

TENNESSEE CITIZENS FOR WILDERNESS PLANNING

*Newsletter No. 62, May 13, 1974

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1. COME TO THE WATER QUALITY WORKSHOP, JUNE 8!

As we reported last month TCWP has received a grant from EPA to conduct a Water Quality Workshop. We have formed a large committee that is already heavily involved in the huge effort of securing area-wide community participation. SOCM is cooperating with us.

The purpose of the workshop is to acquaint citizens with their rights and opportunities under the Federal Water Pollution Control Act (PL 92-500) so that they may play an informed and effective role in planning and decision making and in the enforcement of clean-water standards for their community or region. The all-day affair at the Oak Ridge Civic Center, will be geared strongly to the dissemination of practical down-to-earth information. A number of highly qualified experts will address us on problems and solutions, will try to answer any and all questions, demonstrate techniques, and provide the "how-to" concerning government contacts. There'll be movies and exhibits. In addition, we shall furnish workshop participants with an action kit containing a variety of useful pamphlets, summaries of federal and state laws, lists of addresses, etc.

To get down to particulars for a portion of the workshop, we shall do a case study of a type of water pollution especially prevalent in certain parts of our state, namely, stripmine pollution. Some of the invited speakers will emphasize this problem. However, much of what you will learn about the laws and their enforcement will apply to other types of water pollution also. We urge participants to bring a box lunch so that we may eat together (hopefully in the wooded area adjacent to the Civic Center if the weather is good) and be entertained by fine folk and mountain music. If there is sufficient interest, a mine tour will be held on the day following the workshop, June 9.

A workshop program is enclosed. Please disseminate this information as widely as you can. More programs etc. are available on request (contact the editor).

P.S. The Tenn. Division of Water Quality Control will hold a public hearing in Nashville on May 30, 9:30 a.m. CDT (Lentz Health Center Auditorium) on the proposed municipal facilities construction grant project list for Fiscal Year 1975. For additional information, call 741-2215.

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*Star in margin means "Action required!"

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letter of
the month.
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2. DUCK RIVER DAMS: YOUR HELP NEEDED TO EXPOSE THE COVERUP

As reported in NL #61, Judge Neese on March 7 ordered all work on the Duck River dams halted as of March 30 until TVA files an acceptable environmental impact statement (EIS). However, after much TVA-generated publicity about the number of men who will be put out of a job by this court decision, and after a TVA showing of progress on the EIS, the Court on April 1 delayed the effective date of the injunction until May 4; and, on May 2, again delayed it until June 30. In the meantime, TVA's construction proceeds full-pace. -- TVA has prepared a draft supplemental EIS and filed it with the Council on Environmental Quality (CEQ) April 19. Deadline for comments is June 1. Ask TVA for a copy of the EIS (TVA, New Sprinkle Bldg., Knoxville, Tennessee) and send in your comments.

We MUST translate our big moral court victory into political victory. What came out in court was how phony TVA's calculations were and how many pertinent facts on real losses were suppressed in the EIS. If calculated with the real figures, losses would far outweigh benefits. These facts must be brought out in letters to the editor, to Congressmen and Senators, and to the Governor. Ask your Congressman and Senators to request a General Accounting Office, or other independent, investigation of the project on the grounds that the Court found salient facts (that would have influenced benefit/cost ratios) to have been suppressed. Why should taxpayers be made to pay \$120 million for a non-beneficial project? When you write, remember: (a) The dams would not generate power; much power would be consumed in their construction. (b) Figures generated by TVA's own economists, but suppressed for the purpose of the EIS, indicate that annual farm losses alone outweigh all claimed benefits; and that, when these farm losses are added to other costs, the benefit/cost ratio drops to about 0.5. (c) In calculating supposed recreation benefits, TVA projected the reservoir recreation use to the year 2020, but subtracted the free-flowing river use only for the year 1968. For this latter, they thus used a figure of only 4,100 visits instead of the 102,000 visits calculated by TVA's own experts (a "cover-up" factor of 25!). (d) TVA did not include about \$1.6 million in relocation costs (required by law to be paid to displaced families) as part of the cost. (e) TVA's water-quality benefit is based on the concept of "pollution dilution," which was outlawed by the Congress in 1972. (f) TVA's benefit calculations were based on a population projection 40% higher than the figure derived by TVA's own experts. (g) The largest single claimed benefit is for "enhanced employment," which, in turn, depends on increased water supply. The latter can be achieved through alternatives costing only a small fraction of what Normandy and Columbia dams would cost.

If you feel as mad as you should about this rotten cover-up, write TODAY!

Note: here's yet another opportunity to get acquainted with the Duck River. The Carbide Canoe Club is sponsoring floats May 18 and 19. Meet at the Henry Horton State Park picnic area (along the river) at 10 a.m. CDT on Saturday, and at 9 a.m. on Sunday. There'll be 2 floats Saturday: (a) 8 miles from Whites Ford to the Park; and (b) 15 miles from Halls Mill to the Park. Sunday floaters will decide on a run when they meet. This is a real family-type outing: no white water. For more information, call Roy Shipp 483-4003 or Lee Russell 482-2153.

3. FOLLOW-UP ON THE BIG SOUTH FORK VICTORY

Within a week following the signing of the bill that authorized the Big S. Fork National River and Recreation Area, TCWP took the following steps:

- (a) sent out news releases concerning the meaning of the bill and the history of the preservation effort;
- (b) expressed its gratitude to Senator Baker;

- (c) wrote to Mr. Ronald Walker, Director of the National Park Service, urging that NPS join the Corps at a very early stage in the master-planning process;
- (d) wrote to Col. Brandes, expressing a hope that we would be allowed to cooperate in various planning activities;
- (e) communicated with all member organizations of the Big S. Fork Preservation Coalition concerning needed future efforts.

Both the NPS and Corps have responded. Dr. William Hendrickson of the S.E. Regional Office of NPS has been appointed as "'keyman' to work on planning in close liaison with the Corps of Engineers." Col. Brandes of the Corps wrote "We are grateful for your offer of assistance, and certainly plan to enlist the advice and help of all interested organizations and individuals in planning this effort."

* We had also asked Col. Brandes' help with respect to some "quick-kill" timber cutting that was going on in the area. He replied that "our only recourse at this time is an appeal to the owners to voluntarily preserve the area"; and he offered to contact such persons for this purpose, if we can furnish their names. Any of you who learn of any cutting or other harmful practices in the area, please contact the Colonel (P.O. Box 1070, Nashville, TN 37202) or us.

In this connection, we are grateful to Bowaters Southern Paper Corp., which recently voluntarily halted timber harvesting on about 1000 acres which it owns within the proposed 125,000-acre area, stating "we think we have a responsibility to leave it in the best condition for its intended recreational use." Company President Dyer only regrets "losing" the Honey Creek Pocket Wilderness -- however, we would point out that the area is obviously not going to be lost: rather, the work of preserving it will simply pass from Bowaters to the government. TCWP will suggest to the Corps and NPS that Bowater's contribution in setting aside Honey Creek be commemorated on a local plaque and/or in the Park literature.

* Unfortunately another landowner is not as public-spirited. A Doctor Bowen from Louisville, TN., who owns land in Fentress County that he had planned to use for a second-home development, had for some time been agitating against the bill and stirring up local politicians. Now that the Area is authorized by law, he has started a letter-writing campaign to newspapers and Congressmen to get the boundary reduced. His letters are full of misstatements designed to create the impression that many homeowners and farmers will be pushed from their land, and that the counties will lose a lot of tax revenue. We need to point out these facts: (a) the boundaries were drawn specifically to exclude homes and cultivated farmland - only 1 residence is in the Fentress County portion of the Area; (b) the Act permits owners of residences to remain in them for the rest of their lives; (c) the Act has provisions for in-lieu-of-tax payments to the counties; (d) the Area has the support of over 20 organizations with hundreds of thousands of members and of the State of Tennessee; (e) most of the land is owned by large corporations and absentee landowners -- of which Dr. Bowen is one. Why not write to your paper bringing out these facts? You may wonder why we even bother to report Dr. B.'s agitation, now that the bill has passed. Trouble is that our Area won't become reality until the land is acquired; and for this we need appropriations. TCWP has sent testimony for the record of just-concluded hearings of the Public Works Appropriations Subcommittees of both Houses, asking that they appropriate not just planning money for the coming year, but acquisition funds also. So much prior planning has been done on this Area that little additional time is required. We urge you to add your voice too. Write to Congr. Joe L. Evins and Senator John C. Stennis, the Subcommittee Chairmen in House and Senate, respectively. Send a copy to your own Congressman and Senators. (House Office Bldg, D.C. 20515; Senate Office Bldg., D.C. 20510.)

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4. OTHER RIVER NEWS

A. Obed: your Congressman and Senators must hear from you

We have arrived at the end of the period allowed for agency comment on the BOR's review draft which, as you recall, recommended TVA-state management -- in spite of overwhelming public testimony in favor of NPS-state. We have learned that the National Park Service's much-cited "lack of interest" in managing the area derives from a shortage of personnel rather than of acquisition funds. In fact, it is expected that the Land & Water Conservation Fund will be dramatically augmented this year, probably to about \$1 billion annually, as a result of increased revenues from off-shore oil drilling. If the State of Tennessee will offer to provide most of the field personnel, in a cooperative federal-state effort of Obed management, NPS may yet become the agency recommended in the Secretary of the Interior's report to the Congress. We must have a bill in both Houses to add the Obed and tributaries to the National Wild and Scenic Rivers System, and your Congressman and Senators MUST therefore be made aware of the general enthusiasm for this project. If you haven't written, please do so TODAY (and don't forget to urge NPS-state management, too).

B. Buffalo: landowner misunderstandings at local hearings

Preliminary hearings were held March 13 and 14 at Waverly and Waynesboro to acquaint local people with the task force studies that are in progress under the terms of the Wild & Scenic Rivers Act. Apparently, the local attitude encountered was hostile as a result of long-existing prejudice against government interference. At the same time, landowners want to see the river protected. In an excellent follow-up letter in the Waverly News Democrat, Asst. Commissioner of Conservation, Tony Koella, says "I was distressed to see a lot of people misunderstanding what exactly was trying to be accomplished with the Scenic River Program. The fault primarily lies with the task force team that gave the presentation." He then proceeds to develop for the farmers a very clear concept of how the Act would achieve just exactly the kind of protection that they themselves basically want. Koella's explanations of how a scenic easement would work to the farmer's benefit and would let him retain the right to control access to his land is one of the most effective we have seen yet. We hope it gets widely read. -- Because of the confusion at the first two hearings, BOR called a third one for April 27 at Linden. We have not yet had a report on this one.

C. National Wild Rivers Act Amendments enacted

A few days ago, the President signed into law a bill that (a) adds the Chattooga to the National Wild and Scenic Rivers System; and (b) amends the original Act in several of its general features. The amendments extend the already expired moratorium against water-resource projects on rivers listed for study (including Tennessee's Obed and Buffalo); maintain the moratorium for 3 years beyond the submission of a study report to Congress -- regardless of whether the agency's report is positive or negative; add funds for the original 8 "instant" rivers; and require the President rather than the Sec. of Interior or Agriculture to submit the completed reports to Congress. -- The status of other legislation that would add new study rivers is still uncertain: fewer rivers are on the Senate list than on the House list (which included the Nolichucky in Tennessee). Chances are 5-10 study rivers will be added by the Congress this year. In the meantime, the administration list of proposed study rivers (prepared by BOR and USFS), which is said to number 32, is now in OMB and its fate is uncertain.

5. STRIPMINE NEWS

A. The federal bill

H.R. 11500 is expected to be reported out of Interior Committee on May 14 and get to the House floor around mid-June. Several weakening amendments were beaten back; and environmentally concerned committee members managed to include a requirement for written consent of the surface owner, and to remove a section giving the President powers to suspend reclamation requirements. However, a number of adverse developments also occurred. For example, amendments were adopted that would allow mining in aquifers

Have you paid your dues?

(water-bearing strata) and that would permit changing the course of streams by blasting. Worst of all, the Committee defeated the Seiberling amendment (in spite of many supporting wires by TCWP members and others) which would have created a \$2.50/ton reclamation fee against which stripminers could have written off their reclamation costs, while deepminers could have written off costs of health and safety equipment, black lung benefit payments, and shaft backfilling. The amendment was designed to remove the artificial economic disadvantage at which deepmine operators have found themselves relative to stripminers. The Jones-Udall substitute for the Seiberling amendment would levy a flat 1.23¢/BTU (equivalent to ~17¢/ton for lignite, ~34¢/ton for bituminous coal) with no write-offs.

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We urgently need to get the following message to our Congressmen within the next 4 weeks: "H.R. 11500 is too weak as it emerges from committee and must be strengthened before we can support it." Ask your representative to work and vote for the reclamation-fee amendment which will be offered on the floor (the old Seiberling amendment) and any amendments that would delete the mining-in-aquifers and mountain-top-removal provisions. Ask him, also, to resist any amendments that would weaken requirements to restore approximate original contour or provisions against putting spoil on the outslope. Congressman Hechler will introduce an amendment to phase out contour stripping in steep terrain within 6 months after enactment. This is in accord with TCWP's official stand for a 15° slope limitation in the case of presently-used technology, and would not cause a coal shortage in view of the huge preponderance of available deepminable reserves. Tennessee congressmen were recently sent a resolution passed at the October Intergroup Conference signed by about 20 organizations having tens of thousands of members, asking for a stringent law with specific restrictions on steep-slope contour stripping.

The Congressional Digest, a monthly magazine founded in 1921, in its May 1974 issue features "Controversy Over Proposed Federal Regulation of Surface Mining of Coal." Four statements are featured on each side of the issue. Among those on the "pro" [federal regulation] side is TCWP's testimony to the House Interior Committee in April 1973. We are proud to have been thus chosen. (The other 3 "pro's" are Rep. Ken Hechler, the Izaak Walton League, and Dr. Helen M. Lewis.)

B. Stripmine water pollution

The monthly report to the Tennessee Water Quality Control Board shows that, during March, 40 discharge permits were issued to surface mines, 2 of these being coal mines. However, it seems that there is little or no follow-up to see that the conditions of the permits are adhered to. SOCM recently sampled water discharging from Premium Coal Co. mine #2 into Cage Creek (Anderson County) and found silt contents to be 3 or 4x the permissible level, and pH's as low as 4.0. Subsequently, a formal complaint was lodged with the Commissioner of Public Health as a first step in the legal process designed to correct the Division's enforcement failure. The Division has promised two inspection trips before June 30, but has denied a request that SOCM be allowed to accompany the inspectors.

TCWP has received a copy of the Soil Conservation Service study mentioned in NL #61, Item 7D. It is entitled "A Study of Sediment Sources in the New River Basin of Tennessee" and is dated Sept. 1973. The report estimates that, so far, 7000 acres have been disturbed in the 146,000-acre study area, which, it is to be noted, was limited to the basin upstream from the Brimstone Creek confluence and thus omits the most heavily stripped watershed in the New River Basin. In spite of this omission, soil loss is estimated to be 1,071,083 tons annually (not counting loss due to landslides), of which about 1/3 comes from haulage roads, the remainder from stripmined areas proper -- with the great bulk of the latter (about 66%) due to mining done 1972/73 (i.e. after passage of the 1972 law) and not from orphan mines, as many would have us believe.

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[Quote from Conservation Commissioner Granville Hinton, writing on "Strip Mining" Yes or No?" in the January 1974 issue of the Tennessee Conservationist, "We know that we cannot reclaim these mountains and make them look like they did before mining, but we can reclaim them under present law to such a degree that we can harvest the needed mineral resources and then return the disturbed land to usefulness." Seems to us the disturbed land is being returned to the river, instead!]

REMINDER: Come to our Water Quality Workshop June 8!

C. Facts about stripping coal

---John McCormick of the Environmental Policy Center, Washington has prepared a 32-page booklet entitled "Facts about Coal in the United States". This has a fantastic amount of information on such topics as heat content and location of major deposits; sulfur and moisture content; coal production in the U.S. during 1972; coal availability; projection of coal demand to the year 2000; synthetic fuels from coal; methane extraction from underground mines, etc., etc. -- plus a bibliography. This highly useful reference work may be ordered for \$2 from EPC, 324 C Street, S.E., Washington, D.C. 20003.

---"Coal and the Energy Shortage", a presentation by Continental Oil Co. to Security Analysts, Dec. 1973 estimates the following reclamation costs for stripmining

	\$/acre	\$/ton	¢/KWH
Eastern	3000-5000	1.00-3.00	0.03-0.10
Western	1000-4000	0.02-0.20	0.001-0.01

They go on to state "Even taking the largest of these costs would add only 2 to 3% to the average residential electric bill."

---The Children's Museum, Oak Ridge Inc. is sponsoring a 4-part seminar on "Strip Mining in Appalachia" on a grant from the Tennessee Humanities Commission. The second session will be held Sunday, May 19, 2-4 p.m. and will be devoted to a discussion of costs. Speakers are Professors Schmidt-Bleek and L. B. Cebik of U.T., Wendall Long of the Long Pit Mining Co., Dr. Ed Nephew of Oak Ridge Natl Lab, and Marie Cirillo, a citizen of Clairfield. The public is invited.

---A committee headed by Sen. Muskie will shortly hold hearings in East Tennessee to find out facts about land ownership and taxation in coal lands. Many SOCM members will testify. (Incidentally, we congratulate SOCM on its victory, over Rep. Jack Bowman's powerful opposition, in achieving a doubling of the severance tax. SOCM will be involved in efforts to see that the counties return the tax revenues to the coal communities in the form of needed services.)

6. EASTERN WILDERNESS: LEGISLATIVE STATUS

TCWP testimony for House hearings on H.R. 13455 was prepared by Paul Somers. We endorsed this bill which was identical to the Senate Interior Committee version of S.316 (see Newsletter #61, Item 4 for detail), both with regard to its general features and the "instant" and study areas within Tennessee; but asked that the Cohutta Wilderness be enlarged northward to USFS Road #221 to take in the lower Conasauga River in Tennessee.

In the meantime, an unexpected development has occurred in the Senate, where S.316 (which had earlier cleared the Interior Committee) was being considered by the Agriculture Committee. The latter has now reported out an amended version which extends the no-mining and restricted-grazing features of the bill to Western as well as Eastern wilderness. While conservationists would endorse these provisions in principle, they are worried that this was a political move designed to incur the opposition of western senators to S.316. The Agriculture Committee also watered down provisions to protect study areas.

7. STATE CAPSULES

A. New Assistant to the Director of State Parks

Allen R. Coggins last month became assistant to Parks Director Boswell. He will be responsible for seasonal and permanent naturalist personnel and activities; and will supervise the development and operation of trails, museums, nature centers, and exhibits. Mr. Coggins, a graduate of Oak Ridge High School and MTSU, was former Chief Naturalist of Georgia State Parks. Prior to that, he worked as parks naturalist at Big Ridge and Norris State Parks and as a staffer at the U.T. Arboretum.

B. Nongame and endangered species program

An apparently strong Nongame and Endangered Species bill was passed by the Tennessee legislature and is now Public Law #769. However, no appropriations were included for this year (and thus no matching federal funds can be requested). The Nongame Task Force, on which TCWP is represented by Monty Halcomb, met again on April 19 to discuss, among other things, the funding of the program, public education efforts, and an inventory of endangered and threatened species. Anyone willing to assist with any part of this effort should contact Monty Halcomb, Rt. 2, Box 161, Wartrace, TN 37183. A slide lecture is being prepared and task force members will accept invitations to speak at public meetings to explain the purpose of the program.

The task force and several Tennessee conservation groups have expressed concern about the West Tennessee program to eradicate beavers. Landowners claim that loss of timber from standing water is the result of beaver activity, but observers feel that at least part of the timber damage is due to the record high water of last year. The Tennessee Forestry Association asked for specific beaver eradication measures (including a bounty), most of which have been put into practice and have resulted in indiscriminate destruction also of the otter, an endangered species. Dr. Ted James spoke to the Nongame Task Force and pointed out that basic data on beaver ecology are needed in order to institute wise management procedures.

C. Natural area information needed

There are undoubtedly many natural areas in our state that are worthy -- for scenic or scientific reasons -- of inclusion in the Tennessee Natural Areas system established by law in 1971. The problem is in bringing these to the attention of those who can do something about it, inventorying them, and setting priorities for their statutory preservation. We urge all of you to give serious thought to the natural areas -- however small -- that you'd like to see protected; then contact Tim McCall, Planning Division, Tenn. Department of Conservation, 2611 West End Avenue, Nashville, TN 37203; and Robert Freeman, East Tennessee Development District, 1810 Lake Ave., Knoxville, TN 37916.

- D. The following is extracted from Ruth Neff's "Conservation and Environment" summary in the CCLC Legislative Newsletter. TCWP Newsletter references follow in parentheses. HB 1514 designated seven new natural areas (TCWP NL #60, Item 4A). Funds for increased staff for the natural areas, scenic trails, and scenic rivers programs were provided in the 1975 budget (#59;8 and #60;5B). A bill to regulate drilling of mineral test holes died in Committee (#60;4B). The 1972 Surface Mining Act was amended (#61;7B, in detail; and #62;8B).

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The severance tax on coal was doubled to 20¢/ton (#61;7B).

HB 1688 renamed and reorganized the former Game & Fish Commission (#61;9)

HB 1954 established a program for endangered and nongame species (#61;9 and #62;7B).

Agricultural limestone production and woodburning boilers were exempted from Air Quality requirements (#62;8B).

No important changes in water quality or solid waste programs were made.

The "bottle bill" died in committee (\$60;4C).

Three bills concerned with land-use planning failed to clear committee (#60;6).

No action was taken on 2 bills intended to improve energy conservation.

8. HOW DID YOUR ELECTED REPRESENTATIVES PERFORM?

The lands and waters we love and the life on them and in them can often be preserved only through political decisions. Anyone who cares must get informed on and involved with the political process. Those we elect must know what we know and how we feel; and we, in turn, must know how they feel and how they perform. In past years, TCWP has prepared candidate questionnaires designed both to acquaint candidates with what the environmental issues are and to acquaint the public with the candidates' views. We hope to do so again in this election year. In the meantime, two tabulations have become available on environmental voting records of incumbents.

A. Federal

The League of Conservation Voters has published a score based on 19 key environmental votes in 1973. Included are such issues as mass transportation, Alaska pipeline amendments, Environmental Education Act funds, suspension of clean air standards for the Emergency Energy Act, energy conservation legislation, etc. Here are the scores for Tennessee Congressmen, based on a 0 to 100 (highest) scale. 1972 and 1971 scores are given for comparison

	1973	1972	1971
Quillen	0	4	0
Duncan	16	31	40
LaMar Baker	11	23	0
Evins	19	34	15
Fulton	59	78	63
Beard	4	--	--
Jones	9	23	4
Kuykendall	4	0	15

A copy of the chart with explanation of votes is in TCWP files. Copies can be ordered for \$1 each from LCV, 324 C Street, S.E., Washington, D.C. 20003.

B. State

The CCLC Legislative Newsletter, to which we subscribe, has just published 1974 voting records on key votes. Of these, 4 for the Senate and 3 for the House are on environmental issues. The following is our tabulation from the CCLC chart.

On the Senate side, 3 of the votes were on important amendments intended to strengthen the stripmine law, the fourth on a vote to exempt limestone plants from the Air Quality Act.

Perfect score (voted in the environmental interest on all 4 questions): Ray Baird, Gillock, and White.

Right 3 times out of 4 (wrong or not voting on 1): Roberson, Shacklett, Williams

Two right votes: Koella, Neal, Patterson, Thomas

One right vote: William Baird

No right votes: Ayres, Albright, Baker *Berry, *Blank, Cannon, *Crouch

*Dunavant, *Garland, Hamilton, *Harvill, Henry, *Nave, *Oehmig, Peeler, *Person, *Shadden, Talarico (Those starred voted wrong 4 times out of 4; the remainder each had an absence on one or two of the votes)

Not voting at all: Porter, Wilder; voting only once each (wrong): Davis, Motlow

In the House, 2 of the key votes were on strengthening amendments to the stripmine law, the third on the air quality exemption for limestone plants.

Perfect score (3 right out of 3 votes): Bissell, Mann, M. Murphy

Two right, one absence: Ashe, G. Fleming

Two right, one wrong (in all cases, except Martin, the 2 "right" were stripmine votes): Ashford, Bible, Bragg, Brewer, D. Clark, S. Clark, Corley, Crowell, Darnell, Davis, DeBerry, Elkins, E. Fleming, Harold Ford, Hurley, Jensen, King, McKelvey, Smith, Martin.

No right votes: F. Atchley, Bailey, Bewley, Bousson, Bowman, Burleson, Carter, Carter, Crocker, DePriest, Dixon, Ellis, Garner, Gill, Hendren, Huffstetler, Lanier, Longley, Lowe, McWilliams, Melton, A. Miller, Moore, Ramsey, Rhinehart, Richardson, Spoons, Stafford, Starnes, Teague, Watson, White, Williams, Work. (The following had 1 absence each). Burke, Burnett, Good, Hillis, McKinney, McWherter, E. Murray, Phillips, Ross, Webb, Weldon.

(If your legislator is not listed, he voted on fewer than 2 of the 3 votes).

9. WILL THE STATE CIRCUMVENT FEDERAL LAW TO DESTROY OVERTON PARK?

Do you think millions of \$\$ of state funds should be spent to circumvent the law of the land? We venture to guess that hardly anyone would answer this question in the affirmative: yet exactly such a spending proposal is being vigorously pushed by some of Tennessee's highest officials. Purpose: to replace much of the oak-hickory climax forest of Memphis' Overton Park with a 6 to 8-lane width of I-40, funded by state funds since federal funds have now been ruled illegal. The five-year court battle -- based mainly on Sec. 4F of the 1966 Dept. of Transportation Act, which forbids federally funded highways to use public park lands, "unless there is no feasible and prudent alternative" -- has been up and down and up the hierarchy of federal courts, including the Supreme Court. Environmentalists saw victory in January 1973 when then-Sec. of Transportation Volpe ruled that there were indeed alternatives, and that he therefore could not approve the Overton Park routing. The Tenn. Dept. of Transportation then went to court claiming that the Secretary had failed to designate a specific alternative; but on April 3, 1974 the U.S. Court of Appeals ruled that it was the State's responsibility to select an alternative. Sec. Volpe and many others have pointed to the possible use of the I-240 circumferential as a routing for I-40. There has never been any opposition to this segment, and all right-of-way is cleared. However, commercial interests in Memphis view the Overton Park routing as a solution to the failing popularity of downtown shopping, and the papers quote the Governor as pledging to spare no effort to secure this routing. According to Citizens to Protect Overton Park, there may be a movement underfoot to add a rider to pending federal bills that would specifically exempt Overton Park from parkland protection laws and would permit the use of state funds for this Interstate segment. Do you want our state moneys to be used for this purpose? Furthermore, Sec. 307 of the pending Unified Assistance Transportation Act of 1974 (H.R. 12895 and S.3035) provides that environmental determinations on a highway be made by the states. What we have learned from the Overton Park case should make us very doubtful about this provision. Let your Congressman and Senators know how you feel about both these items.

10. TWO IMPORTANT HEARINGS ON SOUTHEASTERN NATIONAL PARK

A. Mammoth Cave

We'll probably get very little advance notice of hearings to be held on the Master Plan and Wilderness Proposal for this National Park. Write to Joseph Kulesza, Superintendent,

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* Mammoth Cave Natl. Park, Mammoth Cave, Ky. 42259 and ask to be sent a copy of (a) the hearing notice, (b) the Master Plan, (c) the Wilderness Plan, and (d) the Environmental Impact Statement. We heard from Bill Dean, who addressed a TCWP meeting on April 9, that the NPS's Master Plan is a very good one and will need conservationist support against commercial pressures. On the other hand, it appears that the wilderness proposal will be totally inadequate. At last report, none of the 70,000 above-ground acres were considered suitable for wilderness, whereas at least 40,000 acres qualify according to those familiar with the area. Please prepare yourself to testify (at least in writing, if you can't attend in person) for this area so near us.

B. Everglades National Park

* Hearings: May 22 at Homestead; May 23 at Naples, Fla. If you cannot attend one of these hearings, send a statement for the record, before June 24, to Regional Director, S.E. Region, National Park Service, 3401 Whipple Ave., Atlanta, GA 30344. Send copies to your congressman and senators. -- The Park is an exciting sub-tropical world that embraces several major eco-systems, each with distinctive plant and animal communities. No other natural environment like the Everglades exists in the U.S. -- yet much of it is threatened by constant development pressures. Florida conservationists and the Wilderness Society support the NPS Wilderness proposal of 764,700 acres which consists of 2 units divided by the Flamingo Road. They also urge that 84,700 acres of potential wilderness be added just as soon as possible. These include the 9,600-acre non-land habitat of the crocodile proposed for wilderness when motor-boat use is stopped, and 75,100 acres of inholdings to be acquired from private owners.

11. NATIONAL CAPSULES

A. Renewed hope for national Land Use legislation

* In our last Newsletter (#61, Item 6) we reported that the House Rules Committee had refused to allow H.R. 10294, the Natl. Land Use Planning Act, to come to the floor for debate and vote. Their action followed heavy lobbying against the bill by the U.S. Chamber of Commerce and a last-minute change from support to opposition by the Nixon administration. Since that time, Congr. Udall, chief sponsor of the bill, has held further hearings in his Environment Subcommittee of the Interior Committee; and Sec. of the Interior, Rogers Morton, has indicated that the administration is working on amendments, stating, "We ... plan ... to obtain their inclusion in a bill which can be given prompt attention." The Rules Committee was to meet May 14 to reconsider their action in bottling up the legislation. There were reports that at least three members would reverse their stand (the original vote was 9:4). If the bill gets to the floor (probably by mid-June) it'll have hard going because Congressmen are being deluged by scare-tactic mail. They need to hear from advocates of the bill too!

B. Administration moves to weaken NEPA are defeated

As reported earlier (NL #61, item 14) various methods of getting around the Natl. Environmental Policy Act (NEPA) were under consideration by the Nixon Administration, including specific exemptions from the requirements of NEPA for energy-related projects (such as offshore drilling, coal stripping, power plants). The six largest national conservation groups (NWF, Sierra Club, Audubon, Wilderness Soc., Izaak Walton League, Am. Forestry Assn.) denounced these Administration plans in a joint press conference on March 21. "Environmentalists have leaned over backward to be cooperative while America adjusted to energy shortages that came as no surprise to us. Apparently, our moderation and cooperation have been mistaken as agreement to weakening of our basic environmental protection laws.... We will oppose strenuously any attempt to sacrifice public health and environmental quality on the altar of the energy crisis or for excess corporate profits." Six days later, CEQ Chairman, Russell Peterson, who together with EPA Administrator Russell Train had all along opposed Administration plans to weaken environmental laws, announced to key members of Congress: ".... The administration will neither send nor recommend any NEPA amendments to the Congress at this time."

C. National Outdoor Recreation Plan released: good and bad

This nationwide plan, authorized in 1963 to be completed within five years, has finally been released by BOR ("Outdoor Recreation -- A Legacy for America," \$3.45 from Supt. of Documents, U.S. Govt. Printing Office, D.C. 20402, Stock #2416-00066; TCWP has a copy). The plan takes a broad look at the vast complexity of outdoor recreation needs and the nation's current outdoor estate, then outlines administrative directives, policy recommendations, and legislative proposals to maximize land acquisition, development, and management for outdoor recreation at all government and private levels. Conservationists praise the following recommendations in the plan: (a) to speed up identification and acquisition of "areas of great value ... on which uncontrolled development could result in irreversible damage" e.g. "coastal zones, estuaries, shorelines, and flood plains of rivers ..." etc.; (b) to use landuse planning processes; (c) to use various federal assistance programs to discourage undesirable developments in key areas; (d) to beef up existing legislation on national trails, rivers, wilderness, etc. They particularly approve of the directive to all federal land-managing agencies (including the Bureau of Land Management) to identify those areas that should be submitted to Congress for consideration as wilderness.

On the negative side are several major policy guidelines and proposed legislative changes. Ken Hampton (in the Natl. Wildlife Federation's Conservation News of 3/15/74) deplores proposed amendments in the Land and Water Conservation Fund (LWCF) that would channel more federal matching funds into inner city recreation and would allow use of up to 25% of state funds for "enclosing" normally outdoor recreation facilities. While he concedes the need for inner city and indoor recreation, he feels that this should be the function of HUD and points to the intent of Congress in establishing the LWCF for outdoor recreation outside urban centers. He also deplores the plan's aim to reduce that portion of the LWCF that is available for federal acquisition in order to make more money available to the states; and he points to a federal (e.g., NPS) backlog of 5,000,000 acres and \$2 billion in fulfilling existing commitments to acquire and preserve valuable natural lands. Another feature of the plan indicative of the same philosophy is deplored by Sierra Club's Asst. Conservation Director Charles Clusen (Natl. News Report 2/15/74), namely, the directive that "orderly federal divestiture of lands and waters not of national significance" be undertaken. Clusen feels the country should have "learned its hard lessons about giving away vast acreages of the public domain without considering the environmental and social long-term needs for those resources within the framework of a long-range plan."

D. Smoky Mtns N.P. may be first conservation "biosphere" --

Thus reports the Scripps-Howard Washington staff on May 5. Apparently the U.S. and USSR will be first to designate conservation "biospheres" to be established by international scientists for the protection of endangered fauna and flora. (Incidentally, closer to home, conservationists are meeting with NPS to discuss differences in their respective Wilderness Proposals. Such differences are a lot less extensive than they were in 1966.)

E. Alaska pipeline oil will go to Japan

During the Congressional battle about the Alaska pipeline, conservationists cited indications that much of the oil was slated to go to Japan; but the Nixon Administration and oil industry representatives steadfastly claimed that all the oil would be for U.S. consumption. Three weeks ago, an FEO administrator admitted to the press that a large portion of the pipeline oil will indeed go to Japan. Conservation spokesmen are now raising the question of why we should destroy some of our western states with oil-shale mining -- on the excuse of an oil shortage -- while we can apparently afford to export substantial quantities of crude oil to Japan.

over

Have you paid your dues?

12. HOLSTON VALLEY CHAPTER NEWS: BAYS MTN PLANNING; ROAN MTN OUTING
(submitted by Dick Ardell)

The main local interest of the Holston Valley Chapter (HVC) at this time is in planning for optimum development of Bays Mountain Park, Kingsport. The Park Commission wants to develop this area into a recreation park including a lodge, cabins, camping areas, picnic areas, trails, and a tramway to transport people from the Nature Center into the recreation area (no motorized vehicles beyond the present Nature Center). HVC and other local organizations oppose the tramway, lodge, and cabins, because they believe that the area involved is too fragile for this type of recreation. HVC and the local Audubon Society have conducted Tony Koella (Asst Conservation Commissioner), Walter Criley (Director of Planning in the Conservation Dept.), Rep. Bob Bible, and representatives of the Bays Mountain Park Commission over the proposed recreation area. HVC is hopeful that it has convinced some of these people that the proposed development would be detrimental and unsuitable.

HVC announces the following outing: Sunday, June 2, Roan Mountain State Park, afternoon family hike, 4-5 miles. Start 2:30 p.m., parking lot of the Modern Camping area. To get to this site, take US 19E south out of Elizabethton to Roan Mountain; turn right on Tenn. 143 and go 4.5 miles to the camping area entrance sign; turn right for the parking area. For more info, call Dick Ardell, Kingsport 247-3718 after 7 p.m.

13. TCWP NEEDS NEW OFFICE; OTHER ORGANIZATION NEWS

- *** The ORAU Library, in the basement of which we have been renting pleasant office space since Sept. 1972, has been abolished, and the building is being taken over by a new "think-tank." We have been given notice as of July 1. PLEASE HELP TCWP FIND A NEW OFFICE! All we need is about 12 feet of wall space for our files, plus occasional use of the room for work in the evenings when any other occupants do not need it. A xerox machine should be available nearby, and we would pay per sheet copied. Do any of you have connections that would make such space available?
- *** Our film committee has purchased two new films for the Harvey Broome Memorial Film Series. One is "The Stripping of Appalachia," which we formerly distributed but did not own. The other is "Say Good-Bye". It is about endangered species, and we hope to show it before long at a general membership meeting.
- *** Member Dr. Aaron J. (Jack) Sharp is being honored on the occasion of his retirement from U.T. to become emeritus professor. Among those who will speak in his honor are Dr. Stanley Cain, former Asst Sec. of the Interior, and Dr. Paul B. Sears, nationally known botanist and conservationist. We add our appreciation for his work and our best wishes for the future.
- *** If you have not yet paid your 1974 dues a blank will be found enclosed with your newsletter. Please return it with your check TODAY. Help TCWP do its work!

14. RECENT PUBLICATIONS OF INTEREST

- "Exploring Energy Choices," a preliminary report released March 1974 by the Energy Policy Project of the Ford Foundation (60¢ from EPP, P.O. Box 23212, Washington, D.C. 20024). This develops an understanding of the interrelationships of energy questions, and points to the options the U.S. has in setting energy goals (e.g., the Technical Fix Scenario, and the Zero Energy Growth Scenario).
- "A National Energy Program" as proposed 2/15/74 by the UAW. (Write Olga M. Madar, UAW, 8000 East Jefferson Ave., Detroit, Mich. 48214). The Union's proposal includes broad reforms covering both energy demand and supply, while stressing that the development of new energy sources cannot take precedence over the protection of the environment.

- Two BOR publications: "Digest: Federal Outdoor Recreation Programs and Recreation-Related Environmental Programs (Stock No. 2416-00055 from U.S. Govt Printing Office, \$1.35); "Outdoor Recreation Space Standards (No. 0-377-027, \$0.65).
- Mike Frome's "Battle for the Wilderness" will be published June 14 by Praeger Publ., New York. 265 pp. bibliography, \$8.95. Part I, Wilderness Values; Part II, Saving the Wilderness; Appendices containing text and interpretation of the Wilderness Act. Our "advance" copy arrived just as we went to press, and we look forward to reading another work by one of our best-liked authors.

15. CALENDAR

May 18,19	Duck River float, Carbide Canoe Club (see item 2, this NL)
May 18,19	Obed and Clear Creek floats, TSRA (call Jerry Bailey, Nashville 255-1221)
May 19	Strip Mine seminar, O.R. Children's Museum (see item 5C)
May 30	Water Qual. Control Division hearings, Nashville (item 1, this NL)
June 1	Deadline for receipt of comments on revised Duck R. Project EIS (see item 2, this NL)
June 2	Roane Mtn hike, HV Chapt. of TCWP (see item 12, this NL)
June 2-8	Ecology Counselor Workshop at Camp Ozone (For info, write Camp Ozone, Ozone TN 37842)
June 8	TCWP's Water Quality Workshop (see item 1, this NL)
June 11	Bike Trail meeting (sponsored by Dept. of Conservation and East TN Devt. District), 1:30 p.m., Room 220, UT Student Center
June 15	TTA trail training session (call Lily Rose Claiborne, Oak Ridge 483-3250)
June 24	Deadline for testimony on Everglades Wilderness hearings (item 10)
Oct.18-20	Regional symposium, National Trails Council. Cumberland Mtn.State Park (call Lily Rose Claiborne, Oak Ridge 483-3250)

Turn the page for
Water Quality Workshop program

Have you paid your dues?

WATER QUALITY WORKSHOP*

Saturday, June 8, Oak Ridge Civic Center, Shep Lauter Room (gymnasium)

- 8:30 REGISTRATION
- 9:00 DR. ROBERT L. SMITH — "The nature of water pollution problems associated with stripmining"
Dr. Smith, Prof. of Wildlife Biology, Division of Forestry, West Virginia Univ., Morgantown, W. Va. is the author of two textbooks and of many articles. He is an expert on siltation problems caused by contour stripping.
- 9:50 REFRESHMENT BREAK
- 10:05 DAVID ZWICK — "The federal water pollution law: what citizens can do to get it implemented"
Mr. Zwick, presently Ralph Nader's right-hand man on water pollution, was one of the chief draftsmen of the 1972 law and worked with citizens' groups for its passage. He is a graduate of the Coast Guard Academy and the Harvard Law School, holds a Master's Degree from Harvard's Kennedy School of Government, and has co-authored two well-known books.
- 10:55 REFRESHMENT BREAK
- 11:10 LOUISE DUNLAP — "Water quality features of pending federal stripmine legislation"
Ms. Dunlap, a graduate of Duke University, is a staff member of the Environmental Policy Center, Washington, where she works with legislators and citizen groups for a strong federal stripmine law. As a former staffer of Friends of the Earth, she was largely responsible for defeating the SST.
- 12:00 LUNCH BREAK (bring a box lunch if you can; nearby quick-snack places are also available). Folk and mountain music. Water sampling from near-by creek. Look at exhibits.
- 1:30 JOHN P. WILLIAMS — "Tennessee's program to prevent stripmine water pollution: how citizens can strengthen it"
Mr. Williams, a graduate of Davidson College and Vanderbilt Law School, has represented SOCM and TCWP in environmental suits dealing with stripmine water pollution. A former staffer on Ralph Nader's water pollution project, he is presently a lawyer for the East Tenn. Research Corp.
- 2:15 BREAK UP INTO SMALLER GROUPS FOR SPECIALIZED TOPICS
1. How to sample water -- Dr. David J. Wilson, Prof. of Chemistry, Vanderbilt Univ.
 2. How to control silt and acid runoff -- Dr. Bruce A. Tschantz, Assoc. Prof. of Civil Engineering, Univ. of Tenn.
 3. How citizens can interact with government agencies and their elected representatives -- John P. Williams, East Tenn. Research Corp. and Liane B. Russell, TCWP
 4. Damage to the land and people -- J. W. Bradley, Pres. SOCM
 5. Film show -- movies on water pollution and on stripmining
 6. Other workshop groups to be announced in the morning
- 5:00 ADJOURN

* Sponsored by TCWP and SOCM. Funding by the U. S. Environmental Protection Agency.