. And it will also inject an additional \$11.3 billion into the program over the next 15 years. This effort will put people to work restoring polluted lands and waters, and it will help build a new economic foundation in Illinois’ coal communities.

History of Abandoned Mine Lands

Nearly two centuries of coal mining occurred in Illinois before the passage of any laws to regulate the operation or clean-up of the industry. By the late 1970s, over 200,000 acres of Illinois land had been affected by surface and underground mining. Nationwide that number was over a million acres. In response to extensive environmental problems, as well as growing health and safety concerns, Congress passed the Surface Mining Control and Reclamation Act of 1977 (SMCRA).

SMCRA created two programs. One regulated the operation and reclamation of new and active coal mines. The other dealt with lands that were mined and abandoned prior to the passage of the law. These unreclaimed lands that were mined prior to 1977 are defined legally as “abandoned mine lands,” and they are often also called “pre-law” mined lands or AML lands. In addition to legacy damage to land, these sites include impacts to water, air, and public safety.

The AML program under SMCRA established a fee on coal production to fund the clean-up and reclamation of abandoned mine lands. The fee is collected on every ton of coal mined and then distributed to the states and tribes running AML programs. In Illinois, the Illinois Department of Natural Resources is responsible for the AML Program. The future of the funding and national AML reclamation efforts had been in question after the collection of the fee expired in September 2021.

Future of the AML Program

The 2021 infrastructure bill is a lifeline to a severely underfunded program that had an uncertain future. The \$11.3 billion boost, with an estimated \$1.2 billion to Illinois, represents the largest-ever investment in AML clean-up, and it will create billions in economic activity and thousands of jobs in coal communities across 25 states and three tribes. It also reauthorizes the funding mechanism for the AML trust fund, a per-ton fee on current coal production, for 13 years at 80% of the prior level.

Our Advocacy Continues

Unfortunately, the new AML funding does not allow states to set money aside for long-term acid mine drainage (AMD) treatment facilities. Acid mine drainage refers to the discharge of rust-orange colored, acidic water from a mining site. The acidic water is created by the oxidation of pyrite and sulfide minerals that were exposed during the mining process, and the resulting pollution is harmful to the health of communities and wildlife. Remediation of this pollution requires long-term treatment facilities and, in turn, long-term funding. This spring and summer PRN and our supporters have been advocating for the STREAM Act. The STREAM Act is new, bipartisan legislation that would guarantee that AML clean-up funding can be directed to address AMD now and into the future. On July 13, 2022, the bill passed out of a House Committee and we are certain that with continued advocacy and your support we can ensure that Illinois waters are protected from AMD for generations to come. //



INSPIRE CHANGE.

OUR REPRESENTATIVES MUST ACT ON CLIMATE

In June, the Supreme Court issued a ruling that limited the Environmental Protection Agency's (EPA) ability to regulate carbon pollution from the nation's power plants under the Clean Air Act.

By Robert Hirschfeld

This is a serious blow to efforts to address climate change. And it will likely have implications for federal agencies' ability to take actions to protect the environment well beyond the case at hand. On the heels of other seismic Supreme Court decisions over the past few months, this case – *West Virginia v. EPA* – has put the Court under a great deal of scrutiny.

The Court held that, while the EPA could compel coal-fired power plants to use the best pollution reduction technology, it could not, without more express authority from Congress, force the plants to shift from coal to natural gas or renewable energy. Chief Justice Roberts wrote that “capping carbon emissions at a level that will force a nationwide transition away from the use of coal . . . may be a sensible solution to the crisis of the day,” but added that such a momentous and consequential decision, “rests with Congress itself, or an agency acting pursuant to a clear delegation from that representative body.”

The Major Questions Doctrine

This case marks the first time that the Supreme Court explicitly invoked the “major questions doctrine,” which requires Congress to speak with specificity and clarity when the legislative branch intends to give agencies broad powers to take “extraordinary” regulatory actions. In announcing the arrival of the major questions doctrine, the Court's decision will almost certainly lead to more legal challenges of agency authority, resulting in greater regulatory uncertainty and, potentially, the weakening of many agency-made rules on the environment and public health and safety. It is expected that in the coming term, the Supreme Court may take aim at the Clean Water Act, limiting its scope and coverage.

Nevertheless, federal agencies still do retain some power to reduce greenhouse emissions. The Court did not entirely eliminate EPA's authority to act, nor did it outright dismiss the urgency of climate change, but it has made the path to addressing the climate crisis much more difficult. As in *Dobbs*, in which the Court overturned *Roe v. Wade*, the Court is challenging Congress and the states to act.

For far too long, Congress has been dysfunctional, and its failure to act to supplement and strengthen decades-old environmental laws to meet new challenges has put the country in jeopardy. That has to change.

The States Must Lead

States must continue to lead as well, just as Illinois has done through the Climate and Equitable Jobs Act, insisting that electricity generated within the state come from renewable, climate-friendly sources.

The strategies for achieving change on a whole host of issues must necessarily adapt to a new Supreme Court and, likely, a weaker regulatory state. PRN is well-positioned to do just that. We will continue to push for smart, strong environmental protections at the state and local levels. And we will redouble our efforts to ensure that Illinois' members of Congress do their jobs, represent the people, and actually take leadership on the most pressing issues of our time. We can lament the turn the Court has taken, but in this new era, it simply will not work for Congress to hide behind weakly delegated authority to agencies. Our representatives must take action. //



WANT TO LEARN MORE?

Listen to the latest episode of *Stories From The Floodplain* podcast for a deep dive into the Supreme Court EPA ruling:

prairierivers.org/podcast

or wherever you get your podcasts

ANNUAL DINNER: IT'S A GO!

After a three year absence, we are so excited to host our Annual Dinner on Friday, Sept 16 at one of Illinois' historical treasures — Allerton Park. Allerton Park is a beautiful, 1,500-acre natural wonder with woodland and prairie landscapes, sculpture gardens, and hiking trails.

Fifty-five years ago, the proposed Oakley Reservoir on the Sangamon River would have put hundreds of acres of Allerton Park underwater if it were not for the action of dedicated activists. Those hard working people were the catalyst and founders of what is now PRN. Over 50 years later, some of those same people are still PRN members today. We continue their legacy of protecting the rivers we love. Allerton Park first brought us together — what better place to gather again after a long time apart?

Outdoor Cocktail Dinner — Rain or Shine

Come celebrate our rivers, Allerton Park, and being together for a night of fun under the stars. Join us as we toast PRN's fifty-five years of activism, mingle with friends, and enjoy

delicious food, drink, and desserts from Michaels' Catering. Our outdoor cocktail dinner will take place under a tent next to the majestic mansion and reflecting pond. So eat, drink, and sit wherever you like at this informal party.

What better way to start the evening than with a pre-dinner guided nature walk with an Allerton naturalist alongside PRN Board members? We can't wait!

Overnight Lodging and After-Party

With so much to see and do at Allerton Park, extend the evening with a unique overnight stay at the mansion or at their Evergreen Lodge. And when the Annual Dinner wraps up, visit with friends at the firepit on the mansion terrace.

Reservations are required for all activities. Please visit prairierivers.org/dinner for all the details and the latest COVID-19 guidance! //

CELEBRATE OUR RIVERS!



PRN ANNUAL DINNER OUTSIDE AT ALLERTON PARK

FRIDAY, SEPTEMBER 16, 2022, 6-9PM

Space Limited to 250 people — RSVP Required by Sept 7

Pre-Dinner Guided Hike with Allerton Naturalists

Overnight Lodging at Allerton Park Available

[PRAIRIERIVERS.ORG/DINNER](https://prairierivers.org/dinner)

TAKE ACTION ON THREE ISSUES!

There are three important issues before Congress this summer that need your immediate attention. This is your chance to have a real impact on the rivers and wildlife of Illinois and beyond!

Pass the Mississippi River Restoration and Resilience Act

Despite its economic, environmental, and cultural importance to Illinois and the entire country, the Mississippi River lacks a federal restoration program like the Everglades, Puget Sound, and the Great Lakes already enjoy. This is exactly what the Mississippi River Restoration and Resilience Act (MRRRI) is meant to address.

Through an office within the Environmental Protection Agency, the initiative would provide grant opportunities to state and local governments, tribes, and nonprofit organizations throughout the river corridor. It puts potential restoration projects directly in the hands of those impacted most by important river issues.

Tell your Congressperson to pass the Mississippi River Restoration and Resilience Act!

Pass the STREAM Act

The STREAM Act is new bipartisan legislation that would guarantee that abandoned mine land clean-up funding can be directed to address the acid mine drainage crisis that threatens waterways across the country.

Acid mine drainage refers to the discharge of rust-orange colored, acidic water from a mining site. Remediation of this pollution requires long-term treatment facilities and, in turn, long-term funding.

Please contact your Congressional leaders and ask them to pass the STREAM Act to ensure that new abandoned mine land funding can be used for long-term acid mine drainage cleanup.



Tell Your Senator to Support RAWA

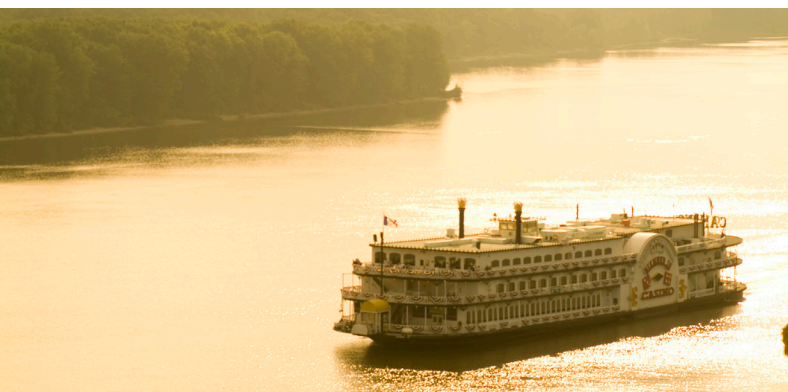
The Recovering America's Wildlife Act (RAWA) is a once-in-a-generation, bipartisan bill that is crucial for the protection of species across the United States and here in Illinois. It passed the U.S. House in June, and it now needs support in the Senate. RAWA dedicates essential funds to help at-risk species before they become endangered. Proactive steps like RAWA are now more important than ever in a rapidly changing world.

If we are successful, Illinois will be equipped with \$24.5 million in annual funding to help the 419 species that have been identified for conservation assistance, including the monarch butterfly, lake sturgeon, and the rusty patched bumble bee.

Thank you for taking action to support conservation and wildlife! Contact your senator today and ask them to support RAWA! //

LET YOUR VOICE BE HEARD!

prairierivers.org/take-action



NOMINATE A RIVER CHAMPION!

Do you know someone deserving of PRN's River Steward Award? This annual award honors a volunteer who goes above and beyond to protect water, heal land, and inspire change in Illinois. The award will be given post-Dinner this year, and nominations are due by October 3, 2022. Send the nominee's contact information, your contact information, and a summary of the nominee's river conservation efforts to Sarah Scott at sscott@prairierivers.org.



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LEAVE A LEGACY

The Prairie Rivers Network Endowment is a permanent investment fund to enhance and sustain the work of PRN. You can ensure that we have the continued resources to protect water, heal our land, and inspire change across Illinois with a gift to our Endowment.

A donation to the Charles Goodall Memorial Endowment is a timely way to honor the commitment and contribution that Charles Goodall had to the governing of PRN and his commitment to organic farming, as well as the important role he played in opposing the Bulldog Mine, ending in its eventual defeat (see cover story).

Please consider a special Endowment gift today by sending your donation in the enclosed envelope with “Goodall Endowment” in the memo line of your check.

prairierivers.org/legacy

GIVE MONTHLY

If you would like to support PRN and our work for the long run, and if you are in the conservation movement for the long fight, becoming a sustaining member with an automatic, monthly bank account contribution is a great option. You won't have to worry about contacting us when your credit card expiration date changes. And your PRN membership will never expire! (unless you say so) Your monthly support adds up to make a big difference for PRN!

prairierivers.org/sustainer

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