

1. TOUGH BATTLE AHEAD ON SUSTAINING THE PRESIDENT'S DEAUTHORIZATION OF

COLUMBIA DAM AND OTHER BOONDOGGLES

We badly need your continued help in a tough battle whose outcome may influence the degree of vigor with which the Administration's entire environmental policy will be pursued.

To our great joy, President Carter's April 18 Statement on Water Projects included the Columbia Dam on the Duck River among 18 projects recommended for deletion (3 of these pending further analysis). Among the 18, Columbia (the only TVA project) ranks third highest in \$\$ that would be saved in FY 78, and fifth highest in total savings. The President, in addition, recommended major modifications in five other projects; these, plus the 18 deleted projects, would save the taxpayer \$4 billion. The remaining nine projects (of the 32 that had been reviewed this spring) were recommended for continued funding, including, unfortunately, the Tennessee-Tombigbee. Tellico was not in the list of recommendations, since it is held up by court action in any case (see ¶4).

* Our victory in round #1 of what promises to be a long, tough fight was probably largely due to the extensive factual information we were able to supply on Columbia (both in writing and at the hearing, see NL 79, ¶2), and the fact that our phone calls, etc. to the White House led to Columbia being included in the list of 32 projects that underwent the review process this spring (the review is still continuing on about 300 others). Pres. Carter deserves our jubilant congratulations (attn. Kathy Fletcher, Domestic Council, The White House, DC 20500). His message pointed out, among other things, that recent droughts and severe floods have occurred despite the massive numbers of water projects already in existence. "Instead of proceeding down the same road of more and bigger structural projects, we need to rethink our policies," he said.

Congress, however, appears to lack the President's wisdom. So far, round #1 has been our only victorious one, and we shall have to bend every effort if we are to gain victory in the end. On April 27, an attempted House amendment to the first Concurrent Budget Resolution, which would have lowered the ceiling on water projects (in general) by \$100 million, lost 143:252. Every one of Tennessee's 8 Congresspersons voted wrong. (See also below for their more detailed comments.) On May 2, the House Appropriations Subcommittee on Public Works refused to make budget reductions for 17 of the 18 projects Carter had recommended for deletion (the exception was a dam in Kansas), and for 4 of the 5 recommended for modification. On May 25, the full House Appropriations Committee approved a \$10.2 billion Public Works funding package which includes the subcommittee's version of water-resource moneys. House floor action is expected June 10 or June 13. In the Senate, the Appropriations Subcommittee on Public Works is holding hearings to allow the dam-building agencies to comment on funding levels set in the House bill. If, as seems likely, the full Congress votes to fund the bad projects, Pres. Carter will probably veto the bill; but such a veto is more likely to occur (and more likely to stick) if the original vote is not too heavily against his position. This is what we all must now work for.

It will not help us to minimize what we're up against. Former Rep. Joe Evins, who still has strong ties with the Congress, is working in Washington as Gov. Blanton's "special consultant" to lobby for the public works projects. Over 200 persons, from the Duck and Little T areas -- including state legislators, county judges, mayors, and the general "power structure" -- travelled to D.C. to whoop up their respective dams in committee hearings. (Who shelled out all those thousands of \$\$ for travel expenses?). Sen. Baker testified on behalf of both Columbia and Tellico dams before the Senate Public Works Appropriations Subcommittee. Sen. Sasser, a member of this subcommittee, responds to our communications with a form letter that explains his dam support thus: "Aside from the possible benefits of flood control and an increasing water supply, the mandate of the local people is a major consideration." (Has he perhaps forgotten that he represents all of Tennessee?) Rep. Marilyn Lloyd

also bases her pro-dam position on "substantial popular support." Rep. Beard talks about "loss of life" from "devastating floods" at Columbia "almost every spring" (a little research would help). Rep. Al Gore, Jr. made a strong pro-dam statement at the Columbia hearings; and Rep. Duncan has revealed that his questionnaire indicated a 7:1 ratio in favor of Tellico Dam (although he has not expressed himself on Columbia).

What you can do:

1. Hopeless though it may seem, you should continue writing to your Senators (Senate Office Bldg., Wash. DC 20510) and Representative (House Office Bldg., DC 20515): perhaps there'll be a difference between what they say and what they do (especially when it comes time to vote on the veto). In addition, wherever you live, also write to Reps. Clifford Allen, Harold Ford, and Jimmy Quillen: to date, these three have committed themselves the least on Tennessee water resource projects. Since House action is expected first (possibly June 10), Representatives should be your first priority.
2. Make all the media contacts you can to let people know what's involved (see below): write letters-to-the-editor, talk to reporters, get on local talk shows.
3. Tell all your friends that they could help save themselves a lot of wasteful tax \$\$ if they contacted their Congressmen.

Are you stumped for arguments you could use? In case you've lost past NEWSLETTERS and special mailings on the Columbia Dam, here are just a few facts. (a) The benefit/cost ratio is only 0.8, regardless of whether calculations are based on the new or the old interest rate. This means that only 80¢ will be "returned" in economic benefits for every \$1 spent. Those who handle the taxpayers' money should have a sense of responsibility! There is no way to balance the budget, unless we cut unnecessary, unjustified spending. (b) The dam would not produce any power; but much energy would be wasted on its construction. The dam would not be built for navigation. (c) Even the 0.8 b/c ratio is a vast exaggeration, since it is based on figures cooked up by TVA and found to be wrong in two past official evaluations. (d) The Columbia Dam would cost \$142 million if finished; it is now only 15% complete, including lands. (e) The dam would eliminate 29,000 acres of productive farmland, destroy or modify 25,700 acres of forest and upland habitat, flood 54 miles of river, and destroy the habitat of several endangered species. (f) The Subcommittee's argument that all the water projects had been thoroughly evaluated by Congressional scrutiny in the past, and found worthy, is totally ridiculous: water resource pork barrels are always handled as a package deal (the "omnibus" bill), so that any member ever wanting a project in his own district will not question another member's project. On top of that, TVA dams (such as Columbia), unlike Corps projects, do not even require Congressional authorization prior to appropriation.

PLEASE, TAKE UP YOUR PEN AND WRITE TODAY.

2. STRIPMINING: FEDERAL AND STATE BILLS; AMAX QUIT

A. The federal stripmine bill

The House bill, HR 2, passed on April 28 by 241:64; and the Senate bill, S. 7, passed on May 20. Since the two versions differ (the House bill being generally stronger) a conference committee will shortly be appointed and get to work some time after June 6. The following are the major differences between the two bills:

Time of compliance: House bill requires all operators to come in compliance 9 months after enactment. Senate bill allows small operators (less than 100,000 tons/year, which includes many Appalachian strippers) 24 months.

Return to approximate original contour: Required by House bill. The Senate, by voice vote, passed the Wendell Ford amendment that permits retention of highwalls. Both bills permit mountain-top removal, but with some controls over spoil placement.

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Prohibition of new stripmining on alluvial valley floors in the West: Passed House; failed Senate.

Moratorium on mining on prime agricultural lands (to allow feasibility study on reclamation): Failed House (Udall opposed); passed Senate.

Rights of surface owner: For the case where minerals are federally owned, protected by House bill but eliminated from Senate bill by Jackson amendment. Where minerals are privately owned, surface owner has no protection under either bill.

Prohibition of stripmining in national forests: Both bills allow stripmining in certain Western national forest grasslands, but Senate bill is more permissive.

Strict control on auguring: Inserted in Senate bill by Baker. No counterpart in House bill.

Both bills contain provisions for a reclamation fee (higher for stripmined than for deep-mined coal) to go into the Abandoned Mine Reclamation Fund; public notice and hearings; and citizen suits to enforce the law. A floor amendment to ban stripping on slopes steeper than 20° was stifled by Udall.

Final votes on the bills are not as telling as the votes on some of the amendments and the efforts that went on even prior to floor action. Reports from those who watched closely in Washington (Bill Chandler spent two intervals there in the past 4 weeks and worked with EPC people and Congressional aides) lead to the following summary for the Tennessee Congressional delegation: Quillen and Duncan voted against the bill, Beard and Jones were absent. Lloyd voted against strengthening amendments, but for the bill. Harold Ford voted against Alluvial Valley Floor ban, but for all other strengthening amendments and for the bill. Gore and Allen voted for every strengthening amendment and for the bill. Senator Baker was instrumental, prior to floor action, in killing an amendment that would have gutted the bill by leaving the entire administration to the states. He authored and passed the strengthening amendment on auguring, and re-wrote Title III (concerning orphan-mine reclamation) so as to lead to larger areas coming under the program in Appalachia (Bill Chandler helped with passage of this). We do not have the breakdown of votes on Senate amendments (many were voice votes), but from prior commitments, it is probable that Senators Baker and Sasser voted for most strengthening amendments and for the bill. -- The Carter Administration, through Sec. Cecil Andrus, had worked hard and effectively for the strong features of the bills and for new strengthening amendments.

What you can do:

- (a) Write to Pres. Carter, attn. Kathy Fletcher (The White House, DC 20500), thank him for his efforts on behalf of a strong bill, and ask him to urge the members of the Conference Committee to adopt the stronger version of the issues enumerated above, especially return to approximate original contour, moratorium on prime agricultural lands, written consent of surface owner, alluvial valley floor ban.
- (b) Write similar letters -- with particular emphasis on return to original contour -- to Congressman Morris Udall, chairman, Comm. on Interior & Insular Affairs, U.S. House of Representatives, Wash. DC 20515; and to Sen. Lee Metcalf, Senate Office Bld., DC 20510.
- (c) Write to your own Congressperson and Senators and, depending on what he/she did (see above), either thank him for his action or register disapproval.

B. AMAX quits! (at least for now)

May 24 was the last day on which AMAX could have appealed (to the Chancery Court) the Water Quality Control Board's decision to uphold the WQCDivision's permit denial for what would have been the biggest Tennessee stripmine ever. AMAX let the deadline go by. A spokesman was quoted as saying that (a) the "regulatory atmosphere" in the state was non-conducive to business; and (b) it was difficult to line up customers for the high-grade coal. He denied that the decision was affected by the publicity over alleged influence peddling. [For the benefit of those of you who don't read Tennessee newspapers: two men -- one related to a state senator -- were arrested for allegedly requesting \$1.5 million from AMAX in return for their bringing about legislative action that would insure AMAX a permit. See 12.C,

below.] -- The disturbing part of the news is that AMAX will continue to lease the 20,000-acre site in southeastern Tennessee.

C. Wrap-up of State Legislature actions on stripmining

With the 1977 session now over, our assessment is that, on the whole, we fared pretty well on the stripmine front: the legislative action we had feared didn't come about; and, of two that we supported, we won one and lost one. That's a total score of two out of three!

- (a) The action we feared was, of course, one that would have cleared the way for the giant AMAX Corp. to strip huge acreages of SE Tennessee. As we reported last time (NL 79, ¶5B) two successive bills to accomplish this were withdrawn: one would have transferred the Surface Mine Section of the Water Quality Control Div. to the Dept. of Conservation; and the other, more blatantly, would have exempted stripmine operators from having to get a water discharge permit in the first place. It is not clear to what extent, if any, the alleged AMAX influence peddling figured in these withdrawals (see ¶2B, above).
- (b) The bill that won -- and won big (33:0 in the Senate, 76:0 in the House) -- was the Surface Rights Act (HB 484/SB 491). Tennessee thus becomes the first state that legislatively protects surface owners who don't own their mineral rights from having the land stripped against their will (a few other states have done so by judicial precedent). To help ensure that any later court challenge of the new Act will fail, the bill was very carefully drafted on the basis of constitutionality. Dean Rivkin, of the U.T. Legal Clinic, deserves our gratitude for that. Our special thanks on the legislative front should go to Sen. Ray Baird, who has been the prime Senate mover for surface-owner legislation for two sessions in a row; and, in the House, to Reps. Hillis (Sparta), Spence (Memphis), Carter (Chattanooga), and Gaia (Memphis). Voting against the bill in House Committee were Ashford, Bewley, Stafford, Watson, Wolfe. In the final floor tally (see above) there were no negative votes, though two voted "present" (Reps. Burnett and Darnell). Considerable grassroots support, particularly from SE Tenn, was an important factor.
- (c) The "face-up" bill (SB 487/HB 991), which would have prevented stripminers from masquerading as deep miners (who need no permit), passed committee 6:0 and the Senate 29:0 under Senator Baird's able leadership. In the House, sponsor Cawood successfully steered the bill through Conservation Committee (Yes: Bissell, Carter, Cawood, Ellis, Fuqua, Gill, Hillis, McAfee, C. R. Robinson, Shockley, Spence, Stallings, Wallace, Yelton. No: Bewley, Burleson, Hall, Stafford); but it was subsequently tabled in the Calendar Committee. Prime opponents Rhinehart, Lashlee, Murray, and Ellis (a reversal) overrode efforts of Spence and Hillis to save the bill. FACT lobbyists are said to have been very active. But another factor in the bill's death may have been a voting lineup based on personality considerations: it appears that the old-line leadership may have been out to punish sponsor Cawood for some "insubordination" in another matter!

D. Miscellaneous stripmine news

- A sidelight on one of the ramifications of historical surface-owner abuse comes from an AP dispatch of 3/18. It indicates that TVA's commendable orphan-mine reclamation project is running into problems in Kentucky, where landowners -- who are living with the destruction that came to them from their grandparents having long ago signed the apparently innocuous broad-form deed -- are now very leery of signing any agreements.
- The Board of Reclamation Review, established by the Tennessee Surface Mining Act of 1972, is the body to which questions arising from implementation of the Act are referred. It consists of the Commissioner of Public Health plus four citizen members. Gov. Blanton has just appointed two officers of FACT (the stripmine lobby) to the Board. They are FACT's treasurer Dexter Rains, and FACT's past president Dale Studer.
- ERDA and EPA, with the cooperation of the National Coal Assoc., are studying 22 stripmine sites in 17 states east of the 100th meridian to evaluate technologies used to control effluent pollution. Acid pollution is caused when iron pyrite, found in association with

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coal deposits, is chemically transformed on exposure to air. Effluents are being sampled before and after pollution control treatment. Some coal washing plants are also included in the study.

-- For an important local hearing on stripmine water pollution, see ¶3.

3. IMPORTANT PUBLIC HEARINGS ON COAL-MINE WATER DISCHARGES: YOUR COMMENTS NEEDED

We have another very important opportunity to clean up the stripmine mess in Tennessee's rivers, particularly the Obed and Big S. Fork. As part of the process of administering the National Pollutant Discharge Elimination System (NPDES), the Environmental Protection Agency (EPA) made a tentative determination to issue NPDES permits for 163 coal operations in Tennessee. A large proportion of these drain into the Obed and BSF watersheds. The proposed permit sets limitations for various effluents, conditions for frequency and manner of monitoring and reporting, etc. In response to several requests, EPA will now hold two public hearings on these permits as follows:

June 15, 7:00 p.m. EDT, Social Room, Oak Ridge Civic Center, O.R. Turnpike

June 16, 7:00 p.m. CDT, Sequatchie County High School Auditorium, Dunlap.

The hearings, to be co-chaired by the Tenn. Dept. of Public Health, will be conducted informally. We hope many of you will attend and comment orally (see below for topics); but written comments will also be accepted until June 27 (EPA, Region IV, 345 Courtland St., NE, Atlanta, GA 30308, Attn. Mona Ellison). Your comments need not be long, or specialized, or technical. You may want to discuss the following points:

- (a) Your feelings about clean water and about stripmine-related water pollution in general.
- (b) The importance to you, to the state, to the country, of keeping the Obed and Big S. Fork systems clean.
- (c) The desirability of setting up baseline studies for these two river systems and of establishing standards to prevent any degradation of their water quality.
- (d) The importance of upgrading the stringency of those permits that are issued to operations draining into the Obed and BSF systems, e.g., by requiring weekly monitoring (instead of twice-a-month), as well as after a heavy rainfall, taking extra care that all discharge points are marked on the required maps, etc.

Be sure to come to the preparatory TCWP meeting to get background info (see box on front page). Even if you do not wish to present oral testimony, come to one of the EPA hearings to express interest by your presence (who knows, you might even get inspired to say a word or two anyway!)

4. TELlico DAM: GAO STUDY COULD PREVENT ENDANGERING THE ENDANGERED SPECIES ACT

An important anthropological find made recently in the area that would be inundated by the closing of Tellico Dam dates to well before 1500 B.C. The digs, financed by a \$60,000 grant from USDI, unearthed a camp at the Iddins site that may have been occupied over a 400-year span. If Tellico is completed, Iddins and similar sites will be lost forever to research. --

The General Accounting Office (GAO) study of Tellico Dam requested by the House Merchant Marine & Fisheries Committee (See NL 79, ¶3) is now in progress. This study will quantify the values that would be destroyed by impounding the river; will scrutinize TVA claims of project benefits; and will examine possible alternatives and the extent to which expenditures in land, roads, bridges, etc. would be recoverable in connection with such river-based alternatives.

The fact that the Tennessee Endangered Species Committee (which deservedly won TCL's Conservation Organization-of-the-Year award) and the Little Tenn. River Alliance (of which TCWP is a member) succeeded in bringing about the GAO study could throw an important monkey wrench into the several quickie attempts that are being made to tie the Tellico dam

entirely to the snail darter situation. Legislation has been introduced to exempt the project from the Endangered Species Act, either specifically (Duncan-Lloyd bill), or as part of a group of projects begun before the species were listed as endangered (Beard bill, HR 4167); and the House Public Works Appropriation bill came out of committee with \$2 million earmarked for TVA species-transplantation efforts in FY 78. TVA has, of course, done its best to focus on the wrong question -- to ask legislators to weigh the value of a 3" fish against \$116 million that would be "spent in vain." Hopefully the GAO analysis and subsequent Congressional scrutiny will also put an end to the historical condition in which TVA pulls the strings and Congress dances; an end, also, to a federal agency being allowed to break federal law. "If any dam needs building now, perhaps it is one that will block the TVA from flowing onward with projects and ideas that deserve a merciful sinking, if only by the weight of the times" (Coleman McCarthy, Washington Post, 4/7/77).

X What you can do:

1. Write to your legislator (House or Senate Office Bldg., DC 20515 or 20510) and tell him that there are positive, river-oriented alternatives to Tellico dam that could economically benefit the region, fulfill many of the aims of the original Project, yet salvage the bulk of the expenditures that have already been made (e.g. for land, roads, bridges). [For a summary of suggested alternative uses, and a slide show about them, write Bill Chandler, Box 117, IEA-ORAU, Oak Ridge, TN 37830.]
2. Write also (especially to Sen. Howard Baker, but to others in Congress also) to oppose any weakening of the Endangered Species Act. Avoid a polemic against Tellico Dam, and base your approach, instead, on thoughtful arguments in favor of the original intent of the Act: maintenance of genetic diversity, the inter-relatedness of species in the web of life, rare species as indicators of whole valuable ecosystems, the possibility of future major economic benefits from species that have not yet been studied. Point out, also, that in the few cases in which a project has (or could be) halted due to Endangered Species considerations, there are many other, economic, reasons why the project cannot be justified.
3. To support TESC financially, buy a T-shirt (\$4.95 pp) or an art print (\$11 pp). Order from Doris Gove, P. O. Box 8590, UT Station, Knoxville, TN 37916. TCWP still has snail darter prints for \$30. Come to the June 5 picnic (see CALENDAR).

5. ACTION NEEDED TO PREVENT TVA'S NON-COMPLIANCE WITH AIR QUALITY LAWS
(contributed by Bill Chandler)

In our last NEWSLETTER (NL 79, #7), we reported that a coalition of 11 citizens groups (including TCWP) had sent a letter stating intent to sue TVA for non-compliance with the Clean Air Act. While TVA reportedly "capitulated" to the Environmental Protection Agency (EPA) in a March 21 meeting, it has become apparent that TVA is only stalling and has no plans to comply with the law. This was first indicated when TVA opted for buying Western low sulfur coal rather than installing stack-gas scrubbers as a means of controlling sulfur emissions, a move calculated to generate Tennessee coal-industry support for the TVA position. Since then, TVA has mounted an effort through Senator Howard Baker to gain an exemption for 4 of the power plants that are older than 20 years by way of a Senate floor amendment to the Clean Air Act (see #12A, this NL). In addition, Jack Ravan, Region IV (Atlanta) Administrator of EPA, in a May 6 letter to TVA General Manager Lynn Seeber, wrote "... the March 21 meeting did not result in TVA incorporating any compliance schedules into a legally enforceable mode. The Clean Air Act does contemplate citizen intervention under such circumstances and encourages them to exercise whatever legal rights they might have in securing compliance with legally enforceable emission limiting regulations." Dean Hill Rivkin, who is based at the University of Tennessee Legal Clinic (NL 79 #7 erred in giving his affiliation as NRDC) and represents the coalition of citizens groups, believes that TVA leaves us little choice but to go to court with one of the largest clean-air actions ever. However, Rivkin also points out that President Carter (who thinks that TVA should become an energy and environmental showcase, and whose National Energy Plan calls for the

over

use of stack-gas scrubbers on all coal burning power plants, including those using so-called low-sulfur coal) might settle the matter by directing TVA to install scrubbers at all of its plants.) We should concentrate, then, on urging the President to direct TVA to lead the nation's utilities in the installation of scrubbers, and thus in the implementation of the President's National Energy Plan. Telegrams or letters should be sent to President Jimmy Carter, White House, Washington, D.C. 20500, with copies to Katherine Schirmer, Domestic Council, and James Schlesinger, at the same address. (A TCWP Committee on Clean Air is being formed: if interested, contact Bill Chandler, 482-5874, or Judith Deaderick, Kingston, 376-6016, or write to 130 Tabor Road, Oak Ridge, TN 37830. One function of the committee will be to raise \$150 -- TCWP's share of the coalition's expenses. If you would like to contribute to this purpose, send a check to TCWP, the above address, and we will forward it to the coalition.)

6. BIG SOUTH FORK AND OBED UPDATES

It is not too late for you to voice your support for a \$5.4 million Fiscal-Year-1978 appropriation to start land acquisition for the Big S. Fork National River and Recreation Area. The wherewithal to acquire land is badly needed in order to prevent further damage to the designated Area. Funding would come as part of the Public Works Appropriations bill, which is currently in mark-up in the Senate. Tennessee and Kentucky have two Senators on the Appropriations Committee -- Sasser and Huddleston -- and both have expressed strong support for the BSF appropriation. Other area legislators who are also on record in favor of the FY 78 funding for the BSF are Sen. Baker and Rep. Duncan: these gentlemen should be thanked. Other legislators throughout the Congress (Sen. . . . , Senate Office Bldg., Wash. DC 20510; Rep. . . . , House Office Bldg., Wash. DC 20515) should hear about the need to get the BSF preserved (our out-of-state members can be helpful here!) BSF Factsheets are still available from TCWP (send a self-addressed stamped envelope to the editor).

Doyle Kline, the National Park Service's new Project Manager for the Obed and Big S. Fork has set up shop in Oneida (P. O. Box 477). The NPS is in process of preparing a "Statement for Management" for the Obed, which may soon be available for public distribution.

To get the other (upper)half of the Obed watershed protected by including it, too, in the Wild & Scenic Rivers System, we must have the support of Fourth Distr. Rep. Al Gore, Jr. It appears that Congressman Gore realizes that opposition from river-bank owners, which last year led to exclusion of the important upstream portions, was largely based on misunderstandings of what the legislation would do. (These landowners, too, basically want to preserve the river but do not realize that they can't do it on their own.) However, Mr. Gore must hear from more of us on the subject (The Hon. Al Gore, Jr., House Office Bldg., Washington DC 50215).

An important and immediate way in which you can help protect the water quality of the Obed and Big S. Fork is to have an input in the June 15 EPA hearings concerning control of coal-mine discharges. As we reported in NL 79, #4A, two stripmine permits have been granted for the upper Clear Creek. Please read #3 of this NL and plan to testify orally or in writing. Also, come to our June 9 preparatory meeting (see box on front page).

7. SMOKIES: SUPPORT THE CITIZENS' WILDERNESS BILL!

The Great Smoky Mountains Natl Park was the first Park for which hearings were held (June 1966) under the terms of the Wilderness Act of 1964. Yet 11 years later, there is still no wilderness designated in the Smokies. The problem has been the controversy, kept alive by Bryson City and Swain County, N. C., over the so-called 1943 Agreement; plus the fact that, until last year, the powerful chairman of the Subcommittee that would have to deal with the Wilderness legislation was also the Representative from Swain County.

Now, a Citizens' Wilderness Bill has been drafted by the Great Smokies Park Wilderness Advocates (of which TCWP is a member), Ray Payne coordinator. This Citizens' Bill would

give wilderness protection to 475,000 acres of the Park, or to about 100,000 acres more than in a similar bill introduced by the National Park Service, since it includes the parcel disputed by Swain County, as well as more land along road corridors. Ray Payne and a group from the Tenn. Chapter of the Sierra Club recently met with Sen. Sasser and asked him to sponsor the Citizens' Bill. Sasser is studying the question.

* What you can do: Write to your Senators and Representative to let him know you want to see as much as possible of the Smokies protected under the terms of the Wilderness Act. You may wish to refer to the Citizens' Proposal discussed above.

Gov. Ray Blanton has just appointed Walt Hall to the Smoky Mtns. Park Commission, an advisory body to the NPS's Park administration. Hall, a Gatlinburg businessman, Blanton supporter, and party chairman for Sevier County, advocates "full public use of the national park" and admits that he is "not an environmentalist per se."

8. NEWS FROM THE STATE

-- [For stripmine items, see ¶2B,C]

-- Three new State Natural Areas were designated by General Assembly action: House Mountain, Knox County (in a bill sponsored by Sen. Ben Atchley and Rep. Loy Smith); River Woods, Memphis; and Shortt Mountain, Woodbury. \$250,000, voted into the budget as acquisition funds for House Mtn, were subsequently deleted, but can hopefully be obtained early next year. The only major budget item for the Natural Areas System was \$200,000 for the Burgess Falls N.A. However, this is earmarked for a visitor center rather than for land acquisition (badly needed as a buffer on both sides of the falls), or for a resident ranger-naturalist. * Sen. Vernon Neal (1st Natl. Bank Bldg, Cookeville 38501) needs to hear from you on this. -- Gov. Ray Blanton should be reminded that land acquisition is badly needed in our biggest designated Natural Area, Savage Gulf.

-- This year's State budget is, if possible, even skimpier with respect to the Scenic Rivers, Trails, and Natural Areas Programs than those of earlier years. The Scenic Rivers Program, e.g., which had about \$250,000 available for land acquisition in 1974, is down to less than one-tenth that amount in this budget. This sum will go for a very few access sites, with scenic-easement purchase along the river eliminated altogether. There have been no land-acquisition funds in the Natural Areas Program for the past 3 years.

In the absence of funding, Program Administrators are stimulating local good will as a means to interim protection of the resources. Mike Countess has worked with the Warren County Planning Commission, which is anxious to preserve the Collins River, and with the local RC&D Program (under the Soil Conservation Service) on the Hatchie River. He has helped these groups develop river accesses, clear debris, protect water quality. Some landowners have subsequently offered to donate land to the Program. -- Mack Prichard is working to encourage local landowners to keep an eye on some of the 21 designated Natural Areas that have no caretakers or rangers.

The Dept. of Conservation has asked the Bureau of Outdoor Recreation (BOR) and the Nature Conservancy to co-sponsor a workshop on alternative land preservation technologies. To be held June 23 at Cumberland Mtn State Park (see Calendar, ¶15), the workshop will consider various procedures, with emphasis on tax impacts, administration, political reality, and points of law. Since conservation groups can play an important role in implementing some of the procedures, we hope TCWP will be well represented. If you're interested in forming * a car pool, call the editor.

-- The Little Sequatchie River, once a lovely clean stream full of fish, is getting polluted from a coal-washing operation. A company proposal to correct the situation was rejected as inadequate and is now being revised, but it may be quite some time before the revision is

over

- * approved and implemented. -- The Sequatchie River is a good, easy canoe stream in a lovely valley that has been variously threatened. TCWP is sponsoring a canoe trip on it July 16 (see Calendar).
- Chief of the Dept. of Conservation's Planning Commission, Walter Criley, has written to clarify the item on Cove Lake State Park in our last NEWSLETTER (NL 79, ¶6D). He reports that, as a result of a recent public hearing, "we have established a master plan task force ... to develop a plan which will then be a subject of a further public hearing. There have been no decisions made regarding any new facilities at the park and, at this time, there are no funds available.... for design [or] construction. It is not our intention to make Cove Lake State Park a playground...." -- We apologize for basing our past story on apparently incomplete information.
- The Returnable Beverage Container bill, SB876 (Harvill)/HB885 (Pickering), is still in committee at the end of the first half of this 2-year legislative session. This bill, based on the Oregon law, requires deposits on containers, provides for establishment of redemption centers, and prohibits "pull tab" cans. The House bill was taken "off notice" by its sponsor just prior to scheduled committee action; the Senate bill is on the January 1978 calendar of the Commerce and Labor Comm.

9. WE AND OTHERS TRY TO RAISE FUNDS

A. Help TCWP raffle a canoe; publicize movie show

* I'm sure most of you will agree that TCWP has become even more active, effective, and broadly based as a result of acquiring a marvellous executive director, Bill Chandler. But Bill's got to eat; travel costs a lot of \$\$, and so do phone calls, special mailings, support of legal action, etc. etc. Board member Hal Smith has taken on the job of looking into special fund-raising events. The first one we'll try, coordinated by Reid Gryder, will be a canoe raffle. Look for details soon. In the meantime, Reid needs volunteers to help draft a flyer, make posters, man booths, sell tickets. This can be a fun way to do your share for TCWP. Please get in touch with Reid at 615, 483-1836, or 483-8611, ext. 3-5188 (leave a message for him); or write him at 879 W. Outer Drive, Oak Ridge, TN 37830.

A second, more minor, fundraiser (and, hopefully, member-getter) will be the showing of "At the Crossroads," TCWP's latest acquisition in the Harvey Broome Memorial Film Series, on Saturday, June 25. Appropriately, this beautiful film is about endangered species. A second movie will also be shown. We'll ask donations of 50¢ for children, \$1 for adults at the door. See Calendar for particulars and watch the Oak Ridger. Please advertise the event with friends and neighbors.

B. Attend a premiere and help Tennessee's Environmental Action Fund

By now you should know all about Tennessee's Environmental Action Fund; but if you need to refresh your memory, see the brochure we enclosed with NL 79, plus the following NEWSLETTER items: NL 77, ¶7; NL 78, ¶5; NL 79, ¶6A. EAF, with its registered lobbyist Frank Fly, has now come through its first state legislative session, which resulted in some gains, and no serious losses, on the environmental front (see ¶2C and ¶8, this NL). Surely, we can all see good reason for keeping EAF alive for next year, the second half of the 90th General Assembly! To do that, we now have an opportunity to help with that part of the funding that comes from the Citizen Action Fund, founded by screen star Robert Redford. (Note: the rest of the funding comes from the participating organizations, of which TCWP is one.)

Come to the Nashville premiere of A BRIDGE TOO FAR (with Robert Redford, Elliott Gould, Laurence Olivier, Liv Ullman and other stars). Prior to the showing, the United American Bank is hosting a reception (wine, cheese) to which political leaders have been invited (your chance to talk to them). The major share of the money collected from these two events will go to EAF.

Film: Tuesday, June 14, 8 p.m., Loew's Crescent Theater, 415 Church Street, Nashville.
\$10 per ticket

Reception: Same day, 6:30 p.m., Church St. and 4th Ave., Nashville. \$5 extra.

* Send money (\$10 for film alone; \$15 for reception + film with self-addressed envelope) to Environmental Action Fund, P.O. Box 22421, Nashville, TN 37202. In case of questions, call Bill Meadows, 322-2929 (W) or 297-2383 (H).

C. Recycle your newspapers and help SOCM

Old newspapers may be brought to SOCM meetings or to the SOCM office at Jacksboro. Proceeds from their sale will fund SOCM efforts. Call 615, 562-3396 for more info.

10. FOR OAK RIDGE MEMBERS: CITY COUNCIL ELECTIONS AND GREENBELTS

A. Motorcycles on the North Ridge Trail

Since many of the motorcyclists that use the North Ridge Trail in the City's northern greenbelt probably do not realize that their action is illegal, Ruth Young has been active in advertising this fact, and in getting the City to post signs at some of the accesses. Ruth deserves our sincere thanks for going after something that has been neglected for a long time. Any hiker who spots a motorcycle on the trail should transmit license number, description, and (if possible) name to the Police or to the Recreation Dept. (Ken Steelmon or Tom White) as soon as possible. -- Charley Klabunde is revising the North Ridge Trail map. -- Anyone wishing to help with any aspect of the North Ridge Trail should contact Ruth Young, 483-7251, or Harry Hubbell, 483-0414.

B. Oak Ridge City Council candidates respond to TCWP's greenbelt question

The upcoming City Council election of June 7 involves contests for 6 Council seats. TCWP wrote a letter to each of the 13 contestants asking them whether they would support a revision of the Zoning Ordinance (suggested by EQAB) that (1) would split the present City-owned "Greenbelt" classification into two categories, namely, "Greenbelt," the wooded natural parcels adjacent to residential areas, and "General & Reserved," the other publically owned areas associated with water towers, schools, public buildings, etc.; and (2) would maintain the new "Greenbelt" category in its natural state, restricting its use to walking and hiking. Responses were received from 9 of the candidates, at least one from each District. Since some of the letters were quite lengthy we can only summarize essential points; but the full texts are available on request. *Be sure to vote June 7!*

Woodland (Francke, incumbent, vs. Kingsley) - No answer from Kingsley. -- Francke states that he is "in complete agreement with the proposed revision of the ... Ordinance and will support the final version." He also offers suggestions for further protection, such as an administrative ordinance to enforce prohibitions against littering, noise, intrusion of animals, etc. Francke has an excellent record in opposing the road that was proposed, last year, for the Delaware Trail portion of the greenbelt.

City Hall (Upton, incumbent, vs. Phipps, vs. Taylor). Upton and Phipps did not respond. -- Taylor writes: "Would indeed support the Greenbelt land and would work to improve its development." -- Upton was good on last year's road issue.

Elm Grove (Snyder, incumbent, vs. Trauger). Snyder is willing to classify individual tracts into different classes of Greenbelt zoning. He is unwilling to let the City surrender its right "to freely use this land for access as required for public service utilities." He also wants the City to hire a forester "to fully clean up our Greenbelts into ... well kept, park-like areas." Last year he did not oppose the road through the Greenbelt. -- Trauger writes "I will indeed support the complete protection of our 'Greenbelt' areas. These lands give added dimension to the quality of life which we enjoy in Oak Ridge." She proposes that future development of the SW Quadrant "also provide some spaces preserved in their natural condition."

Robertsville (Kelly, incumbent, vs. Dresner). Kelly feels he cannot answer the specific question about a change in the Zoning Ordinance, since the proposal is still being studied and has not been debated. His record shows that he supported preservation of the greenbelt; development of the North Ridge Trail and efforts to have it declared a National and State Recreation Trail; and the charter change that required public hearings prior to sale of greenbelts. -- Dresner supports splitting present City-owned Greenbelt into the two proposed

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categories and using the newly classified "greenbelt" for trail and cross-country hiking and for one bike trail (but not motorcycles). However, he wants to transfer to the General & Reserved (nonprotected) category "sufficient land, strategically placed, to allow for future industrial and residential expansion." He feels that past proposals that have been made to use greenbelt land for such purposes are "not without merit" since "they promise to bring in additional municipal income."

Linden (Thomas, incumbent, vs. Greter). Thomas did not write, but in a phone conversation agreed to be quoted in the affirmative to our question. -- Greter writes, "I will support zoning regulations for good land usage ... I feel the reason people buy a house in Oak Ridge is because of the greenbelt areas we offer."

West Hills (Roe, incumbent, vs. McKamy). McKamy did not respond. -- Roe recalls that she was responsible for authorizing the EQAB study that led to the recommendation to revise the Zoning Ordinance (as outlined at the beginning of this Section). She "favor[s] the protection of the ... greenbelt" which, she feels, "is an essential ingredient to the unique character of our town", and would support efforts to obtain greenbelt areas in the western portions of the city. Her record in opposing last year's road threat is very good.

11. SUB-CABINET-LEVEL APPOINTMENTS: CONTINUED GOOD NEWS

To the good news we brought you last time on sub-Cabinet-level appointments (NL 79, ¶9), we can add more and more.

Rupert Cutler, Assistant Secretary of Agriculture for Conservation, Research, and Education. Several of you may know Cutler from the days when he was working so effectively for the Wilderness Society. He left to get his Ph.D. at Michigan State. In his new job at USDA, Cutler presides over 5 agencies, including the National Forest Service and the Soil Conservation Service. He has, of course, had long acquaintance with these programs from his work as a professional conservationist; from his Ph.D. research (on Forest Service litigation), and from his subsequent university teaching. In an interview reported in SCIENCE (4/29/77), Cutler said he shared Sec. Bergland's determination "to change the image of the USDA from that of the servant of agribusiness to the servant of all the people." He stressed "a more long-range planning horizon" and stated that the new administration would "show a sensitivity and concern for the quality of life, in terms of protecting environmental values." Cooperative relations will be established with EPA and USDI, and attempts will be made "to change the image of USDA so that it is recognized as pro-environmental quality."

Barbara Heller, Deputy Undersecretary of the Interior, was one of the founders of the Environmental Policy Center -- the brilliant, hardworking, and effective Washington group with which TCWP has been working on such issues as stripmine legislation and water-resource pork barrels. In her work with EPC, Heller, 28, specialized in outer-continental-shelf (OCS) problems. In her new position, she will report to Undersecretary James Joseph, as well as directly to Sec. Cecil Andrus.

Joe Browder, special assistant to Assistant Interior Secretary for Land & Water Resources. Joe, one of the founders of EPC (see above) was EPC director until last summer, when he joined the Carter Transition Team as energy and natural-resources policy planner. He will now assist Guy R. Martin, formerly Alaska's Commissioner of Natural Resources, one of the rare state officials who had outstanding credentials in the environmental area.

Chris Delaporte, Director of the Bureau of Outdoor Recreation, USDI. Delaporte, formerly Oklahoma parks director, is reported by local conservationists to have displayed a keen environmental ethic and firm resistance to environmentally damaging pork-barrel projects in his previous jurisdiction.

Marion Edey, just nominated to be the third member of the Council on Environmental Quality (CEQ) was the founder and chairwoman of the League of Conservation Voters. Since she joins two other outstanding appointees, Charles Warren and Gus Speth (see NL 79, ¶9), indications are that CEQ may at last become an important advisor for an Administration that is willing to listen.

12. NATIONAL CAPSULES

A. Clean Air Act in danger; Sen. Baker needs to be contacted

On May 25, the House voted 237:172 in favor of an amendment to the 1970 Act that would permit a substantial increase in air pollution in national parks. It would, e.g., allow a \$6 billion coal-fired power plant to be built only 8 miles from Capitol Reef NP, and very close to Bryce Canyon NP and the Grand Canyon, to supply power for Los Angeles. When the bill comes up in the Senate, possibly next week, Sen. Howard Baker will be a key person. He, as well as Sen. Jim Sasser, should hear of your support for a stringent position on non-significant deterioration of air quality (Senate Office Bldg, DC 20510). -- Sen. Baker will again try on the floor his amendment, which failed in committee, to exempt four TVA steam plants from complying with emission limitations. Both of your senators need to know your opinion on this item also (see #5, this NL).

B. Clean Water needs help also

Both this year and last, legislation that would have gutted the 1972 Fed. Water Pollution Control Act was only narrowly beaten back. Earlier this year, e.g., the House attempted to attach such damaging legislation to the Public Works Jobs bill and dropped it only in order to save the Jobs bill. However, the House may, later this year, simply revive this measure instead of holding hearings and markup. The Senate Committee on Env't. & Public Works (Muskie, chmn; Baker, ranking minority member) will be holding hearings on progress and problems under the 1972 Act in various parts of the country -- but none closer to us than New Orleans. You may want to request of Senators Muskie and Baker (Env't & Public Works Comm., Dirksen Senate Office Bldg, DC 20510) that the Committee's itinerary be expanded to bring them within closer range of Tennessee. Issues that particularly concern us are water pollution from coal mining (see also #3, this NL) and the Sec. 404 program for regulating dredging and filling in waterways and wetlands. Without adequate citizen input, a comprehensive review by the Senate won't be achieved.

C. President Carter's environmental message contains, among other things, the following land preservation proposals: (a) to add portions of 8 rivers, totalling 1303 miles, to the National Wild & Scenic Rivers system, plus 20 rivers for the study category; (b) to add 3 Nat'l Scenic Trails, totalling 7147 miles, to the existing two; (c) endorsement of over 70 proposed wilderness areas, including, for the first time, wilderness on BLM land; (d) preservation of as many barrier islands and wetlands as possible over the next 5 years; (e) strengthening of an executive order banning snowmobiles, dune buggies, and motorcycles on portions of federal lands.

D. 1976 LCV scores for Tennessee Representatives. The League of Conservation Voters has just published its analysis based on 23 key votes in 1976. The 1975 scores are also given for comparison.

	<u>1976</u>	<u>1975</u>		<u>1976</u>	<u>1975</u>
Quillen	24	5	Allen	63	100
Duncan	34	25	Beard	17	7
Lloyd	17	38	Jones	29	51
Evins	3	15	Ford	64	76

Only two of our eight Congresspersons scored over 50; and only three showed an improvement between 1975 and 1976. All need to hear more often from TCWP members. -- The LCV needs financial help to keep up its excellent work. In the next election, the Congress will require a major overhaul if it is not to continue blocking the President's best environmental decisions. Contributions can go to LCV which researches charts and other political info; or to the LCV Campaign Fund, which contributes to candidates (both at 317 Penn. Ave SE, Wash. DC 20003).

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13. TCWP ORGANIZATIONAL NEWS

- Want ad: We have two office needs: (a) a good (not fancy) electric typewriter; and (b) a bookshelf with doors (any kind) that can be locked. If any of you happen to have these items to spare, the gift (or extended loan) would be much appreciated. Alternatively, you may wish to donate money for the purchase of these items.
- * TCWP Annual Meeting. The date has been set, so mark your calendar. Because of the success of our first weekend-long meeting last year, we're going for another weekend -- Oct. 21 through Oct. 23; but in a different place -- Pickett State Park (lots of great hikes). We'll also try different accommodations for greater economy and togetherness: a group-camp, where all sleep in one or two large cabins and share the food-related chores. Dee Jared is beginning to hatch more detailed plans, so contact her (109 Fulton Lane, Oak Ridge 37832, Ph. 483-6789) if you're willing to help in any capacity (from food planning to inviting speakers).
- * Volunteers. Are you dying to help but haven't been called? We tried to use the returns from the questionnaires to involve as many of you as we could, but we may have missed some, or you may have joined since the questionnaires were analyzed. If so, contact Bob Farmer, 99 Reservoir Rd., Norris, TN 37828. And don't forget to volunteer your help for our fund-raising raffle (see 19A).

14. PUBLICATIONS OF INTEREST

- "The White House Fact Sheet on the President's Energy Program" may be ordered (free) from the Natl. Energy Info Center, Room 1407, Fed. Energy Admin., Washington, D.C. 20461.
- "Benefit Claims of Water Development Agencies: The Need for Continuing Reform," by Brent Blackwelder, 1977 (\$2 from the Env'tl Policy Inst., 317 Pennsylvania Ave SE, Washington, DC 20003). The report analyses claims for flood control, navigation, power, and recreation benefits.
- "The Unfinished Agenda: The Citizen's Policy Guide to Environmental Issues," edited by G. O. Barney, 1977. This 184-page Task Force report sponsored by the Rockefeller Brothers Fund, attempts to find out what representatives of the major environmental groups see as the most critical issues our nation will have to face in the coming decade. The report is put forward as a consensus statement and contains broad-based as well as specific recommendations. (Thos. Y. Crowell Co., New York. Order from FOE Books, 124 Spear St., San Francisco, CA 94105. \$3.95 paper; \$3.25 for FOE members).
- "Garden of Eden to Weed Patch: The Earth's Vanishing Genetic Heritage," adapted from a book manuscript by Dr. Norman Myers, is a special 15-page issue of the NRDC newsletter on the elimination of the earth's species. (Write Natural Resources Defense Council, 15 W. 44th, New York, NY 10036)
- "Guide to Jobs & Energy," 1977, 21 pp., published by Environmentalists for Full Employment, discusses the choice between expansion of energy production via large-scale, complex systems on the one hand, and increased energy efficiency plus solar energy, on the other. (\$2 from EFFE, Room 300, 1785 Massachusetts Ave, NW, Washington, DC 20036).
- "Endangered and Threatened Species Listing," by states, prepared by the Natl. Wildlife Fed. and U.S. Fish & Wildlife Service. (Single copies free from NWF, 1412-16th St NW, Washington, DC 20036.)
- "The Evolution of National Wildlife Law," written by the Environmental Law Inst. for the Council on Environmental Quality, traces federal wildlife law from 1842 through such recent legislation as the Endangered Species Act of 1973. Among other things, the book reviews the changing philosophy toward wildlife. (CEQ document No. 041-011-00033-5. Order from CEQ, 722 Jackson Place NW, Washington, DC 20506; 485 pp, \$4.20)
- "99 Ways to a Simple Lifestyle," by the Center for Science in the Public Interest is a guide for those who want to transform old habits into new, more ecologically sound and personally satisfying patterns (Doubleday, 1977, \$3.50 soft).

15. CALENDAR

- June 5 - River Day, sponsored by TESC at Fort Loudon on the Little T, starting noon. Music, speeches, swimming, tree planting. Bring picnic, canoe, musical instruments, frisbees. (Take 411 to Vonore. Signs for Ft. Loudon are just S of the Little-T bridge)
- June 7 - Oak Ridge City Council election (see item 10.B on how candidates stand on the greenbelt issue)
- June 9 - (TCWP) Public Meeting, 7:30 p.m., Oak Ridge Civic Center Library Auditorium. See front page box for info.
- June 11, 12, 25; July 2-4, 10, 16, 31. SMHC hikes. (Call Ken Warren, Oak Ridge 482-2145)
- June 14 - EAF benefit: premiere of "A Bridge Too Far" (see ¶9.B)
- June 15 - Hearings by EPA and Tenn. Dept. of Public Health on discharge permits (NPDES) for 163 coal mines and plants in Tenn. Oak Ridge Civic Center Social Room, 7:00 p.m. (see ¶3).
- June 16 - Ditto at Sequatchie County High School Auditorium, 7:00 p.m. (see ¶3).
- June 17-19 - 1977 Scenic Rivers Symposium, Louisiana State Univ., Baton Rouge, LA (Write Dept. of Landscape Arch., LSU, Baton Rouge 70803)
- June 18-19 - TVCC float trip, Hiwassee -- Class II difficulty. (Call Doug Graydon, Lafayette, Ga., 404, 764-1085.)
- June 18-19 - TVCC float trip, Tenn. Buffalo River -- Class I difficulty. (Call Ray Robinson, Soddy-Daisy 842-1358.)
- June 23 - TN Dept. of Conserv. - BOR - Nature Conservancy Workshop on alternative land preservation methodologies. Cumberland Mtn. State Park, 9:00 a.m.-4:30 p.m. CDT See item # 8, this NEWSLETTER. (Call Mike Countess, Nashville 741-1061)
- June 23 - (TCWP) letter-writing social, Oak Ridge. See front-page box for info.
- June 25 - (TCWP) benefit showing of new film "At the Crossroads" (see ¶9A). 2:00 p.m. Oak Ridge Unitarian Church (tentative; watch papers in case there is a location change). \$1, adults; 50¢, children.
- June 25 - TTA hike, Highlands of Roan. (Write Grimes Slaughter, 240 N. Purdue, Oak Ridge 37830).
- June 28 - (TCWP) letter-writing social, Signal Mtn. See front-page box for info.
- July 16 - (TCWP) float trip on Sequatchie River (easy, no experience required). Most of you are not acquainted with this lovely river in the Sequatchie Valley, so come join in a full-day fun trip with TCWP friends. Canoes and accessories can be rented locally, if desired. For more detailed info, call Martha Ketelle by July 11 (Oak Ridge, 483-5366; or 483-8611, ext. 3-1983).

CONTENTS (continued from page 1)

9. We and others try to raise funds: TCWP canoe raffle, EAF premiere, paper recycling.
10. For Oak Ridge members: City Council elections and greenbelt.
11. Sub-cabinet-level appointments: continued good news.
12. National capsules (Clean air and water; Carter's enviro message; LCV scores). . . .
13. TCWP organizational news.
14. Publications of interest.
15. Calendar.

If you have not yet paid your dues, your label will have a red underline below the code, and this mailing will contain a dues form. Please use it!

