TENNESSEE CITIZENS FOR WILDERNESS PLANNING

*Newsletter No. 59, December 17, 1973

As has been our annual custom, we devote part of this Newsletter to a summary of TCWP's activities of the past year. At the same time, however, we keep you up-to-the-minute on current news. This issue thus provides a good vehicle for acquainting prospective members with our work. Try to get at least one of your friends to join TCWP for 1974. To all our members, A HAPPY NEW YEAR!

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1. FIRST TCWP MEETING OF 1974 TO BE JANUARY 10. SUBJECT: FLOOD PLAINS

The many floods and near-floods of the past several months, and our continued interest in water-resource projects should make the subject of our next meeting of particular interest to all.

SPEAKER: Robert A. Miller, geologist, Tennessee Dept. of Conservation

SUBJECT: Flood Plain Management Problems

WHEN: Thursday, January 10, 8:00 p.m.

WHERE: Library Auditorium, Oak Ridge Civic Center. (Oak Ridge Turnpike, 1-1/2 blocks east of its intersection with Hiway 62. The auditorium is in the easternmost wing of the complex.)

Bob, who is known to many of us as the founder of TSRA and one of the authors of the Tennessee Scenic Rivers Act, will discuss the geological aspects of flood plains and their relation to management problems. For news on pending flood plain legislation, see item 6A. Bring your interested friends.

2. REPORT OF ANNUAL MEETING; RESULT OF TCWP ELECTIONS

At the annual meeting held November 19, the following were elected and will take office January 1, 1974.

President: Donald E. Todd
Vice President: *Reid K. Gryder
Secretary: * Martha Ketelle
Treasurer: Charles Klabunde

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Star in margin means "Action required"

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Phone (615) 482-2153, home; 483-8611, ext. 3-7639, work

Directors:
*James M. Anker
Edward E. C. Clebsch
*Donald W. Jared
Liane B. (Lee) Russell
Wm. L. Russell (past president)

(* Marks newcomer to the Board)

Nominating committee: Elizabeth Peelle (chairperson), Robert E. Farmer, and William H. Skelton.

Reports on the year's activities were presented by Jim Anker, Bill Russell, Don Todd, and Lee Russell. The substance of these reports is included in part II of this Newsletter. Delicious refreshments were furnished by Dee Jared, Ruth Moore, and Eileen Neiler. Hal Smith was in charge of all program arrangements.

3. STRIPMINE NEWS

A. Victory in the Writ-of-Mandamus action against the Water Quality Control Division.

Following a hearing on Nov. 2 in Judge Drowota's court in Nashville, at which the relators (TCWP, SOCM, TSRA, ETWWC) were granted standing -- a victory in itself, and in which the Court found "that surface mining is polluting the streams of this State in violation of the Water Quality Control Act of 1971," a Consent Decree was signed on Dec. 7. The Departments of Conservation and Public Health entered into an agreement whereby the former will not act on any new application for, or amendment to, a stripmine permit until it receives certification from the latter that the applicant has filed a full application for a discharge permit. FURTHERMORE, the decree specifies that the Water Quality Control Division must then within 20 days either grant or deny the discharge permit. Stripmine permits, according to the 1972 Law, must be acted on by the Commissioner of Conservation within 20-30 days after application is made. This should mean that such action would occur after a decision on the discharge permit had been made. However, we have learned that the Dept. of Conserv. has not, in the past, waited for applications to be complete before starting the timing process. As regards the backlog of over 80 stripmine permits that had been granted prior to the Consent Decree, most may, unfortunately, never be acted on by the Water Quality Control Division; but those filed after 9/15/73 must be acted on by 9/15/74.

TCWP owes a great debt of gratitude to John Williams, the young SOCM attorney who did a big part of the work on the case; and to Bob Brandt who contributed considerable effort as the official solicitor for the relators. Bob Peelle appeared as witness for TCWP at the Nov. 2 hearing. Other witnesses were the Bradleys, Reid Gryder, Bob Humphries, and Mack McLean.

B. Proposed changes in state stripmine regulations and other state matters

Hearings were held Dec. 7 on the administration's proposed changes in the Rules and Regulations. Bob Peelle, with the assistance of our Stripmine Committee, prepared detailed written comments and attended the hearings in person. Some of the proposed changes appear to represent an appreciable improvement, e.g. those that pertain to the public notice, and others that specify a decrease in the extent of spoil piles and the height of remaining highwalls. In some of these cases, however, there follows a little escape clause, such as: "deviations from the above limits shall be allowed ... if the operator submits a plan which will prevent landslides and minimize erosion ..." Landslides are not defined -- and we've seen too many landslides that were labelled "uncontrolled earth movements." John Williams submitted a statement on behalf of the relators in the writ-of-mandamus action, proposing to word the regulations in such a

way as to make clear that the Stripmine Division would delay final action on a permit application until it receives word on whether a water discharge permit has been granted or denied. It remains to be seen how many of our comments are acted on.

Fred Wyatt, formerly head of the State's inspection staff for East Tennessee, has accepted a job as chief lobbyist for the stripmine industry. He'll be heading up "Facts About Coal in Tennessee," or FACTS (do you suppose he'd distribute the TCWP Fact Sheet?). This justifies some of our earlier assessments of the state's enforcement activities. Citizen groups will continue to be vigilant with regard to Mr. Wyatt's replacement.

C. Federal legislation; coal facts

House action on the stripmine bill is still in the future. On Nov. 12, the Subcommittees reported the bill to the Full Interior Committee and it was introduced in Congress as H.R. 11500 on Nov. 15. When he sent us the bill, Rep. Morris Udall, Chairman, Subcommittee on the Environment, wrote: "I think you will find that many of the provisions and ideas contained in previous correspondence with TCWP are included in the bill." The full committee will probably begin markup by the end of January. Undoubtedly, much of the effort that will be made to weaken the bill will use the energy crisis as an excuse. A recent Knoxville News-Sentinel editorial decrying such a move was sent by us to our legislators. Congressmen need to be reminded that good reclamation and planning will not decrease our coal supplies. Beyond that, we must repeat to bring before them the basic fact that only about 3% of the nation's coal reserves are strippable -- the rest must be deepmined.

We are often told that a speedy switch to deepmining is impossible because of the large investments for new equipment that would be required. Here is the fascinating result of a recent EPC study that indicates that no new equipment is necessary; and that we would come out far ahead, even if all mountain stripping were stopped. It turns out that of all existing deepmines (1971 figures), 50% operate only 1 shift, 29% only 2 shifts. By going to 3 shifts (even just on a 5-day workweek) in existing mines, we could add 120 million tons of coal per year; while stripmining on steep slopes (>20°) produces only 80 million tons/year. Your Congressman needs to know this and should be told how you feel about stripmining. Contact him while he's home during the recess. Incidentally, according to figures published in the SOCM Sentinel of 11/27/73, it may take about 5 times more fuel per ton of coal recovered to strip than to deepmine.

4. TENNESSEE'S MOST THREATENED RIVERS

A. The Duck

The DRPA and the two Tennessee attorneys working on the case (Frank Fly and Bob Brandt) are going great guns, not only in preparation for the trial on 1/14/74, but with their political and publicity activities. TCWP is one of the organizations that has joined the "Save the Duck Committee" and has pledged to contribute $1000. Of this, over $200 was raised at our Annual Meeting; and other contributions by our treasury and by individual donors bring the total to over $600. Please help us pay up the rest of our pledge -- even a small contribution will be appreciated. Use the coupon at the bottom of the page. Ed Dodd, creator of the Mark Trail comic strip, has donated seven inked, over

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To: Charles Klabunde, Treasurer, TCWP, 219 E. Vanderbilt Ave., Oak Ridge, TN 37830

I should like to help financially in the effort to preserve Tennessee's last remaining free-flowing river of its size, the Duck R., against two TVA dams. Enclosed is my contribution of $_____. I (do) (do not) wish to bid on the Mark Trail originals ($50,min.)

Name:

Address:

Make check payable to TCWP, Inc. (deductible) and send it in with this coupon.

autographed originals (7 x 23") of his famous comic strip to the fund-raising drive. You may qualify for these collectors items of "pop art" by bidding a minimum of $50. A chestnut plank from a pioneer barn in the Duck R. valley will be given to the top bidders for use as a backboard. It is also important for us to write to the following to express our opposition to the dams: President Nixon, Governor Dunn, Senators Baker and Brock, Congressmen Evins and Beard, and state legislators for the 4 counties (Coffee, Bedford, Marshall, Maury).

B. Little T

The 6th Circuit Court of Appeals in Cincinnati heard EDF's and APLTR's appeal on Dec. 7. Plaintiffs asked that the injunction be re-instated. A decision is being awaited. APLTR president Ken Elrod urges opponents of the Tellico Dam to write to (a) Gov. Dunn to express support of his position that the Little T be saved; and (b) Pres. Nixon, asking him to support Gov. Dunn. APLTR is also trying to raise funds and asks that checks be made payable to EDF (tax exempt) and sent to APLTR, P. O. Box 103, Vonore, TN 37885.

5. BIG SOUTH FORK NRA STILL IN LIMBO

The Senate version of the Omnibus Rivers and Harbors bill, which contained a long section creating the BSF National River and Recreation Area, was passed Feb. 1. However, in November, following passage of a rather different House bill, which lacked the BSF section (see NL # 56, Item 1C), the Senate bill was sent back to committee. The new version has trimmed off some porkbarrel, accepted in principle the WRC discount rate of 6-7/8% (while, however, exempting the projects listed in the bill and turning down retroactive application), AND left the BSF section unaltered, as far as we know -- making it still likely that the conference committee version will emerge with the BSF in it. The House bill prohibits the new discount rate altogether. Apart from the BSF Section (and one or two other, similar projects), the R & H bill is a bad piece of legislation. The chance for a presidential veto will, however, decrease if the bill comes to signature after Christmas.

In the meantime, the NPS has issued a draft EIS in support of an alternate legislative proposal to establish a Big S. Fork NRA under NPS management. The draft is available from David D. Thompson, Jr., SE Regional Director, NPS, 3401 Whipple Ave., Atlanta, Ga. 30344. Comments are due by 1/18/74.

6. FEDERAL ACTIONS WITH FAR-REACHING EFFECTS ON OUR RIVERS

A. Flood Plain Protection

A bill that would extend the National Flood Insurance Program is also a flood-plain zoning measure. It would require every community that has an identified flood plain to develop plans for keeping vulnerable structures off this area, or else lose federally backed mortgages and loans for construction within the flood plain. Such action would remove much of the justifications for flood-control dams. The House has passed the bill, and the presently excellent Senate version, S. 1495, may get to the floor early next year. Our Senators should be urged to be present and to vote against any amendment that may be offered. Sen. Brock was of help during markup on the bill, following our request to vote against weakening amendments and to hold firm on strong provisions: he deserves our thanks.

B. National Wild and Scenic Rivers Act

Both Houses have now passed bills extending for 5 years the moratorium on the 27 study rivers (our Buffalo and Obed among them). The bill will go to conference committee

early in the new year. We understand that BOR has drawn up a list of 30-40 new study rivers which will perhaps be mentioned in the State of the Union message. We should find out, before the list gets "frozen" whether it includes any Tennessee rivers. If not, suggest your candidate, giving reasons: for instance, how about the Nolichucky, which was the subject of a recent bill (see NL #58 Item 4C)?

C. EPA proposes new water quality criteria

Pursuant to a 1972 law, EPA must establish criteria to be used by States as the basis for revising their Water Quality Standards after 1976. Limited copies of the proposed Criteria and back-up information documents are available from the EPA Regional Office in Atlanta (1421 Peachtree St., NE) and from the Tennessee Water Quality Control Division (621 Cordell Hull Bldg., Nashville). Written comments may be submitted before 4/26/74 to the Water Quality Protection Branch, EPA, Washington, D. C. 20460.

7. EASTERN WILDERNESS; U.S. FOREST SERVICE; AND TIMBER INDUSTRY

A. Interior Committee reports S.316 and sends it to Agriculture Committee

The version of S.316 finally reported by the Interior Committee is an improvement even over the earlier good version we summarized in NL #57, item 3. The bill now contains 19 instant areas (including, in Tennessee, Slickrock, Cohutta, Gee Creek) and 39 study areas (including Citico, and part of Cohutta). There is little or no senatorial opposition to any area listed. However, by previous agreement (see NL #58, item 5), the bill now goes to the Agriculture Committee, which is influenced by USFS policy. The Forest Service is still trying to get a different definition for eastern wilderness, and to obtain more control over the designation process. Letters are needed to our Senators (Senate Office Bldg., Washington, D.C. 20510), asking them to urge this committee to accept the bill without change and to report it speedily.

B. Forest Service studies

The USFS's final roadless area inventory, while representing an improvement over the original listing, still includes only 15% of the previously uncommitted 56 million acres of de facto wilderness. Of 274 areas in the list, only 3 are in the east (including Slickrock-Kilmer), and over one-third of the listed 12 million acres had already been previously committed to wilderness study. Many prime wildernesses long recommended by conservation groups were omitted from the list of areas, which will be studied by the Forest Service for inclusion in the National Wilderness Preservation System.

Management plans for Unit 10 of the Cherokee National Forest (containing Unaka Mtn., the Nolichucky River, etc.) were the subject of a hearing on November 6. TCWP's Holston Valley Chapter presented a detailed testimony (available on request).

C. Timber industry arguments against Forest Service wilderness are exploded

In his Knoxville News-Sentinel column of November 11, Carson Brewer quotes a timber industry spokesman who opposes "the permanent lockup of lands" as wilderness, and who states that due to "dwindling available lands for purchase, spreading urbanization and mountain real estate development, the forest industry is having to depend increasingly upon National Forest timber supplies." Mr. Brewer then goes on to show that two forest-product firms operating in this general area (the Mead Corp., and the Bemis Lumber Co.) recently sold 55,000 acres of timber-producing mountain land in western N.C. to second-home developers. The acreage thus lost to timber production is more than 2-1/2 times as large as areas presently set aside as wilderness in N.C. national forests; and more extensive, even, than the wilderness acreage that would be created if Slickrock-Kilmer (and even Citico) were designated.

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8. STATE CAPSULES

Both Sen. Ray Baird and Rep. Bissell responded to TCWP's request to urge the Commissioner of Finance and Administration to release funds for additional personnel to assist in the implementation of the Scenic Rivers Act. The Department of Conservation has since submitted a proposal, and two new project administrators for scenic rivers will be funded (from capital outlay appropriations), starting 1/1/74. In addition, 7 persons will probably be added to the State Trails program as trails supervisors and surveyors.

A question-and-answer brochure on the Tennessee Trails Program has been issued by the Dept. of Conservation and is particularly aimed at landowners.

TCWP presented two statements at recent Knoxville hearings of Rep. Tom Jensen's legislative committee on land-use planning.

James Lovell Bailey, long-time head of the Division of Conservation Education in the TN Dept. of Conserv. is about to retire, and there is a possibility that he will be replaced by Mack Prichard. Many of you who have met and appreciated Mr. Bailey may wish to contribute to a book of letters and a purse that will be presented to him on 1/24/73. (Send before 1/15/74 to Bailey Fund, c/o Claude Garrett, Bank of Goodlettsville, Goodlettsville, TN 37072).

The residents of Emerts Cove are making efforts to protect the Middle Prong of the Little Pigeon River (which issues from the Greenbrier Section of the Smokies) against pollution by developers and against the pirating of water by nearby communities. They have passed a good zoning ordinance and have petitioned the Water Quality Control Division for a protective classification of the river. Unfortunately, landowners decided against trying for Scenic R. status.

TCWP has subscribed to the CCLC Legislative Newsletter and finds it to be a very useful publication. The pre-session issue contains such articles as Semi-Secrecy in the Legislature, and Legislative Reform, and useful information on How a Bill Becomes Law, the composition of committees, etc. If you wish to subscribe individually, send $3.50 to CCLC, 2330 Golf Club Lane, Nashville, TN 37215.

9. CALENDAR

12/27/73 Public hearings by Rep. Fulton on "The local impact of the energy shortage." All day, starting 8:30 a.m., in Rm 661, U.S. Courthouse, 801 Broadway, Nashville, TN 37203. Call 615, 749-5308 for information.

1/10/74 TCWP meeting on flood plain zoning (see item 1, this NL).

1/18/74 Deadline for comment on BSF-EIS (see item 5, this NL).

1/24/74 TEC "Environmental Open House", Botanic Hall, Cheekwood, Nashville, 8 p.m.

1/26-27 SC Mt Rogers (SW Virginia) Winter Backpack Hike
Advance registration mandatory. Call Ken McDonald, Knoxville 584-1501 or 693-0689

Read on, and be proud of TCWP!

II. SUMMARY OF 1973 EVENTS AND ACTIVITIES

1. Stripmine control

(a) State level

For the third year in a row, TCWP drafted model legislation designed to rectify the most glaring failings of the 1972 Act, and containing provisions to protect water quality, prevent landslides, and improve citizen participation in decision making. Reid Gryder represented TCWP in joint Senate-House hearings on the bill, which soon thereafter passed the Senate 25:0 under the able leadership of Sen. Ray Baird. Many TCWP members throughout the state subsequently contacted their representatives on the House Conservation Committee to inform them about the proposed legislation; but Rep. Bowman, doing his usual job for the stripmine industry, prevailed on the committee to pass only a very small fraction of the bill (Lily Rose Claiborne and Charles DuBois observed for TCWP). The Calendar Committee then failed to act on even the emasculated version before the first half of the session closed -- but the bill stays alive for the second half.

Partly as a delaying tactic, the House Conservation Committee voted themselves a stripmine field trip for mid-summer. Rep. Bowman attempted to engineer this into an extremely one-sided occasion, but TCWP (with SOCM) asked for, and received, equal representation with the stripping interests. Reid Gryder, Don Todd, and Lily Rose Claiborne represented TCWP on the 3 successive days. A follow-up meeting by the House Conserv. Comm. on 9/19/73 (Lily Rose observing for TCWP), however, showed little evidence that legislators had learned to stand up to the insistent and oft-repeated assurances by the administration to the effect that Tennessee had a fine law which didn't require amending. The administration subsequently drafted amendments to the Rules and Regulations on which Bob Peelle has commented for TCWP (see this Newsletter, item 3B).

(b) Law suits

TCWP has, this year, been a party to two lawsuits concerning stripmining. One was a writ-of-mandamus action (with hearings in November and a decree in December, at which TCWP was one of 4 relators) against the state's Water Quality Control Division. It grew out of the strange feature of the 1972 Law that required an operator to show only that he had applied for a water-discharge permit -- not that he had actually received one. Our suit attempted to force action on these discharge permits, and we were successful, thanks largely to the fine efforts of our attorney, John Williams (see this Newsletter, item 3A).--Our other lawsuit, actually initiated late the year before (hearings in March and May 1973), was against TVA, and we were co-plaintiffs with NRDC, Sierra Club, SOCM, and SOK. Plaintiffs attempted to get TVA to file separate Environmental Impact Statements (EIS's) on its major contracts, and also attempted to show that TVA's single statement was far from adequate. Several TCWP members (Don Todd, Bob Peelle, Lee Russell, etc.) worked hard and long on affidavits and interrogatories; others (Jack Gibbons, both Peelles) acquitted themselves beautifully on the witness stand; and NRDC attorney, Dick Hall, did a superb job throughout. In spite of this, Judge Taylor ruled against us, and we are now appealing. The lawsuit served to bring the problem before the public's eye.

(c) Federal legislation

For the second year, TCWP has been heavily involved in efforts to get meaningful federal stripmine legislation passed. We analyzed a large number of pending federal bills and wrote detailed testimonies for both the Senate and House hearings, at both of which Lee Russell testified orally. Subsequently, during the lengthy mark-up stages, we have been in touch with Washington, have analysed several committee prints, and have repeatedly contacted committee members and others. Early in October, the Senate passed a surprisingly good bill, and Sen. Baker contributed in a very positive way to the long debate. Just prior to Senate floor action, TVA attempted to propagandize against the bill by raising the spectre of fuel shortages, and TCWP answered with factual corrections in a news release. -- At the 2nd Intergroup Conference, TCWP authored two stripmine resolutions directed at members of the House, where a strong bill still needs to be passed.

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(d) Miscellaneous

TCWP has cooperated with various groups in its stripmine effort, particularly with SOCM and EPC. We have taken on, through our Harvey Broome Memorial Film Series, distribution of the SOCM film "The Stripping of Appalachia." TCWP has publicized factual information about coal mining, e.g., on distribution of reserves, the CEQ slope study, and employment figures; and has prepared and circulated a fact sheet covering some of these items. The stripmine committee in 1973 consisted of Bob Peelle, Don Todd, Lee Russell, Reid Gryder, Lily Rose Claiborne, Miriam Guthrie, and Tom Hebble.

2. Efforts to stop unjustified dams: Duck River and Little T

Throughout 1973, construction of the Normandy Dam on the Duck River progressed (with only short interruptions by "acts of God": fire, flood, and strikes), while we had to await the setting of a trial date by Judge Neese (who in December 1972 had upheld plaintiffs' allegations under NEPA). The Duck River Project was included as one of the 13 most destructive and wasteful "Disasters in Water Development," in a booklet published jointly by all the major national conservation groups; but this did not deter OMB from releasing impounded funds, or Rep. Joe L. Evins from inserting a clause into the Public Works Appropriations bill that requires construction on Columbia dam also to start during this fiscal year. The trial date was finally set for 1/14/74 and the pre-trial conference for 10/17/73; but about 3 weeks before the latter, EDF withdrew from the case, leaving Duck R. Preserv. Assn. (DRPA) as the lone plaintiff. The determination of DRPA to continue with the case, the strong moral and financial support by TCWP and other state organizations, and several conversations by Bill Russell with EDF officials (who had been somewhat misinformed on local matters) convinced EDF to continue supporting the case by providing part of the cost and limited legal help. TCWP pledged contribution of $1000 in support.

In the Tellico Dam law suit, the preliminary injunction against dam construction, which had been imposed in January 1972, continued in effect through Sept. 1973, at which time Judge Taylor ruled that TVA's EIS was adequate. This, in spite of the very excellent case presented by EDF at the 9/17 trial, at which a large number of state administration witnesses testified against the dam. The Cincinnati Court of Appeals heard the case on 12/7, and a decision is being awaited. -- Earlier in the year after heavy spring rains had caused flooding in Chattanooga, TVA blamed the damage on dam delays caused by the environmentalists' lawsuit. The patent falseness of these statements was pointed out in a number of news releases by TCWP president, Bill Russell.

3. Positive protection for rivers on which we have stopped dams

(a) Big South Fork of the Cumberland (BSF)

Having had our attempt to establish the BSF National River and Recreation Area frustrated by a Nixon pocket veto in Oct. '72, we began 1973 virtually from scratch, and without Sen. Cooper, whose prestige had been a big factor in securing passage of the bill the year before. However, Sen. Baker, who remained in contact with TCWP and the BSF Preservation Coalition (Lee Russell, coordinator), vigorously continued the effort on his own, and managed to pass the measure again on Feb. 1 -- again as part of the Rivers & Harbors Act. In order to avoid jurisdictional objections from the Interior Committee, the bill was changed to put final management of the 125,000-acre area into the hands of the NPS (following acquisition and development by the Corps). The stringent measures for protecting wilderness in the gorges of the watershed were retained. Although Congressmen LaMar Baker and Duncan offered to introduce a corresponding section into the House Rivers & Harbors bill, it was considered wiser to follow the 1972 procedure of taking care of the matter in conference committee. In the meantime, difficulties developing over other portions of this omnibus bill caused the Senate to recall its version to committee, from where it has just re-emerged, with the BSF section still intact. The outcome of these various maneuvers will not become apparent until 1974.

During the year, behind-the-scenes agitation by two Maryville M.D.'s, who are speculating on land in the proposed area, resulted in some opposition to the project from Fentress County (mostly directed at Rep. Joe Evins), and in a confused resolution by the Morgan County Court asking for removal of land from the proposed area that actually lies in Fentress, rather than Morgan, County. The court, later properly informed by Don Todd, has taken no further deleterious action. Other threats to the proposed area have included oil spills on Clear Fork tributaries, some timber cutting in the gorges, and development plans by a land corporation.

(b) Obed

The field task force study, conducted under the leadership of BOR, finally went to completion in 1973, and local hearings were held on a summary report prepared by the task force. The report found about 100 river miles of Obed, Clear Creek, and Daddys Creek to be highly deserving of inclusion in the National System of Wild and Scenic Rivers, and recommended "wild" classification (the most protective) for all but the upper portion of Daddys Creek. No recommendation was made as to administering agency. BOR originally scheduled hearings at Crossville and Wartburg for May, then attempted to cancel them at the last moment, and finally held them anyway when we pointed out that a lot of people had already prepared to testify. A second set of hearings was then held in September, at which time the oral testimony was overwhelmingly in favor of the proposal (57:10; with 3 questioning), the only opposition coming from landowners and stripmine-related interests. Testimony was also strongly for management by NPS (in cooperation with the state). TCWP, in addition to preparing testimony for both hearings, took on the task of analysing the report, keeping other state and national organizations informed of all major steps of the proceedings, and following up after the hearings by communicating with our Senators and Congressmen. The TCWP effort was led by Lee Russell and Bob Humphries.

(c) National Wild and Scenic Rivers Act

TCWP submitted testimony for hearings on a bill that would extend the moratorium (expired in October) on rivers listed in the study category of the original Act, including our Obed and Buffalo. We also recommended various other improvements in the law, which have, however, not yet been acted on. Rep. Quillen introduced a bill that would add the Nolichucky to the study category.

(d) State Scenic Rivers Act

Mike Countess, Project Administrator for Scenic Rivers, this year reported progress in implementation of the Act, particularly with regard to land-owner contacts and surveying. Following a TCWP suggestion, he has prepared an excellent brochure explaining, in simple language, the contents of the law in order to prevent the deliberate misinformation of landowners that took place in the Buffalo and Harpeth cases. In response to TCWP requests, Sen. Baird and Rep. Bissell asked the administration to release funds for personnel to assist Mike with implementation of the Act. These efforts have been successful.

4. Eastern Wilderness; Forest Service

At the beginning of the year, TCWP joined Citizens for Eastern Wilderness (CEW), an *ad hoc* coalition formed to promote legislation to designate wilderness areas in the national forests of the eastern USA. TCWP members Felix Montgomery and Ray Payne are regional and state coordinators, respectively, for CEW. We were already a member of the Joyce Kilmer Wilderness Advocates, and our work has thus been coordinated with that of several other groups.

The following activities were part of TCWP's extensive efforts, led by John Tansil, in support of the Eastern Wilderness Areas Act. We submitted written testimony for Congressional hearings, strongly supporting not only the general provisions for wilderness designation in the east but also 3 specific areas in Tennessee; and Felix Montgomery went to Washington to testify orally for us on 2/21/73. At later, regional, hearings

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at Roanoke (6/25/73), Fred Sweeton read TCWP testimony, and 6 other members attended. TCWP circulated petitions and information brochures on Kilmer-Slickrock and Cohutta, and built up enough support to cause Congr. LaMar Baker to give active support to the Eastern Wilderness Areas Act. When the bill emerged from subcommittee in fine basic form but with a substantial reduction in Tennessee acreages, Will Skelton authored a special TCWP alert circulated 8/22/73. Two months later, even the basic provisions of the bill were threatened by a jurisdictional dispute, and we had to ask our Senators to urge the Agriculture Committee to accept the Interior Committee's language of S.316.

A special effort was needed with regard to the Kilmer-Slickrock wilderness, since the year started with the proposed Robbinsville-Tellico Plains road still threatening to split the area. Sen. Helms of N.C. (and probably Sen. Brock also) in fact opposed wilderness designation altogether on the basis of this road plan. TCWP commented critically on the draft EIS for the road and tried to counteract the opposition by communicating and meeting with our Senators. The Joyce Kilmer Advocates have subsequently been successful in getting the Federal Highway Adm. as well as Senators Helms and Brock to accept a re-routing of the road which would not split Kilmer from Slickrock.

The Bald River area in the Cherokee National Forest also received our attention. TCWP participated in field trips and meetings in an attempt to arrive at a joint recommendation with other groups for preserving this watershed. Our testimony recommended study-category status.

5. Smokies

After a period of relative quiescence on the Smokies front, things began to happen again in May, when an NPS study team visited for the purpose of initiating work on a new master plan and wilderness proposal. TCWP was represented at the NPS's unannounced listening session by Bob Peelle and John Tansil; and Lee Russell submitted formal comments in July. TCWP also continued its attempts to turn the North Shore Road south across Fontana Res. Thus, we requested OMB not to release impounded funds earmarked for construction on the north bank; and when we found that these funds had been released, we requested to be allowed to comment on the draft EIS. TCWP has twice asked for a meeting on the Smokies with the new NPS director, Ronald Walker, but we have, so far, not been granted one. Leroy Fox and Bruce Ketelle were appointed to co-chair a new TCWP committee on the Smokies.

6. Land-use Planning

(a) Federal legislation.

Early in 1973, the TCWP Land-use Planning Committee submitted testimony to the Senate Interior Committee supporting the Land Use Policy and Planning Assistance Act which was subsequently passed (64 to 21) in the Senate during the summer (Senator Baker voting yea, Brock nay) This legislation would provide grants to assist states in developing and implementing land-use planning and guidance systems. The House version of the bill (H.R. 10294) is, at this writing, stalled in the Interior Committee. TCWP has vigorously supported this bill, and our Land-Use Planning Committee has been in frequent contact with the Tennessee delegation regarding it.

(b) Activities at the state level. An official State Land Use Planning Task Force has been working since August on recommendations for state legislation, and its report is expected before January. Partly for the purpose of aiding the efforts of this Task Force, TCWP members Bob Farmer and Jack Gibbons secured the cooperation of other groups and organized an ad hoc Working Group on Land-use Planning, which has met periodically since early September in a seminar setting at the U.T. Graduate School of Planning. Aided by the U.T. Environment Center, the interdisciplinary group, which is chaired by TCWP's Bob Farmer, has produced a series of working papers and will continue its efforts during 1974.

TCWP testified in November before a state legislative committee on land-use planning chaired by Rep. Tom Jensen. Our statement dealt mainly with key elements of state land-use policy and supported establishment of a legislative commission to develop a land-use planning and guidance system for Tennessee.

(c) Miscellaneous

TCWP testified 9/17/73 on land taxation at hearings of the state Tax Modernization and Reform Commission; and co-sponsored (with Fair Taxes Now and SOCM) two public meetings on tax reform. -- Panel discussions on land-use planning, led by TCWP members, were a major part of the programs at the two inter-group conferences held in January and October. At the second of these conferences, a TCWP-authored resolution on Land Use Planning and Guidance Systems for Tennessee was passed. -- Active members of the Land-use Planning Committee this year were Paul Baxter, Bettie Coobs, Bob Farmer (chairman), Jim Hulme, Dave Ostermeier, Bob Stephenson, and Al Voelcker.

7. The North Ridge Trail

TCWP was successful this year in its efforts to have the 8-mile trail we developed in the Oak Ridge greenbelt designated both as a National Recreation Trail (only the fourth in the southeast) and a State Recreation Trail. The former designation was made by Interior Secretary Rogers Morton on 3/7/73, the latter by Conservation Commissioner Granville Hinton on 5/11/73. State Recreation Trail designation brings with it a positive ban of motor vehicles on the trails.

8. Miscellaneous state issues

The state Natural Areas Act (for the passage of which, in 1971, we can take some credit) was amended this year to designate specific areas, including two which we had strongly urged (Northrup Falls and Savage Gulf). Subsequently, when private funds had to be raised to help acquire one of the areas, Radnor Lake, TCWP contributed $100.

TCWP became involved in two interactions between the Dept. of Corrections and Dept. of Conservation. In the case of Frozen Head State Park, our long-standing efforts to have thousands of acres of Brushy Mountain Prison land added to the park succeeded for the most part, except for a parcel of land on the Honor Farm, which was sold to Morgan County for an industrial park. TCWP's Chattanooga Chapter has resisted proposals to build a prison in the presently wild Prentice Cooper State Forest.

TCWP actively opposed -- so far successfully - a bill that would remove the power of eminent domain from the Commissioner of Conservation. -- We have kept the membership informed on the continuing threat to Overton Park from I-40 and have attempted to solicit financial aid for the court battle.

9. Miscellaneous national issues

TCWP commented on (and solicited comments on) the draft of the National Water Commission Report (with copies to our Congressmen). The final report of 6/14/73, which was improved as a result of conservationists' input, could have a major effect on the nation's future water resource policies. The Water Resources Council standards, on which we commented in 1972, were adopted this fall.--We have supported other environmental groups in a number of other efforts which can only be enumerated here: opposition to the Alaska pipeline (proposal of an alternate route); support of the mass transit provisions, and opposition to features that would circumvent NEPA, in the Federal Aid Highway Act; opposition to the revival of the Timber Supply bill; opposition to administration impoundment of water pollution control monies.

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10. Education and liaison activities

TCWP organized the first Intergroup Conference on Tennessee Environmental Issues in January, with most of the hard work done by the Sweetons. Our very successful format was followed at the 2nd Conference organized in October by the Tennessee Environmental Council, an umbrella organization which we joined in March. We have maintained an up-to-date address list of numerous Tennessee organizations and have communicated with them repeatedly during the year. On the national level, we have had close cooperation with the Environmental Policy Center, Am. Rivers Conserv. Council, Wilderness Soc., Sierra Club, and Izaak Walton League.

The Harvey Broome Memorial Film Series committee (Eliz. Peelle, chmn., Anne Broome, Bill Countess, Jack Gibbons, Jan Hulme, Charles Klabunde, Margo Spore) found a new distributor for the films -- the Oak Ridge Public Library, with the Friends of the Library doing necessary film repairs. SOCM's "The Stripping of Appalachia," was acquired on extended loan for distribution. Our films were widely shown, especially during Earth Week.

11. Organization of TCWP

The formation of TCWP Chapters was formalized, following the by-laws change in Dec. 1972, with the adoption of guidelines (developed by Will Skelton) in March. The Holston Valley and Chattanooga Chapters have functioned well all year. -- Again this year, we circulated a political guide, and routinely reported the voting record of our legislators. -- We designed and produced a classy new TCWP brochure. -- An important new appointment was that of a Coordinator of Volunteer Services (Pat Tyrrell) who distributed a questionnaire and maintains a series of rosters on the basis of which members can be approached for assistance in various fields. -- Some of our phone committees have been revitalized by Martha Ketelle. -- We sponsored 6 public meetings as follows: 1/19-1/21/73 First Intergroup Conference; 1/24/73 Thurman Trosper, on Eastern Wilderness; 2/28/73 S. Leary Jones on Water Quality Control; 4/15/73 dedication of the North Ridge Trail; 10/19/73 Robert Baker, BOR Regional Director; 11/19/73 Annual Meeting -- Several TCWP members took prominent positions in public life: Jack Gibbons became Director of the national Office of Energy Conservation; Tony Koella, Deputy Commissioner of Conservation; Mike Countess, State Project Administrator for Scenic Rivers; Bob Peelle, a member of the Roane County Court. Many members have been on the air (radio & TV) and on the published page.

With your help, we can make 1974 even more successful than 1973!