



**Tennessee
Citizens for
Wilderness
Planning**

Newsletter No. 252

August 9, 2003

Taking Care of Wild Places

1. **Obed and surroundings** p. 3
 - A. Funds in Senate bill only
 - B. New Obed managernamed
 - C. Contacts via EYO field trips
 - D. Emory-Obed Forum
2. **Around the state** p. 3
 - A. Water quality rules needyou
 - B. US Senatebill would fund projects
 - C. State legislature wrap-up
 - D. Chipmull bill later?
 - E. Plan for Sundquist WMA
 - F. Controversial road projects
3. **Averting threats to the Smokies** p. 5
 - A. North Shore Road: cash settlement gains support
 - B. Fighting land-exchange
 - C. Sen. Alexander addressing AQ
4. **Southern Appalachian national forests** p. 9
 - A. Forest Service stifled data
 - B. Comments on Cherokee Plan
5. **TVA initiatives** p. 10
 - A. Reservoir operations study
 - B. Green Power Switch innovation
6. **Oak Ridge: natural areas opportunities** p. 10
 - A. Management of 3,073-acre conservation easement
 - B. North Ridge Trail report
 - C. New ORNL director values green space
7. **National issues** p. 11
 - A. Sen. Alexander backs stronger AQ bill
 - B. Clean Water Restoration Act needed
 - C. Land acquisition: House worsethan Bush
 - D. Oppose elimination of trail program
 - E. Pres. Bush earns dismal report cards
 - F. Spins used tosell disastrouspolicies
8. **TCWP news** (Bill Russell dead; Whites Creek buffer purchased; Community Shares at ORNL; Special volunteers thanked; Mining POC needed) p. 14
9. **Calendar; opportunities; resources** p. 16
10. **ACTION SUMMARY** p. 2

The BIG stories

Obed funds in Senate bill only... ¶1A

TN's WQ needs support..... ¶2A

Fight Smokies land exchange ¶3B

Sen. Alexander addressing AQ... ¶3C, 7A

Large ORR conservation easement..... ¶6A

White's Creek buffer purchased ¶8B

Community Shares at ORNL ¶8C

Editor: Liane B. Russell, 130 Tabor Road, Oak Ridge, TN 37830. Phone, 865-482-2153

Shaded box or star means "Action Needed." Don't be overwhelmed – check the ACTION SUMMARY on p.2!

10. ACTION SUMMARY

No.	Issue	Contact	"Message!" or Action
1A	Obed land acquisition funds	Sens. Alexander and Frist	"Urge conference committee to support Obed appropriation!"
2A	TN water anti-degradation rules	Water Qual. Control Board	"Do not weaken rules proposed by TDEC!"
2B	Land acquisition throughout state	Sens. Alexander and Frist	"Urge conference committee to support Senate list for TN!"
3A	North Shore Road in Smokies	Sens. Alexander and Edwards Int. Sec. Gale Norton	"Thanks!!! Urge Sens. Frist and Dole to join you!" "Head Sen. Alexander's views on this issue!"
3B	Ravensthorpe land exchange	Nat'l Park Service, by 8/18 US Reps and Senators	Comment on badly flawed DEIS "Oppose HR. 1409!"
3C	Bill addressing Smokies' air quality	Sen. Alexander; Sen. Frist	Thank Sen. Alexander; urge Sen. Frist to join him
6A	Conservation easement in ORR	Marsha White, TDEC	"I support Natural Area status; oppose new or wider roads!"
6B	North Ridge Trail	TCWP	Volunteer to work on protective ordinance; brochure.
7A	Clean Air legislation	Letter-to-the-editor	Praise Sen. Alexander; urge Sen. Frist to join him
7B	Attacks on Clean Water Act	US Rep. and Senators	"(a) Urge EPA and Corps to rescind Jan. 2003 guidance; (b) cosponsor Clean Water Restoration Act!"
7C	Interior Appropriations	US Rep. and Senators	"Support Senate version in conference committee!"
7D	Trail funds	US Representative	"Try to get TE program reinstated!"
7E	Pres. Bush's dismal record cards	US legislators	Tell them how you feel about Admin. assaults
8C	Community Shares		At ORNL, donate through payroll deductions
8F	Mining issues	TCWP	Volunteer to be POC for mining issues

Senator John Doe
United States Senate
Washington, DC 20510

The Hon. John Doe
U.S. House of Representatives
Washington, DC 20515

Pres. George W. Bush
The White House
Washington, DC 20500
202-456-1111; Fax 456-2461
president@whitehouse.gov

Governor Phil Bredesen
State Capitol
Nashville, TN 37243-9872
615-741-2001; Fax 615-532-9711
phil.bredesen@state.tn.us

Dear Senator Doe
Sincerely yours,

Dear Congressman Doe
Sincerely yours,

Dear Mr. President
Respectfully yours,

Dear Gov. Bredesen
Respectfully yours,

Sen. Bill Frist
Ph: 202-224-3344; FAX: 202-228-1264
web: <http://frist.senate.gov>, click "Contact"
Local: 865-602-7977

Sen. Lamar Alexander
Ph: 202-224-4944; FAX: 202-228-3398
web: <http://alexander.senate.gov>, click "Contact"
Local: 865-545-4253 (FAX 545-4252)

Rep. Zach Wamp
Phone: 202-225-3271
FAX: 202-225-3494
Local: 865-576-1976

To call any Rep or Senator, dial Congressional switchboard, 202-224-3121. To find out about the status of bills, call 202-225-1772
URLs: <http://www.house.gov/lastname/> and <http://lastname.senate.gov/> General contact info: <http://www.lcv.org>
Note that mail to Congress is still slow following the anthrax scare. Consider faxing and other modes of communication.

WHAT IS TCWP?

TCWP (Tennessee Citizens for Wilderness Planning) is dedicated to achieving and perpetuating protection of natural lands and waters by means of public ownership, legislation, or cooperation of the private sector. While our first focus is on the Cumberland and Appalachian regions of East Tennessee, our efforts may extend to the rest of the state and the nation. TCWP's strength lies in researching information pertinent to an issue, informing and educating our membership and the public, interacting with groups having similar objectives, and working through the legislative, administrative, and judicial branches of government on the federal, state, and local levels.

Continued on p.17

1. OBED AND SURROUNDINGS

A. Land-acquisition: appropriation in Senate but not House bill

Despite an Administration Budget request and Congressman Wamp's championship (NL250 ¶2A), funding for Obed land acquisition failed to get included in the House version of the Interior Appropriations bill. Rep. Charles Taylor (R-NC), the subcommittee chairman, is on principle opposed to federal land acquisition (¶7C, this NL).

A TCWP letter to Tennessee's senators brought an immediate phone call from Senator Alexander's office informing us that the Obed item was contained in the Senate committee bill and that he was pretty sure they could get it through conference committee. Rep. Wamp's office also informed us that the Congressman will continue working on this.

The \$1,569,000 in the Senate committee bill is for the purchase of 700 of the 1,231 acres that are still privately owned within the boundary of the Obed WSR. NPS Headquarters did not approve a request for an additional \$893,000 needed to purchase the remaining 531 acres, representing tracts for which owners have not to date expressed their willingness to sell.

WHAT YOU CAN DO: The Obed appropriation must still survive the deliberations of the conference committee that will be meeting in September to reconcile House and Senate versions of the Interior Appropriations Bill. It is therefore very important that we ask Senators Alexander and Frist (see p.2 for contact info) to urge the conference committee to support this appropriation. Tell them what the Obed means to you and how badly it is threatened by external developments.

B. Obed manager named

[Contributed by Sandra Goss]

We extend our welcome to Philip Campbell, the new Obed Wild and Scenic River Unit Manager. Campbell has been serving at the Niobrara Scenic River in Nebraska and will start at the Obed in early September. He assumes the position formerly held by Kris Stoehr who retired from the National Park Service on May 2 (NL251 ¶1B).

C. "Experience Your Obed (EYO)"

The Obed WSR has announced a new program, "Experience Your Obed (EYO)," designed to bring park managers and local political and civic

leaders into more meaningful contact through a series of excursions. On three consecutive Friday mornings (8:30 to noon), starting Sept. 12, issues that affect the park's mission, such as water and air quality, fish and wildlife, and outdoor recreation, will be explored on field trips. Participants will be invited to ask questions and bring up issues of concern.

If you would like to participate in this free program, contact Arthur McDade, 423-346-6294, or Arthur_McDade@nps.gov.

D. Emory-Obed Forum: a new partnership

A brainchild of the Tennessee Clean Water Network (TCWN), the Emory-Obed Forum was born in March 2003. Its objective is to explore opportunities to protect natural resources and spark economic development. Forum sponsors, in addition to TCWN, are the Emory River Watershed Association, Morgan County Chamber of Commerce, National Parks Conservation Association (NPCA), The Nature Conservancy (TNC), and TVA.

The group, which meets monthly, has chosen a short-term project – the Morgan County Challenge – as a way to promote the assets of the county and encourage both residents and visitors to explore the natural beauty of the area. Morgan County hopes to capitalize on the visitors who come to experience resources like the Obed WSR, Frozen Head, Lone Mountain State Forest, the Cumberland Trail, and Catoosa WMA, while at the same time protecting the culture, scenic beauty, and small-town atmosphere that make the region unique.

2. AROUND THE STATE

A. Your help needed to keep our waters clean

[Contributed by Kim Campbell, TCWN, and Cindy Kendrick, TCWP]

Soon, the State Water Quality Control Board (WQCB) will decide whether Tennessee adopts rules that provide a framework for keeping our clean waters clean. Letters are still urgently needed to support water-quality antidegradation rules (see NL251 ¶3A).

The WQCB met on July 22 to consider revised water-quality rules recommended by TDEC's Division of Water Pollution Control. They heard testimony from clean-water advocates (including the Tennessee Clean Water Network, TCWN) as well as from industry attorneys, who produced

their own, substantially weakened proposal and pushed strongly for it. Environmental advocates vehemently opposed the late changes and the limited public involvement afforded. After two "grueling" days, the WQCB decided to delay voting until its August meeting.

The Board did unofficially accept the revised rules that were recommended by TDEC's Water Pollution Control Division, but with the exception of the challenged antidegradation provision - 1200-4-3.06 (3). They requested that environmental advocates and industry representatives try to reach an agreement amongst themselves over the key provisions of the antidegradation statement. The fact that the WQCB resisted the tremendous pressure to approve the industry version during the July meetings is seen as a great, intermediate victory, but the battle is not won.

The Pollution Control Division's proposed antidegradation rules would require a thorough review, including active public participation, of pollution-prevention alternatives whenever a permit for a new or expanded discharge is requested for a high-quality water. The proposed rules offer protection for these important clean streams, lakes, and rivers by requiring permit applicants to show that there is no reasonable alternative to discharging the pollution, and that there is a social or economic necessity for allowing the water quality to be degraded.

The WQCB needs to hear that Tennesseans value our clean water and support strong antidegradation rules. We urge you to write the Board members and ask them not to weaken the antidegradation rules proposed by TDEC's Water Pollution Control Division. Explain that clean water is vital for a healthy economy, recreational opportunities, safe drinking water, etc.

WHAT YOU CAN DO: Write a letter to Water Quality Control Board members and send it in time to be received and read prior to the WQCB's August 26 meeting. A sample letter, along with a list of names and addresses of the Board members can be found on the TCWN web site, www.tcwn.org.

Alternatively, you can get your letter distributed to WQCB members in one of two ways: (a) send a copy to Kim Campbell, TWCN, P.O. Box 1521, Knoxville, TN 37901; or (b) send 10 copies to Paul Davis, Director, Water Pollution Control 6th Floor, L&C Annex, 401 Church Street, Nashville, TN 37243-1534 and ask that they be distributed to WQCB members before August 26. For either of these distribution options, you must allow extra

time. If you need further information, contact Kim Campbell, TWCN, at 865-522-7007; fax: 865-329-2422.

B. Tennessee land-acquisition funding items in US Senate appropriations bill

In addition to the Obed item reported in ¶1A, above, the Senate committee version of the FY 2004 Interior Appropriations Bill contains over \$10 million for the following other projects in Tennessee.

- \$2.36 million to rehabilitate comfort stations and picnicand camping facilities throughout the Great Smoky Mountains National Park
- \$1.5 million for Chickasaw National Wildlife Refuge to purchase two tracts of land containing 788 acres near Ripley.
- \$1.8 million for the Lower Hatchie National Wildlife Refuge to acquire 900 acres of bottom-land hardwood forest near Henning.
- \$3.8 million for Cherokee National Forest to purchase approximately 2,649 acres of the 10,000-acre Rocky Fork Tract located in the Tri-Cities area. This represents the second of three proposed purchases.
- \$1 million for the acquisition of the Ray/Gettelfinger Tract, located between Rugby and the Big South Fork NRR.
- \$838,000 for the acquisition of the Jim Creek Parcel, which is adjacent to Pickett State Forest and the Tally Wilderness area. (This is the tract purchased by the Tennessee Nature Conservancy two years ago with some financial assistance from TCWP [NL239 ¶4A]).

The last two items would be funded through the Forest Legacy Program.

WHAT YOU CAN DO: These appropriations must still survive the deliberations of the conference committee that will be meeting in September to reconcile House and Senate versions of the Interior Appropriations Bill. It is therefore very important that we ask Senators Alexander and Frist (see p.2 for contact info) to urge the conference committee to support the Senate list, or at least the items that mean most to you (especially the Forest Legacy items and, of course the Obed (¶1A, above).

C. State legislature: wrap-up

[From 2003 TCY Legislative Report, by Stewart Clifton and Jennifer Walker]

The General Assembly adjourned on May 29. While some study committees and other special meetings will occur in the next few months, the

legislature as a whole will not meet again until January 2004. The list below includes some of bills and resolutions that passed this year (see ¶2D, below, for one that did not).

TCV (Tennessee Conservation Voters) believes that we made great strides toward enacting some good legislation in the areas of board fairness and water quality appeals. We also got off to a great start on state parks issues through discussions with new TDEC folks and interested legislators. Several bad bills were stopped at least partly through the work of TCV and its member organizations.

The biggest battle was against the "special treatment" given to dedicated land-acquisition and similar funds (NL251 ¶3B). Proposed legislation was scandalously unfair in that funds for no other purpose (e.g., transportation) were being diverted in their *totality* to the general fund, or had their sources abolished *permanently*. After much work from many environmental groups and legislators, the General Assembly restored \$3.5 million for this year, changed the conversion to 4 years instead of permanent, and protected some state park funds for Radnor Lake. Small victories perhaps but surprising in light of the unfortunate state budget situation.

The TCWP Board recently voted to donate \$300 toward preparation of a state legislators' report card by TCV. The report will list sponsors of various bills that address environmental concerns.

Measures that passed

- Natural Area designations, SB1958/HB2033. Designates Stones River Cedar Glade and Barrens and Gattinger's Cedar Glade and Barrens as natural areas. Changes description of Shelby Farms-Lucius E. Burch, Jr. natural area. Increases acreage of Couchville Cedar Glade from 84 acres to 122 acres. Also increases acreage of North Chickamauga Creek Gorge from 3,852 acres to 4,864 acres. Senate amendment 1 specifies that the Lucius E. Burch, Jr. Natural Area includes forest and wetland communities along the northeasterly and northerly sides of Wolf River. *Administration bill*.
- Evaluation of forest resource issues by forestry commission, HJR 0189. Directs the forestry commission to evaluate southern forest resource assessment relative to forest resource issues in Tennessee with the urging that the forestry commission and the department of agriculture submit their findings to the governor by 1/31/04, and no later than 3/1/04.
- West Tennessee River Basin, SB0885/HB1032. Adds counties of Benton, Decatur and Hardin to West Tennessee River Basin authority. Specifies

that term for authority's board members that are appointed by governor is six years or until a successor is appointed.

- Statutory changes to fund state government (recording tax to general fund), SB1991/HB2073. See discussion above.
- Reorganization of TDOT, SB1977/HB2013. Removes requirement that general assembly authorize reorganization, creation, or elimination of any departmental units of the department of transportation. Authorization shifted to state building commission after July 1, 2003. *Administration bill*. Supported by TCV since much of the entrenched support for TDOT's business-as-usual came from key legislative supporters of road-building.
- Study committee on rural water supply, HJR 0058. Creates a special joint committee to study rural water supply, water resources and the environment.

D. Hope for a bill that failed to pass – chipmill regulation

The "Tennessee Forest Resources Conservation Act," HB1159/SB934, didn't make it, but SOCM (Save Our Cumberland Mountains), its chief supporter, believes there is hope for it next year. The bill would require new or expanding chip mills or similar facilities to apply for a permit, and TDEC to perform a forest-resources review to determine whether there is sufficient timber in the area to supply the proposed facilities. Based on this evaluation and on an assessment of what the environmental and economic impact of an additional chip mill would be, TDEC would grant or deny the permit.

During the 2003 session, several critical cosponsors were added to the House bill. SOCM is now working to gain support in the Senate Environment Committee.

E. Surface-Use Plan for the Sundquist Wildlife Management Area

The new Sundquist Wildlife Management Area (WMA) of the State of Tennessee contains roughly 75,000 acres in two units. About 2/3 of the acreage (the New River Unit) is SW, and 1/3 (the Ivydell Unit) is NE of the ~50,000-acre Royal Blue WMA, with which both units are contiguous. At its SW corner, the New River Unit is also contiguous with Frozen Head State Natural Area.

The Sundquist WMA has an interesting acquisition history (NL247 ¶3B). Surface rights were purchased by the Conservation Fund, and forest rights by Harlac, Inc., which almost im-

mediately sold them to Renewable Resources. As a result, the Sundquist WMA is managed under a Shared Use Agreement (SUA) by several partners: TWRA (Tennessee Wildlife Resources Agency) manages the surface rights, Fountain Forestry manages the timber rights (for Renewable Resources), and Cumberland Timber Inc. manages underground minerals. In addition, the linear Cumberland Trail State Park will extend through the area with a maximum width of 300 ft and be managed by TDEC and the Cumberland Trail Conference. The contract contains provisions for TWRA to purchase certain portions of the forest and mineral rights in the future.

Purposes listed in the mission statement for the Sundquist WMA include: (1) precluding commercial, industrial, residential and industrial development; (2) sustaining the natural hardwood forest by prohibiting conversion to plantations, requiring conservation of biological diversity, and providing habitat for native plant and animal populations; (3) improving watershed quality; and (4) providing recreational opportunities including hiking, hunting, fishing, and wildlife viewing.

In April, TWRA solicited comments on recreational use of the new WMA at "listening sessions" attended by several TCWP members (NL251 ¶3D). More recently, TWRA drafted a Surface Use Plan with a comment deadline of August 1.

Comments submitted by TCWP included several recommendations concerning impaired streams, i.e., those included on the State's 303(d) list. Activities in the watershed of such streams should be managed in a way that would restore good water quality. Riparian buffers should be wider than the 50' suggested under the SUA, especially in the case of impaired streams or where roads are built in steep terrain. The potential impact of mining practices on streams should be addressed; mining should be prohibited in certain watersheds, and the nature of reclamation measures specified elsewhere. Road and trail building should be restricted to locations and to practices that would avoid stream sedimentation. To determine timber estate rights that are most worthy of purchase by TWRA, a comprehensive survey of federal- and state-listed species, and of species of conservation concern, should be conducted throughout the WMA. The viewshed of the Cumberland Trail should be protected from surface mining, road building and other deleterious practices.

TWRA's Draft Plan can be found on the web site www.sundquistwma.homestead.com.

F. Hope for controversial highway projects

At the request of new Transportation Commissioner, Gerald Nicely (NL250 ¶3D), the University of Tennessee's Transportation Research Center (TRC) is using 15 controversial highway projects as case studies to investigate possible flaws in TDoT's decision-making process. The TRC, which held 19 public listening sessions across the state and spent another 3 months on research, expected to finish its study by the end of July. It will be up to TDoT to issue a report to the public, probably in August. Watch the news and check TDoT's web site, www.tdot.state.tn.us.

A recent state comptroller report finds that our state has invested heavily in building and maintaining its highway system. Because of the large amount of traffic, however, several areas in the state will not meet new air quality standards when they become effective; and traffic congestion continues to increase despite the investment in new roads. Despite these major warning signals, Tennessee lags behind other states in its investment in mass transit infrastructure, such as light rail, commuter rail, and other mass transit alternatives. You can view the report at <http://www.comptroller.state.tn.us/area/report/s/transportationplan.pdf>.

3. SMOKIES ISSUES

A. North Shore Road: cash settlement gains support

The proposal of a cash settlement in lieu of completion of the North Shore Road was passed 4-1 by the Swain County Board of Commissioners in mid-February (NL250 ¶7A). Since then, the idea has been gaining political support, with both Senators Alexander (R-TN) and Edwards (D-NC) coming out in favor of it. On June 3, Sen. Edwards wrote to Interior Secretary Gale Norton, stating "In light of the Swain County Board's 4-1 vote in favor of a financial settlement, I ask for your assistance in reaching that settlement. The Department should suspend funding for further environmental review or the construction of the road, and the parties should determine the best method of securing the financial settlement requested by the County. Swain County is seeking overall compensation of only one-third the amount it would cost to build the road. The funds already appropriated could be used as part of the settlement." Senators Dole (R-NC) and Frist (R-TN) have not expressed themselves on the issue.

In the meantime, the National Park Service (NPS) is discontinuing with the EIS process that was triggered when Rep Taylor (R-NC) appropriated \$16 million for North Shore Road construction late in 2000 (NL236 §3A). (Taylor has been pushing for a 2-year process, which NPS considers unrealistic in view of the size of the area.) More meetings on the issue are scheduled for Sept 15 and 16 (see action box for details), but they will not provide an opportunity for people to testify. Instead, NPS will provide information on public comments collected to date, and on the status of the resource studies. NPS is collecting public comments on an ongoing basis.

WHAT YOU CAN DO:

- (1) Express your strong appreciation to Senators Lamar Alexander (see p.2) and John Edwards (jewell_wilson@edwards.senate.gov). Ask Sen. Alexander to urge Sen. Frist to join him in opposition to the road. Also, ask him to push for renegotiation of the 1943 Agreement.
- (2) Write to Secretary Gale Norton, US Dept. of the Interior (1849 C Street, NW, Washington, DC 20240; exsec@ios.doi.gov). Urge her to heed Sen. Alexander's views on the issue.
- (3) Attend one of the information meetings on Sept 15 (Marriot Knoxville, 500 Hill Ave, SE) or Sept. 16 (Gatlinburg, Glenstone Lodge at 401 Summit Hill Drive). Visit <http://www.northshoreroad.info/andsendcommentstoNPS>

B. Two tracks for opposing Ravensford land exchange

In 1971, the Eastern Band of Cherokee Indians (EBCI) requested the 168-acre Ravensford tract near the Oconaluftee Visitors Center in the Great Smoky Mountains National Park so they could develop an 18-hole golf course. Starting in 1994, they have asked for this land to build schools (NL236 §3C) and have offered a non-contiguous parcel in exchange (the 218-acre Watertrock Knob site 15 miles from the Park, near the southern end of the Blue Ridge Parkway). The proposal, which is being opposed by several conservation groups on numerous grounds (see below) is currently moving along two tracks: one administrative, the other legislative.

On the administrative track, the National Park Service is working to produce an Environmental Impact Statement -- a process that has reached the stage of a Draft EIS on which comments are due by August 18. On the legislative track, there is a bill, HR.1409, that would mandate the exchange requested by the EBCI.

HR.1409 is sponsored by the same Rep. Charles Taylor (R-NC) who is gungho for building the North Shore Road (§3A, this NL). Currently, there is no Senate companion bill for HR.1409, but Senate strategy will become important if HR.1409 skates through the House, as it is likely to do if it receives clear Administration support.

The Draft EIS (DEIS).

Not only is the DEIS considered by many to be a pathetically inadequate document, but it reveals DOI/NPS's bias in favor of the land exchange, despite the fact that no "preferred" alternative is designated. Thus, the "Purpose and Need" section of the DEIS is written from the perspective of the EBCI "need" for the tract, rather than from the NPS' perspective of protecting the resources; and the "no action" alternative (i.e., no land exchange) is characterized as not satisfying the "purpose and need" of the proposal.

In addition to "no action," the DEIS describes two other alternatives: exchange of the entire 168-acre tract; and exchange of a 143-acre portion, with retention of a 25-acre wetland. Hearing on the DEIS, which were held July 8-10, were announced as having NPS and EBCI (I) representatives available to provide information.

There are some major problems with the DEIS.

- Emphasis on the EBCI "needs" as opposed to the need to protect Park resources. Dismantling of our parks should not be done unless it can be irrefutably proved that this is in the interest of the national welfare.
- Inadequacy of the many resource studies that went into the document.
- Failure to acknowledge as "impairment of park resources" the numerous environmental impacts that cannot be avoided should the exchange take place. These impacts (as described in the DEIS) include:
 - Removal from the GRSMNP of a high-value portion of the floodplain forest believed to be unique in North Carolina.
 - Loss of some of the 255 species that are new records for the GRSMNP and were found on, and adjacent to, the Ravensford site.
 - Loss to the world of some of the 58 species that are, or are thought to be, new to science.
 - adverse impact on cultural resources located within the Ravensford site.
- Inadequacy of the Education Site Evaluation Study: NPS adopted EBCI's study without providing any oversight on the criteria used in that study.

- The assumption that EBCI will not build new schools should this land exchange not take place. This speculation has no grounding in NPS knowledge (in fact, it seems more probable that EBCI will simply develop their schools in a different location).
- Absence of a legitimate appraisal of the relative economic values of the Ravensford tract versus the Waterrock Knob site. The value of the former must be huge because of the quality of the land. The EBCI has large assets as a result of its gambling casino.

The legislation, HR 1409.

Hearings were held on June 18 by the House Resource Committee. Here, too, a DOI spokesman implied bias in favor of the land exchange by stating that the agency had no objection to HR 1409. Two additional persons invited to testify represented the EBCI, and only one invitee (Don Barger, NPCA) spoke in opposition. For the latest information on the bill's status check out: <http://thomas.loc.gov/cgi-bin/bdquery/z?d108:h.r.01409> and click on "Bill status."

Prior to the hearing, TCWP sent a letter to the Ranking Member of the committee, summarizing our opposition to HR 1409 as follows (in abbreviated form):

1. [This is very important] The exchange of national park land sets a dangerous precedent. If this deal is approved, national parks across the nation may be flooded with requests for similar exchanges.
2. HR 1409 circumvents the NEPA process, which is already under way for the requested land exchange. NEPA allows for public comment and thorough evaluation of the impacts. HR 1409 does not.
3. The EBCI is requesting the land exchange for the purpose of building a school complex; however, other suitable sites are available for the school. HR 1409 is being presented as a pro-education bill. In actuality, the land exchange provides no educational advantage over alternative school sites.
4. The Ravensford land is too valuable from an environmental perspective to allow it to be developed. On this 168-acre tract, 59 species new to science have been discovered! The site also contains important wetlands and other important natural features.
5. The Ravensford land is too valuable from an archeological perspective to allow it to be developed. Over 9,000 years of continuous human habitation make it a cultural treasure worthy of protection.

6. The Ravensford tract provides a superb viewshed from the Blue Ridge Parkway.
7. The site is partly floodplain, which would/should impose restrictions on development.
8. The land offered in trade (Waterrock Knob) is largely steep ravine and cliffs, typical of much of the land in the Park. The Ravensford land, by contrast, is an alluvial flood plain, adding to the diversity and richness of Park resources.

WHAT YOU CAN DO:

- (1) Comment on the DEIS (summarized above) by August 18. This is very important, since there has been a concentrated effort on the part of EBCI to generate comments.
E-mail to information@npslandexchange.com, or send a Toll Free Fax to (888) 820-3643, or mail to John Yancy, Associate Regional Director, National Park Service, Southeast Regional Office, Atlanta Federal Center, 100 Alabama Street, SW, Atlanta, Georgia 30303.
You can view the DEIS at <http://www.npslandexchange.com>, or request a CD copy by calling (888) 820-3644.
- (2) Oppose HR 1409 by contacting Tennessee representatives (Duncan is important) and senators, as well as Sen. John Edwards (D-NC), a Presidential candidate (addresses on p. 2). The fate of the Ravensford tract should be determined by science and public input through the NEPA process, not by an Act of Congress. For other points, see above.

C. Sen. Alexander addressing AQ

The great news is that Sen. Lamar Alexander has declared that the Bush "Clear Skies" initiative does not go far enough, and has joined in sponsorship of a more stringent bipartisan bill to improve air quality (this is covered in more detail in 17A, below). Prominent among reasons cited by Alexander is that the "Great Smoky Mountains National Park ... has also become the nation's most polluted national park. Only Los Angeles and Houston have higher ozone levels than the Great Smokies." In an interview, he stated: "We don't want our grandchildren coming to see the Great Smoggy Mountains instead of the Great Smoky Mountains." His press release noted that, among other failings, Bush's Clear Skies proposals would remove the right of the National Park Service to comment on the effect of power plant emissions originating at a distance greater than 30 miles from a national park; yet

much of the pollution in the Smokies is blown in from more than 30 miles away.

Contrast this concern about the Park's resources with the Administration's indifference (or worse). Paul Hoffman, Interior Department Deputy Assistant Secretary for Fish, Wildlife and Parks, sent a letter to the World Heritage Centre on April 7 stating that there is no particular benefit or justification for requiring a reactive monitoring report on air pollution in Great Smoky Mountains National Park. "Based on our findings as outlined in our report presented in Budapest," he writes in the letter, "we feel there is no conclusive evidence that air pollution is degrading the park's outstanding universal value for which it was inscribed on the World Heritage List."

In early July, TCWP signed on to a multi-organization letter urging Senators and Representatives to take action to achieve clean air for America's parks, and citing examples of how parks and wildernesses across the USA are suffering from the harmful effects of air pollution. Seems like some of our legislators are listening, but the Administration is not.

WHAT YOU CAN DO:

- (1) Express sincere thanks to Sen. Alexander (contact info on p. 2) (See also 17A, below)
- (2) Urge Sen. Frist (address on p. 2) to join Sen. Alexander in protecting the Smokies. He professes to love. (In a recent letter to a TCWP member, Frist expresses confidence in the Administration's Clear Skies initiative for solving the problem.)
- (3) Remind the Bush Administration that the Great Smoky Mountains National Park's resources and visitors are suffering from every possible type of air pollution. Last year, e.g., there were 42 "unhealthy ozone days" -- days when visitors are told that hiking in higher elevations can harm their health.

4. SOUTHERN APPALACHIAN NATIONAL FORESTS

A. Whistleblower reveals USFS stifled data that would affect Plans

A scientist working for the Cherokee National Forest (Quentin Bass) found and studied archival maps and surveys which clearly indicate that the natural state of the Southern Appalachian forests is a stable ecosystem dominated by tall, old trees. This information counters the Forest Service's long-standing assertion that these forests require large-scale logging and prescribed

burns in order to mimic natural conditions that generate an "early successional" forest.

On the basis of this erroneous assertion, the land-use plan revisions currently in the works for national forests in 5 southern states, which will govern management for the next 10-15 years, call for increased logging and burning on almost 3 million acres of public land. The USFS only briefly mentioned Quentin Bass's findings in the Cherokee NF Draft Plan, and excludes them entirely from plans for the other four Southern national forests.

The whistleblower disclosure was filed with the Office of Special Counsel. Public Employees for Environmental Responsibility (PEER), the Southern Appalachian Forest Coalition, Cherokee Forest Voices, and other groups (including TCWP) have filed a complaint. Ignoring its own records which showed that natural forest conditions in the Southern Appalachians are vastly different from those of western forests, the Forest Service plans to apply forestry techniques practiced in the west, proposing, in fact, to increase logging and prescribed burns, by some 3,000 acres or more. Timbersales and prescribed burns are being justified in the name of ecosystem management, while the stifled information shows that these southern forests do not depend on such practices.

B. TCWP comments on Cherokee Draft Management Plan

TCWP as an organization, as well as several individual members, submitted comments on the Draft Management Plan. We noted that the Forest is a tremendous resource for the people of the United States in that it protects watersheds and natural ecosystems, and provides great opportunities for healthful outdoor recreation, such as hiking, paddling, and wilderness camping. It has special significance in that it is located in the heavily developed eastern United States where natural lands and waters are a scarce commodity, and where the increasing demand for, and scarcity of, good water makes it imperative to protect our watersheds.

While we acknowledged that the Draft Plan had some good features, we also pointed out the many areas in which it needs to be improved. These include: wilderness designations; other special designations and roadless areas; riparian designation and special watersheds; old-growth forest; road construction; black bear habitat; fire policy; and natural resource agenda.

5. TVA INITIATIVES

A. Draft EIS for Reservoir Operations Study

The draft EIS for TVA's Reservoir Operations Study is now complete, and 12 workshops are being conducted throughout the TVA area between July 21 and August 21. Although the only two workshops remaining after you receive this NL are in AL and MS, you can view the draft EIS online at www.tva.com/ms, or at your public library.

The draft EIS assesses the "base case" (= No Action) and 7 other alternatives with respect to their impact on power costs, water quality, flood risk, environmental resources, and economic factors over the next 30 years. No "preferred" alternative is identified in the draft, but one will be named in the final EIS scheduled for the autumn. The decision will be announced by the TVA Board in the winter.

WHAT YOU CAN DO: Your comments on the alternatives can be submitted on the web site www.tva.com/ms.

B. Green Power Switch Generation Partners; purchasers

TVA has inaugurated a program to support the development of consumer-owned solar- and wind-generating facilities from which TVA could buy power. Ribbon cutting at the first Generation Partners solar site took place August 5 in Lenoir City.

This is the first real modern incentive for solar development in the Tennessee Valley in a long time. Many people worked very hard to encourage TVA to start this program.

Staples has become the first office-supply company to be a Green Power Switch subscriber. At each of 15 of its locations in the Tennessee Valley, Staples is buying 25 blocks of green power.

6. OAK RIDGE NATURAL AREAS

A. Comments Invited on management of 3,073-acre conservation easement in the ORR

On December 20, 2002, DOE signed an "Agreement in Principle" with the State of Tennessee to place over 3,000 acres on the western end of the Oak Ridge Reservation (ORR) under a conservation easement, to be managed by the State of Tennessee for an "indefinite period" for conservation, research, and recreation (NL249 ¶6A). The agreement represents partial compensation to the people of Tennessee for past pollution damages by DOE to Watts Bar Reservoir. The selection of this particular area was a direct result of the Focus Group Report — one outcome of the ORR Land Use Planning process that AFORR and other groups (including TCWP), worked hard for years to bring about (NL247 ¶8A).

While the transfer of the easement is yet to be finalized, the Tennessee Department of Environment and Conservation (TDEC) held a listening session on August 5 to receive input concerning management of this land. The bulk of the area in question (2,838 acres) consists of Black Oak Ridge (bisected by Blair Road and Poplar Creek into an east and west portion), which, starting just west of Wisconsin Ave., stretch to the Clinch River behind ED-1 and K-25; an additional 235 acres lies along McKinney Ridge, just northwest of the junction of Hiways 58 and 95. Rare plant populations occur scattered throughout the 3,073 acres, which encompass the largest block of continuous forest on the ORR. The area is also a major breeding ground for two dozen migratory bird species "of conservation concern," and contains numerous other species of animals.

The August 5 session, moderated by Dodd Galbreath, began with short presentations by state officials. Jim Evans (Tenn. Wildlife Management Agency) stated that TWRA would recommend continuation of deer hunts (excess deer devastate native plants) and turkey hunts, but would also conduct public walks for bird and wildlife viewing. Reggie Reeves, Director of TDEC's Natural Heritage Division mentioned the opportunity for managing the land as a State Natural Area.

About 15 of the almost 50 attendees made short oral statements. Most recommended that the land be left in a natural state, that it not be fragmented by additional roads or widening of existing roads, and that recreation be primarily hiking and nature observation, with motorized recreation prohibited. Some speakers recommended a few trail accesses from the periphery. There seemed no objection to hunting, as long as it was restricted to certain designated days so as not to present a safety hazard. There was disagreement on horse use. One speaker suggested preserving historical remnants of the Wheat community. Several of those who spoke recommended Natural Area designation.

WHAT YOU CAN DO: Send your ideas and suggestions to Marsha.White@state.tn.us, or Marsha White, TDEC, 11th Floor, L&C Tower, 401

Church St., Nashville, TN 37243. You may wish to mention the following:

- support for Natural Area status;
- nonnew roads or widening of roads;
- no motorized recreation;
- protection of native fauna and flora.

B. North Ridge Trail Report

[Contributed by Susan Donnelly, NRT Steward]

After several years of drought, East Tennessee flora is loving this year's perfect blend of sun and rain, and growing like crazy. It seems that the invasive exotics such as privet and multiflora rose grow inches overnight, so the trail has slowly but surely had to get a good pruning. A never-ending series of windy storms always seem to blow down large trees. Fortunately, we have a new asset in Jon Metrick, Crew Chief for the Oak Ridge Parks & Recreation Department, who's been doing a great job of clearing the trees.

Jon, who earned a BS in Ornamental Horticulture and Landscape Design from U.T., has had a life-long interest in the outdoors and outdoor pastimes. He has enjoyed many walks and runs on the North Ridge Trail since buying a home in Oak Ridge six years ago. He is very pleased to be able to combine his landscape-construction knowledge with his love for the outdoors in caring for and enhancing the North Ridge Trail. He is also interested in trying to develop stronger ties with citizens and organizations such as TCWP.

Two major NRT tasks need to be accomplished. (a) The protective ordinance is still needed because, in spite of the clearly visible decal signs the City has installed, there's still at least one spot where horse riders are entering the trail from the bottom of the ridge. We hope to set up a committee for this purpose. (b) A new North Ridge Trail brochure needs to be developed and distributed to prominent locations in town (e.g., Library, Museum, Tourist Bureau).

WHAT YOU CAN DO: We need volunteers for work on the ordinance and on the brochure. If you can help, contact Sandra K. Goss, 865-522-3809,

skgoss@esper.com

C. New ORNL Director values green space

[Contributed by Cindy Kendrick]

What do TCWP members have in common with Jeff Wadsworth, the new Director of Oak Ridge National Laboratory? One element is an appreciation of trails and green space, where Jeff likes to walk with his dogs. According to Wadsworth, "I think it is so important to have these

projects, trails, and outdoor resources; they are vital parts of our communities. I look forward not only to using them, but also to helping [maintain and work for these resources] where appropriate and possible." We extend a hearty welcome to Dr. Wadsworth!

7. NATIONAL ISSUES

A. "Clear Skies" won't protect air quality; Sen. Alexander backs a stronger bill

On July 14, Sen. Lamar Alexander (R-TN) announced that he would join Senators Carper (D-DE), Chafee (R-RI) and Gregg (R-NH) as cosponsor of the Clean Air Planning Act because the Bush Administration's "Clear Skies" initiative will not do the job. He cited severe air pollution in the Smokies (TNC, this NL) and in all major cities of Tennessee (Knoxville is in the top 10 in the Nation, Nashville and Memphis in the top 20).

The Clean Air Planning Act, he finds, "would take our country farther, faster in reducing three major pollutants: sulfur, nitrogen and mercury." (Compared to Clear Skies, the bill requires 30% more reduction of SO₂, three years sooner; cuts NO_x by the same level but six years sooner; and lowers mercury pollution 30% more six years sooner). Additionally, the bill would "extend its market-based framework of regulation" to carbon dioxide which would be reduced in a modest way (3-5% below the level projected for 2013 for the USA overall).

A major reason Sen. Alexander supports the Clean Air Planning Act is that it "does not weaken existing laws in two important ways that the Clear Skies proposal would. Thus,

- "Clear Skies would prevent Tennessee from ten years from going into court to force another state (Ohio and mid-West) to meet the federal clean air standards. Since pollutants blowing in from other states is one of our greatest problems, this is a legal right we do not want to give up.

- "Second, the Clear Skies proposals would remove the right of the national park service to comment on the effect of power plant emissions more than 30 miles away from a national park. Again, since much of the pollution in the Smokies is blown in from more than 30 miles away, this is a review that ought to be continued."

While the Senator clearly considers the Administration's Clear Skies initiative as insufficient, he rejects some other proposals as too

stringent and costly. Thus, he mentions the Clean Power Act by Jeffords-Collins and Boehlert-Waxman ("which requires carbon emissions of the utility sector to be at 1990 levels by the time we reach the year 2009") and McCain-Lieberman's Climate Stewardship Act (which "would regulate carbon emissions produced by the entire economy and does so on a very rapid timetable").

Alexander is the first Southern Republican Senator to put the health and well-being of the citizens of his state and the quality of our Great Smoky Mountains first by opposing the President's weak plan. Despite the political challenges, he supports a bill that not only would reduce smog-forming nitrogen oxides and acid-rain-forming sulfur dioxide, but recognizes the serious importance of dealing with global warming (carbon dioxide) and toxic mercury emissions. While the Carper bill may not be as strong as some others, it is a starting point for real discussion and compromise. It is certainly to be hoped that other Southern Senators, like Senators Frist and Dole, will find the strength to do what is best for their constituents and oppose the President's Clear Skies plan.

WHAT YOU CAN DO: Write a letter to the editor praising Sen. Alexander for his bold stance for clean air and putting pressure on Sen. Frist to follow suit. Also, thank the Senator directly (p.2).

B. Clean Water Restoration Act would undo damage caused by Bush

(Based on TCWN's Watershed Watch)

The Bush Administration has mounted a frontal attack on the Clean Water Act which will remove millions of acres of wetlands and over 50% of our nation's streams from federal protection. By broadly interpreting a January 2001 narrow Supreme Court ruling, the Administration has redefined "waters of the United States" to exclude thousands of water bodies, including streams that dry up periodically, manmade water courses, and a high proportion of all wetlands. (For isolated wetlands and small intrastate streams and waterways, responsibility is shifted to the states, most of which lack money to fund comprehensive permit-review and enforcement programs -- NL249 ¶7E). The EPA and Corps of Engineers Guidance on these exclusions, issued in January 2003, took effect immediately, in addition to initiating a proposed rulemaking that could result in even more sweeping changes, exempting as many as 20 million acres of wetlands

and an estimated 60% of the nation's streams from federal protection.

Restoration of federal safeguards could be accomplished by the Clean Water Restoration Act, introduced by Senators Feingold (D-WI), Boxer (D-CA) and Jeffords (I-VT), and Representatives Oberstar (D-MN), Dingell (D-MI), Leach (R-IA) and Boehlert (R-NY).

WHAT YOU CAN DO: Urge your senators and congressman,

- (1) to tell EPA and the Corps of Engineers to rescind their January 2003 guidance memo on the scope of the Clean Water Act because it goes well beyond the Supreme Court ruling and would eliminate protection for many waters;
- (2) to cosponsor the Clean Water Restoration Act, which reaffirms Congress' original intent to protect all waters of the USA.

C. Acquisition funds: House outdoes Administration in cutting them

(Based, in part, on Wilderness Society reports)

In 2000, with overwhelming bipartisan support in both the House of Representatives and the Senate, Congress created the Conservation Trust Fund, a 6-year commitment to provide a total of \$12 billion for the LWCF (Land & Water Conservation Fund), Forest Legacy, and a range of other conservation and historic preservation programs. But the House has now proposed to cut over half a billion from the \$1.56 billion that had been authorized under the Conservation Trust Fund for FY 2004.

For the LWCF portion, the House bill, crafted in Rep. Charles Taylor's subcommittee, allows only \$100 million for all federal acquisitions, just over half the already small sum of \$187 million proposed by the Administration. And almost half of that would go for acquisition of oil & gas holdings in the Big Cypress National Preserve in Florida, leaving very little indeed for protection of open space and land additions to our national parks, forests, and wildlife refuges (see NL251 ¶8A for break-down). Rep. Taylor's spokesman is quoted as saying "Buying additional land when we can't manage the land we have is a very low priority." The Senate bill has come up with \$220 million for the LWCF. (For how all this is playing out locally, see ¶1A, this NL.)

An amendment on the House floor to restore the authorized \$156 billion failed, but Tennessee's Congressman Cooper, Davis, Ford, Gordon and Tann voted for it and deserve our thanks.

For the Forest Legacy Program, the Administration recommended \$91 million and the Senate \$86 million; but the House came up with only \$46 million.

WHAT YOU CAN DO: Urge your legislators to support the Senate version of the Interior Appropriations bill when the conference committee meets in September. Thank Reps. Cooper, Davis, Ford, Gordon and Tanner for their vote to restore full funding. *Addresses on p.2.

D. Oppose elimination of trail funds

In mid-July, the House Appropriations Subcommittee on Transportation and Treasury voted to eliminate Transportation Enhancements (TE) for the fiscal year beginning October 1. The TE program, established in 1991, is the largest federal source of funding in support of walking and bicycling trails. For a list of TE-funded projects in your area go to <http://www.enhancements.org>.

WHAT YOU CAN DO: Contact your Representative (p. 2) and express shock that the subcommittee eliminated the TE program while increasing highway funding by billions of dollars. If you can, mention projects in your area that were funded by TE \$\$\$. Urge him to do all he can to get the TE funding restored in the full House Appropriations Committee or on the House floor.

E. Pres. Bush gets worst report cards League of Conservation Voters

On June 24, the non-partisan League of Conservation Voters announced the President's detailed (26-page) mid-term report card with an overall grade of F. "George W. Bush is well on his way to compiling the worst environmental record in the history of our nation," begins the assessment.

Factors considered in arriving at a grade included appointments, administrative and executive actions, and legislative initiatives. The Bush administration was found to have used major funding cuts, arcane procedural methods, and deceptive rhetoric to advance its anti-environment, pro-corporate agenda. A favorite tactic has been to target a series of complex regulations that barely register on the American public's radar screen to drastically reduce clean air and water protections, and increase industry exploitation of public lands. A prime example is the weakening of a significant provision of the Clean Air Act called "new source review," which currently requires older, more polluting power plants and industries to upgrade pollution con-

trols when they renovate or expand in a way that increases emissions of pollutants. Concomitantly, fraudulently named legislation has become the norm (see ¶8F, below). All these strategies have served to keep the general public uninformed -- and even fooled -- about the extreme damage to the nation's environment that is being inflicted, and the basic environmental protections that are being weakened.

The list of actions deserving of an F is very long. It includes assaults on the Clean Air Act, the Clean Water Act (see ¶7B, above), Superfund (Administration failure to support renewal of the "polluter pays" tax for toxics clean-up), the Roadless Rule for national forests, wilderness (removal of wilderness protection from millions of acres of federal land, pressure to open the Arctic Refuge to oil drilling), and numerous other environmental protections the nation had enjoyed -- even NEPA itself.

You can view the Report Card at www.lcv.org, or request a printed copy by calling LCV at 202-785-8683.

National Parks Conservation Association

In July, NPCA's 29-page mid-term report gave Bush an overall D- for his performance on national parks. "As a Republican and an environmentalist, I am disappointed in this administration's performance," said NPCA's president, Thomas C. Kiernan. Five categories were rated:

- Protection of resources, F
- Visitor use, F
- Funding, C+
- Park administration and management, D
- Growth of the Park System, F.

Included among numerous alarming Bush initiatives are the proposal to privatize up to 70% of the National Park Service's workforce (a similar "outsourcing" is proposed for the Forest Service), rescinding of NPS's snowmobile ban for Yellowstone and Grand Teton national parks, air-quality policies that harm our parks, interpretation of an ancient right-of-way provision (RS2477) so as to allow new roads and other developments in park units, and the permitting of natural gas drilling on the shores of National Seashores.

To view the report card and the methodology that went into the assessment, visit www.npsa.org/reportcard.

WHAT YOU CAN DO: Contact your legislators and let them know how you feel about the Administration's performance on some key issues.

F. Spins sell disastrous policies

A clever and effective method the Bush Administration uses to keep the public fooled about its dismal environmental performance (see, above) is to concoct enticing (Madison Avenue) titles for disastrous initiatives. They have been named Bushspeaks. Here are just a few:

The "Clear Skies" initiative. This would actually weaken public health protections of the current Clean Air Act. Allowable mercury emissions would be tripled, SO₂ would increase 50%, and reduction of pollution emissions in general (e.g., NO_x) would be delayed. CO₂, a major contributor to climate change, would remain uncontrolled. (See ¶7A, this NL for a related story.)

The "Healthy Forests" proposal. In the name of wildfire prevention, this would open up 20 million acres of national forests to logging and road building. Industry would cut down large, fire-resistant trees in remote areas instead of reducing flammable underbrush in places where forests and built-up areas meet. The proposal would also undermine key laws by restricting public input and environmental review.

The "Clean Coal Initiative" would increase the mining and burning of coal and prolong our fossil-fuel energy use. Obviously disastrous consequences are global warming, acid precipitation, and stripmining (including mountain-top removal).

"Freedom Car" (cooperative automotive research). The hydrogen car is a long ways off (and the questions of energy that is needed to produce the hydrogen are not addressed). In the meantime no increase in fuel-economy standards is proposed; on the contrary, the Bush tax plan allows for a tax break of up to \$75,000 for the most polluting and inefficient SUVs on the market.

The "comprehensive energy plan" fulfills the wish list of fossil-fuel interests. It also includes drilling in the Arctic Refuge and other sensitive areas.

8. TCWP NEWS

A. Bill Russell dead

Bill Russell, a founder of TCWP in 1966 and President 1971-73 and 1981-85, died July 23, just short of his 93rd birthday. He was instrumental in saving the Obed River from a proposed dam and having it finally designated a National Wild & Scenic River in 1976. He drafted the 1968 Tennessee Scenic Rivers Act and saw it to passage, as the first in the nation. He was deeply involved in all the actions that led to establish-

ment of the Big South Fork NRA, fought mightily against dams on the Little T and the Duck River, helped with designation of Frozen Head State Park and Natural Area, and conceived and helped develop the North Ridge Trail. And that's only a very partial list. He conceived great imaginative ideas for key actions that worked.

Any memorials can be made in the form of contributions to TCWP, C.E. Klabunde, Treasurer, 219 East Vanderbilt, Oak Ridge, TN 37830. A memorial celebration of his life is planned for some time in October.

B. Whites Creek Buffer purchase completed

Good news: in mid-June, TCWP received the completed Warranty Deed and Closing Statement from Bowater for our purchase of 47.105 acres of land buffering the White's Creek Small Wild Area (SWA). Despite additional costs of the total transaction (survey, remaining county taxes, etc.), the extra donations we had received (NL251 ¶6A) allowed a staggering surplus of ~\$12,600 to go into the TCWP general fund. TCWP members who deserve our special thanks for working hard on this successful transaction are Mary Lynn Dobson, Charlie Klabunde, Frank Hensley, and Sandra Goss.

The steps needed for donation of the SWA buffer to TVA are yet to be completed. It appears that no precedent for such a transaction exists in TVA history, and we are anxious to write adequate safeguards into the deed.

C. ORNL will offer Community Shares as giving option

[Contributed by Cindy Kendrick]

Good news: beginning in September, UT-Battelle will open to its staff at Oak Ridge National Laboratory the option of giving to Community Shares via payroll deduction. This year's campaign will run from Sept. 15 to Oct. 17. Because ORNL employs about 4,000 staff, this new access could mean a significant boost in contributions for the member groups of Community Shares, including TCWP. In addition, because Knoxville Recycling Coalition (KRC) and TCWP members were the primary drivers in opening this access, the two groups will split all *undesigned* payroll deduction contributions during the first year. This exciting new resource culminates over 15 years of work, initiated by KRC (especially Mac Post and David Wasserman) to gain access. We are grateful to ORNL Management and the advocates at ORNL (especially Mark Peterson and

Cindy Kendrick) for creating this new resource for community improvement (special thanks to Tim Myrick who was instrumental in getting management attention and establishing credibility.)

WHAT YOU CAN DO:

- (1) If you are a UT-Battelle employee, please consider donating to Community Shares via payroll deduction and designating a generous portion of your donation for TCWP. We also need additional people to serve as division contacts and/or perform small campaign tasks. Contact Mark Peterson (483-1291) or Cindy Kendrick (241-6584) for more information.
- (2) If you don't work at ORNL and would like to help start a Community Shares payroll deduction program at your workplace, contact Sandra Goss (522-3809.)

More information. Community Shares, a state-wide fundraising federation for social-change organizations, has announced the goal for this year's campaign: \$450,000. TCWP, along with other member groups (such as the Tennessee Clean Water Network, Save Our Cumberland Mountains, and the Humane Society of East Tennessee), should benefit tremendously from this effort. Community Shares is a giving option for all Knox County employees, including teachers.

WHAT YOU CAN DO:

If you are a teacher, or know a teacher who would be willing to help us acquaint a Knox County School with this charitable organization, please call Sandra K. Goss at 522-3809.

D. Upcoming activities

(Contributed by Sandra Goss)

Our Service Committee has been busy planning numerous and varied TCWP activities for the next couple of months. For information about any of the events, contact Sandra K. Goss, 865-522-3809, skgoss@esper.com

Saturday & Sunday, August 16 & 17, Big South Fork of the Cumberland Overnighter

Come join us for a trip on the Big South Fork River. This will be a low-water overnighter at a leisurely pace, with time to swim, fish, snorkel and take in the surrounding natural beauty. Families with kids are especially encouraged, but the trip is open to anyone interested in learning more about plateau stream ecosystems.

The trip will begin at Station Camp and end at Blue Heron. Camping Saturday night will be primitive on the river. We will probably use a

shuttle service to save time. Paddlers should be comfortable on Class-2 whitewater. Contact Jason Darby at 865-675-6084 for more information. Please call to sign up by August 14.

Tuesday, August 19, Stephen Smith at Quarterly Membership Meeting

Stephen Smith, Executive Director of the Southern Alliance for Clean Energy (SACE), will provide an update on both regional air quality and the Green Power Switch program. The event will be held at 7 p.m. in the Social Room at the Oak Ridge Civic Center. Refreshments will be served after the program.

Saturday, September 20, Clean-up, and more at Worthington Cemetery

Once again, we'll celebrate National Public Lands Day in partnership with TVA at Worthington Cemetery Ecological Study Area at the eastern end of Oak Ridge. This annual work project will also feature a "plantid session," courtesy of well-known botanist Larry Pounds. We'll start at 9:00 a.m. Bring gloves, loppers, and rain protection, and wear sturdy shoes. Jobs will include: sawing down the pines that are encroaching on the glade areas; removing privet, multiflora rose and mimosa; planting native plants, and installing signs. Lunch will be provided. If you bring samples of plants that are unknown to you, Larry, with his big botany book, will tell you what they are.

Results of past NPLD workdays are currently in evidence with the blooming of Rose Mallow and Swamp Milkweed that were planted in 2001 and '02.

Saturday, September 27, Royal Blue plant tour

This hike, cosponsored by the Tennessee Native Plant Society and led by Larry Pounds, will give participants a comprehensive overview of the Royal Blue Wildlife Management Area. A carcaravan will visit a number of trails, including a portion of the Cumberland Trail (up to a mile round trip) to see plants at a variety of altitudes up to 3000 feet. Hikers will see strip mines and possibly hear elk bugle. Total distance to be hiked will be less than three miles.

Meet at Shoney's at the first Caryville/LaFollette exit (Exit # 134) off I-75 at 10:00 a.m. Bring lunch, water, and bug spray.

Saturday, October 11, TCWP Annual Meeting at Historic Rugby

This all-day event will feature a morning program of outstanding speakers, a silent auction, and a choice of afternoon activities. A brochure

to be mailed separately will contain more details and a registration form.

Members of the new State administration will appear on the morning program. In the afternoon, the choice will be between an easy-to-moderate hike to the Gentlemen's Swimming Hole, led by Hal Smith, and a moderate-to-hard hike at Honey Creek led by Charlie Klabunde. The Silent Auction will be sponsored by TCWP's Public Lands Committee. Start thinking about donating those unused Christmas presents from past years and other garage-sale items to the Silent Auction.

Saturday, November 8,

Finger Area off-trail hike

Mary Lynn Dobson will lead this exploratory hike to establish a new trail along the shores of a peninsula on Watts Bar Reservoir. Look for more details in the next newsletter.

E. Our thanks to three members who have volunteered for important TCWP functions

(Contributed by Cindy Kendrick)

With our beloved Smokies under attack from so many angles (North Shore Road, Ravensford land swap, Elkmont, etc.), the Board wants to have a TCWP point of contact (POC) to stay on top of these issues. We want a knowledgeable person to coordinate with NPCA, Siera Club and other strong Smokies advocates, to provide information to TCWP members, to identify productive actions that TCWP members can take to help protect the Park, to write letters on behalf of TCWP, and to recruit others to help as needed. **Patrice Cole**, former TCWP Board member and long-time Smokies advocate, has volunteered to tackle this job.

Similarly, with battles over air quality raging and posing an ongoing threat to our wilderness areas, as well as our health, TCWP needs someone active on this front. **Jan Berry**, a relatively new TCWP member with a strong foundation in air quality issues, has agreed to fill this role, cooperating with SACE, NPCA, and other organizations to boost our collective voice for clean air. Jan will help keep our membership informed of evolving issues and needed actions, and write letters on our behalf.

We are most grateful to Patrice and Jan for taking on these critical POC roles and hope that our membership will support their efforts by taking action when they call on us.

We would also like to take a moment to thank someone who works behind the scenes, frequently late at night or in the wee hours, to fill a

vital function for TCWP. **Francis Percy** created and expertly maintains our TCWP web site. Check it out: www.kormct.org/tcwp/. Thank you, Francis!

F. We need a POC for mining issues

The history of TCWP is replete with major involvement in stripmine issues. These include our participation in the writing of, and lobbying for, state and federal regulatory laws in the 1970s (Lee Russel was invited to the Rose Garden for Pres. Carter's signing of the 1977 Act), and, later, our work for designations of areas unsuitable for surfacemining (under Sec. 522) near Frozen Head and Fall Creek Falls State Parks.

Recently, as a result of this Administration's encouragement of coal energy, there has been resurgence of stripmining, with variantssuch as mountaintop removal and cross-ridge mining (NL250, ¶4). And much of it is in the Cumberlands, a region of special interest for TCWP. We need to get involved again!

We are asking for members who would be willing to act as Point of Contact (POC) for these issues, to perform functions similar to those described in the first paragraph of ¶8E, above. If more than one person volunteers, the job can be shared. If you even consider performing this tremendous service, call Cindy Kendrick (865-386-6382) or Sandra Goss (865-522-3809).

9. CALENDAR; OPPORTUNITIES; RESOURCES

Events and deadlines calendar (For details, check the referenced NL item; or contact Sandra K. Goss, 865-522-3809, skgross@esgser.com)

- August 16 & 17, Big South Fork of the Cumberland Overnighter (¶8D).
- August 18, comment deadline for Ravensford DEIS (¶3B).
- August 19, Oak Ridge, TCWP membership meeting featuring Stephen Smith, head of the Southern Alliance for Clean Energy (¶8D).
- August 26, deadline for clean-water comments to WQCB (¶2A).
- Sept. 5-7, Cumberland Trail Conference's Trail Training Workshop. Field work will primarily be on the Rock Creek Gorge Segment of the Cumberland Trail, with lodging near Soddy-Daisy. Register by August 27. Contact CTC, 19 E Fourth Street, Crossville, TN 38555, 931-456-6259; cumberlandtrail@rocketmail.com.
- September 12, 19, 26, EYO fieldtrips (¶1C).

- September 15 & 16, North Shore Road meetings (T3A).
- September 19-21, Tennessee Environmental Education Association's Annual Conference Fall Creek Falls State Park. (Contact Vera Vollbrecht, 615-352-6299 or vera.vollbrecht@nashville.gov. Visit the TEEA web site, www.utsm.edu/departments/ed/cece/TEEA/.)
- Sept. 20, Worthington Cemetery clean-up and plant identification (T8D).
- September 27, Royal Blue WMA overview -- short hikes (T8D).
- October 11, Rugby, TCWP Annual Meeting (T8D).
- Nov. 4-6, Asheville, NC, "Meeting the Challenges of a Changing Region," 2003 SAMAB Fall Conference (SAMAB = Southern Appalachian Man and The Biosphere). Sessions will deal with air quality, invasive plants, the hemlock woolly adelgid, protection of streams, and other vital issues. Visit samab@utk.edu for further information.
- November 8, Fingers Area off-trail hike (T8D).

Fellowship offered

The Rick Sutherland Fellowship Fund was created to "enable socio-economically disadvantaged lawyers with otherwise insufficient financial means to engage in public interest litigation that would benefit the environment through employment with a 501 C(3) or 501 C(4) organization." The fellowship is a two-year grant of up to \$12,000 annually. Applications are due 11/30/03. To find out eligibility requirements, contact EarthJustice at 510-550-6700, or ejajus@earthjustice.org.

Publications

- "2002 305(b) Report: The Status of Water Quality in Tennessee," Division of Water Pollution Control, TDEC, can be requested by calling 615-532-0699.
- "Cultural Resources on the Oak Ridge Reservation," a Research Park Brief, lists more than 45 known prehistoric sites, 250 pre-WWII structures (such as Freels Bend cabin) and a number of historically significant Manhattan Project structures in the ORR. The brief is now available in pdf form. See the Research Park Briefs web site, www.esd.ornl.gov/facilities/nerp/briefs.htm l. "Biodiversity of the Oak Ridge Reservation," Pat Parr, Sept., 2000, is also available.
- The early years of the Smoky Mountains Hiking Club are described (with references to other sources) in an article in Great Smoky Mountains Colloquy, a publication of the UT Libraries. E-mail smokies@aztec.lib.utk.edu; web site www.lib.utk.edu/ref/smokies/.

Other resources and web sites

- The Great Smoky Mountains Institute at Tremont, a residential environmental education center located within the Park, offers a rich fall program. Among the coming events are a photography workshop, a naturalist weekend, workshop on primitive skills and on geology, and a couple of backpacking trips. More information is available on their web site, www.gsmi.org.
- To contribute to the compilation of a Tennessee Legislative Scorecard (see also T2C, above), send a donation to TCV Education Fund, 2021 21st Avenue South, Nashville, TN 27212.
- For information about the control and eradication of specific invasive plant species, view the Tennessee Exotic Plant Management manual online at <http://www.tn-epps.org/>. You can also contact your local TVA Watershed Team (865-988-2440 for Melton Hillland Watts Bar).
- New information related to the Final EIS on Rarity Pointe Commercial Recreation and Residential Development on Tellico Reservoir is online at www.tva.com/environment/reports/tellico2.
- AND REMEMBER, Re. Mail to Congress. Personalized letters, still the most effective way to communicate with your Congress person, should be faxed before being mailed. Why? All mail going to Congress is now routed to Ohio for irradiation to address any anthrax contamination; a mailed letter to your Congressman may arrive weeks after the issue you are writing about has been decided.

WHAT IS TCWP?

Continued from p.2

TCWP: 130 Tabors Rd., Oak Ridge, TN 37830.
 President: Cindy Kendrick, 865-386-6382 (h).
 Executive and Membership-Development Director:
 Sandra Goss, 865-522-3809; SGGoss@esper.com
 Newsletter editor: Lee Russell, 865-482-2153.
 Internet: <http://www.kornet.org/tcwp/>

A Member of
 **COMMUNITY
 SHARES**
 Your Fund for Change

