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## — News From The States —

# EVENING WRAP



By [Kate Queram](#)

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Another day, another triple-digit heat index, another raft of environmental stories. On the one hand, it's nice when real life collides with the news. ([Synchronicity](#), baby!) On the other hand, it's hot. Very hot. It's *just so hot*, all of the time.



### The Big Takeaway

Also feeling the heat: Ocean life off the coast of Oregon, where a growing “blob” of warm water is expected to head inland in the next month. The mass, kept offshore for months by northern winds and colder water, will likely spike ocean temperatures by as much as 15 degrees within days of nearing land, experts [told the Oregon Capital Chronicle](#).



*The newest hot tub.*

*(Photo by Erica Harris/Oregon State University)*

“Which is remarkable,” said Jack Barth, a physical oceanographer and executive director of the Marine Studies Initiative at Oregon State University. “Imagine you’re in your house, and it’s 50 degrees or so Fahrenheit, and then instantly it goes to 70. That’s what these marine organisms are going to feel.”

**The jump could have disastrous implications for aquatic species**, beginning with [plankton](#), microscopic plants that comprise the base of the marine food web — and are particularly sensitive to temperature changes. Any harm to plankton populations will ripple up the food chain, impacting species that directly feed on the plants (salmon) and the predators that feed on *those* species. The effects, Barth said, “reverberate for years.”

The warmth is only one side effect of a particularly fierce year for the [El Niño](#) system, a climate pattern in the Pacific Ocean that last hit Oregon in the winter of 2018. Typically, El Niño brings drier and warmer weather, but in strong years it can also mean wetter and warmer conditions. In Oregon, it might be a mix of both — warmer temperatures that transform mountain precipitation into fall rain rather than winter snow, leading to spring drought caused by a reduction in melting

snowpack. In between, residents can expect rising sea levels and [coastal flooding](#), according to the National Oceanic and Atmospheric Administration.



*A flower attempts to distract from diminishing wetlands in Indiana.*

*(Photo via the Indiana Capital Chronicle)*

**Flooding is of similar concern in Indiana**, where 261 acres of wetlands have been destroyed in the wake of a 2021 law that decimated state-level environmental protections for the habitats. Cumulatively, the lost wetlands had the capacity to store up to 390 million gallons of water, according to environmental groups. Without them, state lands are much more vulnerable to flooding, [the Indiana Capital Chronicle reported](#).

[The law](#), approved by lawmakers in April 2021, removed all state protections for Class 1 wetlands, which comprise more than half of the 800,000 acres of wetlands in Indiana. (Class 1 wetlands are considered “less pristine,” but they still reduce flooding and improve water quality. Flawed gems, if you will.) The policy also slashed regulations for other wetlands, making it easier for development projects to encroach on previously protected property.

Earlier this year, Republican lawmakers — many of them members of the Indiana Builders

Association — attempted to further slash protections via [a last-minute amendment](#) that would have made it basically impossible for a wetland to be categorized as anything *but* Class 1. The proposal, which failed to advance, would have also eliminated the possibility of Class 1 or 2 wetlands being elevated to Class 3, the most protected status.



*No extra (or ... any) protections for you!*

*(Photo courtesy the U.S. Environmental Protection Agency)*

**In the meantime, the state’s wetlands continue to dwindle**, according to analysis of state data compiled by 13 conservation groups. Since summer 2021, 261 acres have vanished, the report said. During that same time period, state officials issued permits — or determined no permits were necessary — for development projects on nearly 350 acres of wetland. Barely a quarter of that acreage required mitigation, in which corporations restore or create wetland habitats to compensate for the ones they’ve destroyed.

“Only about 10% of Indiana’s original wetlands remain, and these data show accelerated wetland loss,” said Indra Frank, director of environmental health and water policy at the Hoosier Environmental Council. “Since the Indiana law is performing poorly and so many more wetlands are now falling under that law, we are concerned that the state will suffer from accelerated

wetland losses going forward.”

**Performing poorly but consistently:** [Summit identified ‘handful’ of populated areas at risk from major pipeline breach in Iowa](#) ... [Marathon Refinery fire illustrates how industry goes quiet during a crisis](#) ... [Lawmakers view Maryland’s climate ‘pathway’ recommendations through parochial lenses](#) ... [How 2 communities, separated by an ocean, are working together to manage trash better](#) ... [First fully electric, autonomous tractor in the Midwest unveiled in Missouri](#) ... [WOTUS rule offers certainty, but little clarity for New Mexico waters](#) ... [New Mexicans have months, maybe years, to wait before they get community solar energy](#) ... [\\$25M heat pump rebate program for Rhode Island homeowners, businesses now open](#) ... [Texas’ methane waste accelerates climate change while squandering state revenue](#) ... [After six years of inaction, Virginia Commission on Electric Utility Regulation reconvenes](#)



## State of Our Democracy

A watchdog group on Monday filed a lawsuit in Colorado seeking to bar [frequent indictee Donald Trump](#) from appearing on the 2024 presidential ballot, [Colorado Newsline reported](#). The suit, filed in Denver District Court on behalf of six Colorado voters, argues that Trump’s role in [inciting the Jan. 6 insurrection](#) renders him ineligible for re-election under [Section 3 of the 14th Amendment](#), which bans from office anyone who has taken an oath to support the Constitution and then “engaged in insurrection or rebellion.”

“Donald Trump tried to overthrow the results of the 2020 presidential election,” the lawsuit says. “His efforts culminated on January 6, 2021, when he incited, exacerbated, and otherwise engaged in a violent insurrection at the United States Capitol by a mob who believed they were following his orders, and refused to protect the Capitol or call off the mob for nearly three hours as the attack unfolded.”



*You say “insurrection,” I say “peaceful gathering of patriots;” this is all just a matter of OPINION, not LAW.  
(Photo by Chet Strange/Getty Images)*

**The lawsuit was a long time coming.** Citizens for Responsibility and Ethics in Washington (CREW), the watchdog group that filed the complaint, [notified Trump in November](#) that it would seek to disqualify him from the ballot if he sought office again. Colorado Secretary of State Jena Griswold had [previously declined to comment](#) on whether she’d allow Trump on the ballot, but either way, it’s an airtight case, according to Donald K. Sherman, CREW’s executive vice president and chief counsel.

“Donald Trump took an oath to defend the Constitution. There was an insurrection. Donald Trump participated in it, in violation of his oath,” he said. “And, you know, 2 plus 2 equals 4, and Section 3 of the 14th Amendment says you can’t do that.”

**But it isn’t the first.** Similar suits have already been filed in [Florida](#) and in [Michigan](#), both citing the 14th Amendment as proof of Trump’s ineligibility. A spokesperson for Trump’s campaign dismissed the argument as having “no basis in fact or law,” but a growing number of [legal experts](#) have signed onto it, including two members of the conservative Federalist Society who wrote in [a forthcoming paper](#) that “if the public record is accurate, the case is not even close. He is no

longer eligible to the office of the Presidency.” The theory has already been tested in New Mexico, where a federal judge [removed a county commissioner](#) from office for engaging in “insurrection” at the U.S. Capitol on Jan. 6.

**More challenges are on the way in other states**, according to CREW, which said in a press release Monday that Colorado “was a good venue to bring this first case, but it will not be the last.”

**Location, location, location:** [Georgia redistricting trial opens with debate over federal requirements for Black representation](#) ... [Northeastern Indiana’s Grant Bucher launches campaign for 3rd District Congressional seat](#) ... [Former Rep. Mike Rogers woos Trump voters in Michigan U.S. Senate announcement](#) ... [Ruth Richardson, CEO of regional Planned Parenthood, resigns from Minnesota House](#) ... [Montana Attorney General Austin Knudsen facing 41 counts of professional misconduct](#) ... [New Jersey investigative panel finds no manipulation in 2021 congressional redistricting](#) ... [Challengers ask Ohio Supreme Court to dismiss congressional redistricting case](#) ... [Coming soon in Ohio? ALEC releases new raft of model legislation](#) ... [Primary night belongs to Gabe Amo in Rhode Island’s 1st Congressional District race](#) ... [Federal election officials threaten Ogles with campaign finance audit or enforcement – again](#) ... [Paxton trial updates: Whistleblower says AG pushed agency to help political donor, raising alarm](#)



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- [An Eastern Oregon effort to join Idaho reflects the growing American divide](#)
- [Brian Kelly calls for ‘balance’ between LSU academics and athletics](#)
- [Kansas commission seeks magistrate’s perspective on Marion search warrant complaint](#)



## One Last Thing

Scientists have grown, basically, a human embryo, in a lab, without using sperm, eggs or a uterus, according to research [published this week](#). The “embryo model,” created via stem cells,

looks like a “textbook example” of a 14-day-old embryo and released hormones that tested positive on a pregnancy test, according to researchers at the Weizmann Institute of Science in Israel.

The project aims to provide an “ethical” way of understanding the early stages of human development, which account for a host of birth defects and miscarriages. No word on if (LOL JK, *when*) the embryo models will officially have more rights than pregnant humans. Next paper, maybe!



*The newsletter, basically.*

*(via Giphy)*

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