LATE NEWS FLASH

No 1 PRIORITY: WRITE !!!

The day after the Newsletter went to the printer, we were notified that Obed hearings have now been scheduled for June 21. TCWP will, of course, be represented as an organization. In addition, testimony from individuals will be very valuable. Please take 10 minutes to write a short letter to:

Congressman Roy Taylor, Chairman
Subcommittee on Parks & Recreation
House Interior Committee
Longworth House Office Building
Washington, D.C. 20515

The hearing record will probably remain open until July 1.

Tell him of your support for preserving the Obed (with major tributaries) by adding it to the National Wild & Scenic Rivers System under the terms of the draft concensus bill agreed upon by Tennessee's major interested conservation groups (see this Newsletter, item 1). Any additional points you can make -- about the beauty, wildness, and other values of the Obed, and the threats to it (stripmining, oil drilling, timbering, real-estate development, pollution) if it is not legislatively preserved -- will add value to your letter.

Send a copy of your letter to Sen. Wm.E. Brock, III, Senate Office Bldg., Washington, D.C. 20510, and urge him to start Senate action without delay.

TENNESSEE CITIZENS FOR WILDERNESS PLANNING

Newsletter No. 74, June 7, 1976*

TCWP PUBLIC MEETING

"AMAX's giant stripping plans and their implications for ALL of Tennessee's waters"

1. Slide show, narrated by Bill Chandler, TCWP's new Exec. Director
2. AMAX and the Tennessee Water Control Law, by John Williams, attorney with East Tenn. Research Corp.
3. Video tapes of AMAX operations at Catlin, Illinois, showing the shovels in action and interviews with local people

Tuesday, June 22, 7:30 p.m., Oak Ridge Public Library Auditorium
(NE corner of Civic Center - Library complex, Oak Ridge Turnpike)
Come and bring as many friends and neighbors as you can.
Anyone who has any interest in Tennessee's waters anywhere should become informed about the AMAX business.

LETTER-WRITING SOCIALS

Come to the party!
Tuesday, July 27, Oak Ridge: Don and Dee Jared, 107 Fulton Lane, 483-6789
Thursday, July 29, Knoxville, Vicki Mierzejewski, 7832 Cedar Crest Road, 947-3153

Both letter-writing socials begin at 7:30. Spend an hour writing needed letters, then enjoy your TCWP friends over refreshments. Call your hosts ahead of time, if possible, but this is not essential. If you have been to a letter-writing social before, you'll know that they are productive as well as fun, so do come again. If you have never tried it, this is the time. Do let's make this activity a success.

READ THIS

DO NOT GIVE UP BECAUSE THIS NEWSLETTER IS LONG! JUST PICK OUT YOUR FAVORITE TOPIC (THAT'S WHY WE HAVE A TABLE OF CONTENTS) AND CONCENTRATE YOUR EFFORT ON IT.

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*Editor: Lee Russell, 130 Tabor Rd., Oak Ridge, TN 37830. Phone: 615, 482-2153

1. OBED: GETTING CLOSER TO LEGISLATION

No date has yet been set for House Interior Committee hearings, but Congresswoman Lloyd has again requested them from Subcommittee Chairman Roy Taylor and is hopeful that they will be scheduled soon. If you have not already thanked Mrs. Lloyd for all her efforts in behalf of preserving the Obed, we hope you will do so. In the meantime, 2nd-District Congressman Duncan has also introduced a bill to add the Obed and tributaries to the National Wild & Scenic Rivers System and deserves our sincere thanks. Two other Tennessee Congressmen, Quillen and Beard, have expressly offered to support Obed legislation, and Congr. Jones looks upon it favorably. Senator Baker's office has indicated that he will gladly co-sponsor a Senate bill, but would like Sen. Brock to take the lead since Baker so ably led the effort on the Big S. Fork. Unfortunately, Sen. Brock has still not introduced an Obed bill. We hope that he will very soon do so, since inaction at this point is equivalent to active opposition, and conservationists throughout our state are considering legislative preservation of the Obed to be among the highest priority goals. If you have not already written him, now is the time to do so.

There was unease in some circles about whether the wording of H.R. 13067, Mrs. Lloyd's new bill, protected the autonomy and character of the Catoosa Wildlife Management Area, etc. At the request of TCWP, representatives of various groups and agencies met in Nashville on May 11, and discovered that all had essentially the same objectives -- earlier apparent differences having been due to breakdowns in communication about the mechanics for achieving these. There was thus no difficulty in arriving at a consensus on wording all could agree to, and a consensus bill was subsequently drafted. The following representatives signed statements that they would support such a bill: Commissioner Buck Allison for the Tenn. Dept. of Conservation; Exec. Dir. Harvey Bray for the Tenn. Wildlife Resources Agency (TWRA); Tony Campbell, Exec. Dir. of the Tenn. Conservation League; Dick Creswell, Pres. of TSRA; Lee Russell for TCWP; Don Todd for the Morgan Cy. Parks & Recreation Council. The draft consensus bill with its signatures was subsequently mailed by TWRA to the entire Tennessee Congressional delegation. Mrs. Lloyd's office has stated that although she cannot submit yet another bill, she will not oppose the differences contained in the draft bill. Rep. Duncan has already written to the effect that he will support the draft consensus bill.

2. BIG SOUTH FORK: ANOTHER THREAT ILLUSTRATES THAT THE AUTHORIZATION LIMIT MUST BE RAISED

The Corps of Engineers testified at recent Senate Public Works Committee hearings on this year's Water Resources Development Act (in former years called the Omnibus Rivers & Harbors Act) to advocate a number of amendments in the statute that, two years ago, created the Big S. Fork National River and Recreation Area (BSFNRRA). From our frequent contacts with the Corps concerning BSFNRRA implementation, we had been expecting most of the proposals, and are in accord with almost all of them. Subsequently, we have communicated with the BSF Preservation Coalition and have submitted TCWP testimony to the Committee, expressing our views as follows:

(a) We strongly urge that the authorization limit be increased from the present $33 million to close to $100 million. The former amount is insufficient even to acquire surface and mineral rights. (Note that Sen. Baker will not request any appropriations needed to start land acquisition until the authorization ceiling is raised. This is why this item is so important at this time. See also below.)

(b) We endorse the proposal that the Corps reimburse the states of Tennessee and Kentucky for any land these acquire within the designated boundary and then turn over to the BSFNRRA.

(c) We endorse the Corps proposal for interim Natl. Park Service management (instead of waiting until acquisition and development are 100% complete).

(d) We agree with amendments that would permit acquisition of small acreages in Oneida, Jamestown, and Whitley City for visitor centers, etc.; and at Rugby for the purpose of restoring the historic Tabard Inn to become the Tennessee lodge for the BSFNRRA.

(e) We do not oppose authorization of limited road access on the E side of the river at Station Camp; nor do we oppose permission to continue operation of the K & TRR which crosses the gorge in Kentucky.

(f) We do oppose blanket authorization of motor-boat access upstream from Yamacraw as high as Devils Jumps. This has been asked by the state of Kentucky for bass-fishing purposes, on the grounds that Lake Cumberland has been stocked. Fishing can, of course, be done from non-motorized boats also, and the fisheries resource would thus not be wasted.--

✳ We urge you to send your individual comments also, particularly on point (a), to Sen. Jennings Randolph, chmn., Public Works Committee, U.S. Senate, Washington, D.C. 20510, with a copy to Sen. Baker at the same address. (Note: Sen. Baker has recently relinquished his position as ranking minority member because of conflict with another committee post.)

One reason why we must do everything to get appropriations for land acquisition is that threats to the river are on the increase. Recently, Bob Gable, Pres. of Stearns Coal & Lumber Co. (and a defeated candidate for governor of Kentucky) announced plans for clear-cut logging, road building, homesite development, and mining within the boundary of the BSFNNRA. Some logging has already started within about 200 ft of the river. Gable is also challenging the Ky. Wild Rivers Act of 1974 of which the BSF is a part. It is rumored that this may be a move to force a government offer to buy the land from Stearns. In any case, it is threats such as these that bring home the necessity for speedy land → acquisition. Even a brief note from you with this message will be valuable.

3. AMAX HEARINGS: TENNESSEE'S WATER QUALITY AT STAKE

Because so much is at stake, our recent NEWSLETTERS (NL 72, ¶3D; NL 73, ¶2) have devoted much space to the AMAX giant stripmine proposal -- and we're about to request your involvement once again. Even if you don't live anywhere near Sequatchie County (for which the first mining is proposed), you are likely to be severely affected if AMAX eventually gets its way -- because nothing less is at stake than the substance of Tennessee's good water quality law and the fine Division that enforces it.

To refresh your memory, AMAX's permit application to "blanket-mine" right through a number of streams (using 20-story-high machinery that can cut a 150-foot deep swath) was denied by the Water Quality Control Division (WQCD) on the grounds that the activity would degrade the classified uses of the streams in question, thus violating Tennessee's Water Quality Act. AMAX appealed the permit denial. A hearing on the appeal, originally scheduled for May 26-27, has now been postponed until July 5-7. TCWP is one of 6 groups that have petitioned to intervene in the hearing as friends of the WQCD. Our petition, together with those of SOCM, TEC, and the Concerned Citizens of Piney, was originally turned down for lack of standing (demonstration that our members were directly affected); but a revised petition was subsequently accepted. These 4 groups are being represented by John Williams; the Sierra Club (Tenn. Chapt.) by David Gray; and TSRA by Frank Fly.

At prehearing conferences, it was agreed that the hearing should be restricted to the issue of "whether or not the proposed mining plan ... would ... result in a condition of pollution ... within the meaning of the Tenn. Water Quality Control Act and the regulations adopted pursuant unto." Economic arguments, which have made AMAX so attractive to the power structure, will thus be eliminated from consideration at the hearing. It is undoubtedly the appeal of AMAX's economic propaganda that caused Tennessee's Economic Development Commissioner Tom Benson to declare recently that the state administration wants to help AMAX to overcome environmental objections. Saying, "I don't want a technicality to prevent industrial development," he indicated that he would be present at the hearing. The poor WQCD now seems to stand alone against the administration.

On May 12, AMAX staged a field trip, primarily for representatives of the intervenors. Bill Chandler and Don Wilkes went for TCWP. Perhaps not surprisingly, the tour featured the scrubbier parts of the area (including some unreclaimed orphan mines) rather than the many scenic spots that would be eventually involved. AMAX is attempting to keep the most scenic of all, Fall Creek Falls State Park and surroundings, out of the argument

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by requesting the permit for the first 4000 acres only, at this time. Of course, by the time they've been mining in Tennessee for 10 years, the operation will have become such a fait accompli that it will be near-impossible to keep it from moving into the neighboring Piney Creek watershed (Fall Creek Falls) and gobble up 10,000 acres. It should be noted that AMAX officials on the tour admitted that their mining would result in a lowering of the water table, causing some of the streams to dry up after reclamation. [Note of interest: S. Leary Jones, who not so long ago resigned as Director of the WQCD, is now working as a consultant to AMAX. A little demoralizing for the good folks remaining in the WQCD who are laboring to preserve our law against the biggest threat yet? And to top it all, Leary Jones has just been honored by the Tenn. Conservation League for his efforts toward making Tennessee one of the top water quality states!]

Remember that if AMAX is permitted to be in clear violation of our water quality law, this law will become meaningless, and no enforcement will be possible against other violators. (There's coal below the bottom of the Obed, too!) Remember, also, that the WQCD is battling the might of a wealthy, powerful corporation as well as the announced position of the state administration. We must do all in our power to help the WQCD in its effort to help all of us. What you can do:

a. Write (before July 5) to members of the State Water Quality Control Board to tell them of your concern for the future of the entire state water quality law, if AMAX is granted an exception.

Dr. Eugene Fowinkle, Commissioner
Department of Public Health
Cordell Hull Building
Nashville, TN 37219

Mr. B. R. Allison, Commissioner
Tennessee Department of Conservation
2611 West End Avenue
Nashville, TN 37203

Mr. Edward S. Porter, Commissioner
Department of Agriculture
P. O. Box 40627
Ellington Agriculture Center
Nashville, TN 37220

Dr. Lester R. Dudney (conservation)
Gainesboro, TN 38562

Dr. James McClanahan (industry)
Supervisor, Environmental Control
E. I. du Pont de Nemour and Company
P. O. Box 71
Chattanooga, TN 37401

Mr. Lytle Brown (public at large)
Hart, Freeland and Roberts
P. O. Box 12737
Nashville, TN 37212

Mr. W. D. Frizzell (municipalities)
City Manager of Union City
P. O. Box 9
Union City, TN 38261

b. Send copies of your letter to a newspaper, to be published in the letters-to-the-editor column.

c. Find a forum (your church, social club, etc.) at which we can present the AMAX story in the near future. TCWP will provide a speaker and slides.

d. Come to the next TCWP meeting to find out more (see p. 1).

e. Send us contributions earmarked for AMAX legal expenses.

4. OTHER STRIPMINE CAPSULES -- FEDERAL AND STATE

-- The federal stripmine bill, H.R. 9725, which was overwhelmingly passed by the Interior Committee but then tabled by the 16-man Rules Committee, could reach the House floor for a vote by one of two processes: (a) the signing of a discharge petition by more than half the members of the House; or (b) reversal by the Rules Committee of its earlier action. You can help the former process by urging your Congressperson to sign the petition. Pressure for the latter may be building as a result of the fact that other pieces of legislation are pending the outcome of the stripmine issue. Our 1st-District members should also remember that Jimmy Quillen is a member of the Rules Committee and should be contacted.

-- "State Stripmine Laws" (March 1976) by Jack Doyle ($1.00 from Environmental Policy Center, 324 C Street SE, Washington, D.C. 20003) analyses the laws of six states (not including ours) and finds them to be seriously wanting with respect to mining and reclamation standards, bonding, citizen input, etc. This, plus the fact that, as we know from the Tennessee experience, the industry lobby constantly attempts to weaken state laws, while citizen attempts to strengthen them hardly ever get to first base, makes it extra important for you to urge signing of the discharge petition for the federal bill (see preceding paragraph).

-- Dept. of Interior regulations governing stripmining of federal coal lands were announced May 11 and have since gone into effect. The regs cover leasing, exploration, mining, and reclamation. There are presently 537 federal leases covering about 800,000 acres, mostly in the West. Performance standards require use of "the best practicable commercially available technology for the protection of water supplies" and "to protect against the potential for siltation." However, the new regs do not prohibit mining on alluvial valley floors; and Rep. Melcher (D.,Mont.), co-sponsor of the twice vetoed stripmine bill, has said that the already water-poor Western states will be left "high and dry."

-- The Clinch River Basin Plan, recently (April 29) the subject of hearings by the Tenn. Div. of Water Quality Control (WQCD), points out that the most extensive degradation of water quality in the entire basin exists in streams that drain coal mining regions. Over 300 stream miles are affected, and in many instances the aquatic habitat has been totally destroyed. Lee Russell presented written and oral testimony for TCWP commending the WQCD (a) for including non-point sources among problems to be considered, and (b) for the outstanding job it has done, despite limited resources, in administering the stripmine-discharge permit program. We urged (a) increased funding for this program; and (b) active participation by the WQCD in selecting sites that are most polluting in connection with orphan-mine reclamation projects, such as the current TVA-State effort, and the New River cleanup authorized by the Big S. Fork Act.

-- A directory of people, offices, and bills related to stripmining has been compiled by Cathy Wilkes, member of the TCWP Stripmine Committee. The directory includes names, addresses, and phone numbers of the most involved state legislators, administrative offices (state and federal), and environmental groups; as well as lists of stripmine-related state bills in the recently completed session. You may request a copy from Cathy Wilkes, 111 Valparaiso Rd., Oak Ridge, TN 37830.

5. WILDERNESS IN THE SMOKIES AND CHEROKEE NATIONAL FOREST

This month it will be exactly 10 years since wilderness hearings were held for the Great Smoky Mtns. National Park (under the terms of the Wilderness Act, then only 2 years old), but hopes for passage of a Smokies Wilderness bill are still dim, at least for this session of Congress. The consensus proposal of the Gt. Smokies Park Wilderness Advocates, GSPWA, (of which Ray Payne is coordinator, and TCWP is a member) is contained in a House bill, H.R. 5823; but both of Tennessee's senators have declined to introduce a similar bill in the Senate. A much less desirable proposal is contained in an Administration bill introduced into both Houses. No hearings have been scheduled for any of the bills. Congressman Roy Taylor (D., N.C.), chairman of the Subcommittee on Parks and Recreation, had assured his Swain County constituents that no wilderness bill would emerge from the subcommittee unless the "1943 Agreement" was resolved. Swain County has requested a $25 million settlement, in addition to Blue Ridge Parkway extension, a Bryson City Visitor Center etc. -- We still have many pamphlets on the GSPWA wilderness proposal if you can find any use for them.

Paul Somers and Bob Farmer, on behalf of TCWP, recently submitted answers, comments, and alternatives to a large number of specific questions in the Smokies Master Plan Assessment Table. Their summary states our recommendation that the primary goal of the Master

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Plan in the next 10 years should be maintenance of the Park as a biological preserve, urging the Park Service not to concede to demands for recreational use at the cost of the fragile biological resource.

Even dimmer than the outlook for a Smokies wilderness bill this year is the hope for a wilderness study bill for the Bald River watershed (see NL 73, ¶5). All of the legislators involved (Senators Brock and Baker, Congr. Duncan) have declined to introduce such a bill, and part of the reason may be that the Tennessee Conservation League (TCL) recently passed a resolution in opposition to any new wilderness or wilderness study designation, on the grounds that such designation would preclude habitat manipulation and that "manipulation of the habitat is necessary for a balanced wildlife population." TCL first wants presently designated wilderness study areas to be studied and recommendations to be made. One such area is Citico Creek. TCL also resolved to prepare a report to the Interior Committee on its own recommendations concerning this area. -- We should like to urge any of you wishing to participate in a TCWP wilderness study team to get in touch with Paul Somers, Botany Dept., U.T.

6. TENNESSEE SCENIC RIVERS SYSTEM: PRESENT STATUS

The Citizens Advisory Committee (CAC) met again in Nashville April 28 to hear a status report from Mike Countess, Program Administrator for Scenic Rivers (see also ¶15 for publication.) Bill and Lee Russell represented TCWP.

The Hiwassee is an operational unit of the System, with a ranger-naturalist on duty. Recently there have been some probable violations of scenic easements there, and CAC urged the state to enjoin landowners from further damages.

Buffalo: On the short portions of this river that are still part of the System, there has recently been major timber cutting which will undoubtedly lead to stream-bank erosion. This again points up the importance of getting easement acquisition quickly underway. Prospects for this in the near future are, however, very bad (see "General," below).

French Broad: The state may get a 3-acre access site at a highway crossing. No other acquisition is in sight.

Roaring R. system: The state will use money from an old bond issue to acquire a 1/2-acre access site surrounded by a 10-acre public-use easement near Cummings Fall on Blackburn Fork, an area that will require supervision. Some scenic easements may be acquired from willing sellers on Roaring R. (The Roaring R.-deletion bill that passed -- and was vetoed -- this year was apparently fuelled by incredible lies spread by just a few people with selfish interests. Rep. Dixon, who got the deletion bill passed, in spite of his promise that he would drop it if minimum boundary requirements were deleted from the System [¶7B], has been scored for his action by other legislators and by area sportsmen's clubs.)

Harpeth: The Newsom Mill site, an old stone mill on 5 acres, has been acquired. There is also interest by Nashville Metro and by a canoe outfitter to develop park-like areas and access points on the river.

Collins: Other governmental units are showing interest in developing its recreation potential, but the state has no money or personnel involvement there so far.

Conasauga: No immediate state plans. USFS is beginning Unit Planning activities there.

Hatchie: Much of the present state interest is concentrated on this river, 180 miles of which are in the System. No acquisition is planned apart from two access sites. However, the State has an administrator for the river, and is working with the local RC&D (Resource Conservation & Devt) Assoc., an adjunct of the Soil Cons. Service, in hopes of developing good will that may result in projects beneficial to the scenic river concept. It is also hoped that some land-owners may donate scenic easements in exchange for certain services, e.g. control of erosion, which is a big problem there.

General: The new philosophy is to start with implementation and eventually (when?) work back into acquisition. Only access sites are being bought. (This Administration has a policy against acquiring scenic easements.) The administrators for individual rivers will perform interpretive services, have some medical and some police training, and will meet the public with these services as if the units had, in fact, been established. --

In the face of the political setbacks state rivers have had and of the fact that easement acquisition appears to be stymied, Mike Countess has done an outstandingly intelligent and energetic job in keeping the System alive and in actually bringing about progress that gives hope for a future time in which our landowners, legislators, and administrators will have become educated. THANKS MIKE!

7. THE STATE SCENE: LANDUSE; LEGISLATURE, PARKS, EDUCATION

A. Land-use management: hearings and such on the "critical-area" concept

Because of the "political reality" that land planning legislation at the state level has been generally unsuccessful, the Tennessee State Planning Office (TSPO) has developed a more limited approach based upon evaluation of "Critical Environmental Areas." These are subject-matter, rather than geographic, areas, in which a need for policy formulation is apparent; namely, Soil Erosion and Sedimentation, Wetlands, Wildlife Habitat, Flood Hazard Areas, Natural Areas, Historic and Archeologic Sites, Outdoor Recreation, Second Home Developments, and Transmission Lines. For each Area, the TSPO will identify current state policy and existing laws at all levels, define the magnitude of the problem, and set forth policy options for minimizing impacts. An issue paper will be circulated for comment and eventually delivered to the Governor. The study is funded through HUD. To receive input from the public with regard to topics chosen and plans for study and action, TSPO has scheduled meetings on June 15, 21, and 24 at Franklin, Memphis, and Knoxville, respectively. (See CALENDAR, ¶ 16, for details). Any TCWP member wishing to attend and/or submit testimony should contact Bob Farmer, Norris, 494-7908.

On behalf of TCWP, Bob Farmer recently submitted an analytical review of a USDI-Office of Land Use and Water Planning draft document entitled "Critical Areas -- A Guidebook for Development of State Programs." Such a guidebook and supporting documents could be especially useful in states, such as ours, that are considering the "critical-area" approach.

Erratum: in our last NEWSLETTER, we erroneously reported that the Tennessee Agricultural, Forest, and Open Space Land Act passed the Senate only. This Act, which permits "existing-use" taxation for such land, in fact passed both Houses and has been signed into law.

B. Legislative wrap-up

We brought you several of the results of the recently completed session of the General Assembly in NL 73. Here are a few additional items of interest, gleaned from an excellent summary prepared by TEC.

Stripmining: Chert mining was exempted from the provisions of the law. -- On a resolution by Rep. Cawood, a House committee was created to investigate the coal industry and report in 1977.

Trails: The use of eminent domain was prohibited with regard to the Chickasaw Bluffs Trail. [Note: in NL 73, ¶8A we had erroneously reported this prohibition for the whole Trails System. Fortunately, an amendment restricted it to the one trail only.] -- The Overmountain Victory Trail was added to the System.

Rivers and water: Minimum boundary requirements were deleted from the State Scenic Rivers Act (largely to appease Roaring R. antagonists, who, however, were not appeased (NL 73, ¶6A; NL 74, ¶6). -- Resolutions were passed to direct the Water Quality Act to be studied as to relation to other laws; and to request the Dept. of Public Health to administer the National Safe Drinking Water Act in Tennessee.

Energy: Of a large number of bills designed to promote energy conservation and to encourage alternative sources, the only ones that passed were to permit right turns on red lights, and to create an institute for magneto-hydrodynamics research.

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We urge you to cast an environmental vote for state legislative offices, both in the August primaries and in the November election. Past NEWSLETTERS have given you information on committee votes and leadership positions of various incumbents, especially on such issues as stripmining and rivers. We also recommend your perusal of "For the People..." listed in ¶15). Prior to the November election, we plan our usual legislative issue of the NEWSLETTER to summarize position and past performance of candidates.

8. HOOPER IS SUING: YOUR DONATIONS SORELY NEEDED

The people who did most to research the facts that finally led to Senate rejection of James Hooper for the TVA Board (see NL 73, ¶9) have been sued by Hooper for $2.4 million! The "libel" suit is against John Williams, Pat Kalmans, and the East Tenn. Research Corp., as well as against The Nashville Tennessean and reporter Nat Caldwell. While there is little doubt that the defendants can be vindicated (after all, the Senate staff investigation independently resulted in very similar data), a tremendous burden is being put on them in terms of legal fees and time they have to spend. Just for this first step in the proceedings, John, Pat, and ETRC are having to raise $5000! These people saved all of us from what could have been an appointment disastrous for our region. Won't you pay back a little for what they gave, and are giving, by contributing for their legal defense? Send your donations (which, incidentally, are tax deductible) to East Tenn. Research Corp., Jacksboro, TN 37757, or to us, made out to ETRC (we shall forward). Thank you! -- In the meantime, nothing has come of various rumored nominations (Roger Sant, Ray Gildea, Carroll Kroeger, Jack Ravan, Thomas Longshore), and it looks as if the post might remain vacant until after the General election.

9. THE SNAIL DARTER (AND MANKIND) LOSE

On May 25, Federal District Court Judge Taylor denied an injunction to stop Tellico Dam, ruling that the Endangered Species Act (under which protection had been sought for the snail darter) did not become effective until 7 years after Tellico Dam was authorized, at which time $35 million had already been invested in the project. Judge Taylor argued that balancing the importance of an endangered species with that of an extensive federal project was a legislative and not a judicial function; and that the continuance of funding for the dam after the darter was placed on the Endangered Species list indicated that Congress intended for the project to continue.

10. ENVIRONMENTAL RATING OF PRESIDENTIAL CANDIDATES

The League of Conservation Voters (LCV), a respected Washington organization that for the past six years has been analysing the environmental position and performance of Congressional incumbents and challengers, has just issued a detailed 64-page report on this year's presidential candidates. A steering committee consisting of representatives of several conservation groups participated in this analysis, which was based on a broad range of environmental issues. Summary ratings are as follows:

Democrats		Republicans	
Carter:	outstanding	Reagan:	bad
Udall:	outstanding	Ford:	hopeless
Brown:	good		
Church:	fair-good		
Jackson:	fair-mixed		
Humphrey:	fair		
Wallace:	hopeless		

As governor of Georgia, Carter pushed 80% of his environmental initiatives through an often reluctant legislature; appointed responsible, hard-working people to environmental agencies; and got rid of public works boondoggles (Sprewell Bluff Dam; channelization

projects). Despite accusations that he waffles on issues, Carter has, in fact, been most specific on all major environmental issues. -- To Udall, conservationists who have worked on such federal legislation as the stripmine and land-use bills, owe a great debt of gratitude. -- LCV criticizes Brown for endorsing sound conservation concepts but then failing to support specific legislation to implement these ideas: "...the most surprising aspect of [his] 'new spirit' administration has been the shallowness of his legislative program." -- Church is praised for his support of wilderness and wild rivers, but is said to be subject to pressure from timber, mining, and livestock interests. -- Humphrey "has tried to run away from environmental controversies" in recent years. He advocates timber-industry views on forest management. -- As governor of California, Reagan cut out funding for destructive water-resource projects, but has "little personal interest in the environment." -- Ford "has resisted virtually every environmental initiative taken by the Congress [e.g., two vetoes of the stripmine bill] and offered none of his own." While slashing funds from environmental programs, he has supported spending for pork-barrel projects. -- As the field narrows, we plan to bring you more detailed reports.

11. TVA HEARINGS ON ALTERNATIVE RATE STRUCTURES

In March, the East Tennessee Research Corp. originated a petition to TVA "for the adoption of a bicentennial rate." This would involve: (a) determination of what constitutes a subsistence quantity of kilowatt-hours to allow residential consumers the minimum basic necessities of modern life;and (b) establishment of a per-kwh charge for this subsistence quantity that does not exceed the lowest charge per kwh to any other electric consumer served by TVA. The Bicentennial Rate would invert TVA's present rate structure in which the first 500 kwh consumed are the most expensive. The petition suggests that to make up revenue thus lost, TVA should charge correspondingly more to industrial, commercial, and governmental users. Thus, as ETRC pointed out, the Bicentennial Rate would not only help the poorest people but also form an economic incentive for energy conservation.

Petitioners requested public hearings, and these have now been scheduled by TVA. Unfortunately, notice was very short: announcements for hearings on June 7, 9, and 11 were not mailed out until May 24. However, the hearing record will stay open until June 30, and written comments should be sent to: Hearing Officer, Division of Law, TVA, Knoxville 37902.

TVA is "especially interested in ... comments about the economic, social, and environmental aspects of alternatives to conventional rate structure... such as lifeline rates, time-of-use or peak load pricing rates, ... and inverted rates." We should like to remind our members that peak-load pricing has a very direct relation to a problem that has often been mentioned in our NEWSLETTERS: pumped storage projects. The justification for these doubly destructive (two-dam) projects is that they generate power during peak use hours (although power is consumed by pumping water from the lower to the higher reservoir during off-hours, e.g. middle of the night). Peak-load pricing could serve to reduce power demand during what would otherwise be peak hours and thus reduce the need for pumped-storage plants.

✳ We urge you to submit comments for the TVA hearings by June 30.

12. WATER-RESOURCE CAPSULES

A. The New River (N.C.) is still not home safe from the threat of a major pump-storage project. Although the state of N.C. had legislated state-scenic-river status for a 26.5-mile stretch, and Int. Secretary Kleppe had later (March 1976) designated that stretch as a National Scenic River under the provisions of the 1968 federal Act, the U.S. Court of Appeals subsequently ruled that the Federal Power Commission license for the two dams had preceded Secretary Kleppe's designation and was therefore valid. As a result, it became necessary to pass bills in the U.S. Congress to annul the license

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and legislatively secure National Scenic River status. The House Interior Committee has favorably reported such a bill. A recent vote in the Senate Interior Committee was also favorable, but only 7:3, with 4 Senators absent. Because there may be heavy pressure by American Electric Power Co. interests to get Senate Interior Committee reconsideration of the bill, the National Committee for the New River urges friends of the river to do the following: (a) write to Senators who voted for the bill (H. Jackson, Lee Metcalf, Floyd Haskell, J. Abourezk, D. Bumper, J. Bennett Johnston, Jr., Dick Stone) and thank them; (b) ask those who voted against (P. J. Fannin, C. P. Hansen, M. O. Hatfield) to change their mind; (c) ask those who were absent (F. Church, J. Glenn, J. A. McClure, D. F. Bartlett) to support the river in the future.

B. Wetlands are again in danger. A House Public Works Committee amendment to Sec. 404 ("dredge and fill" permit program) of the Water Pollution Control Act excludes from federal protection all wetlands above the mean high-water mark of rivers and ocean inlets. This surprise amendment by Rep. Breaux, Sec. 17 of H.R. 9560, was adopted without hearing and would put in jeopardy fully 85% of the Nation's wetlands by permitting unrestricted dumping of dredge and (often polluted) fill material. Wetlands, the most productive ecosystem, are habitat for the base of the food chain and provide 2/3 of the annual U.S. commercial fish and shellfish harvest. Ask your Representative to oppose Sec. 17 of H.R. 9560 and to vote for an amendment that would delete this (House Office Bldg., D.C. 20515). Write to your Senators expressing support for the "Sec. 404" program and asking that it not be cut back (Senate Office Bldg., D.C. 20510).

C. Tennessee-Tombigbee boondoggle funds need to be cut
The whole House will vote on the Public Works Appropriations bill between June 15 and 30. The total price tag for the Tenn-Tom is $1.7 billion (it started at $120 million), with a 1.1/1.0 benefit/cost ratio, figured at an unrealistic 3.25% interest. More dirt will be moved than was the case for the Panama Canal divide cut, and 51 valleys will be needed to accommodate this spoil. The tax money used for construction and operation constitutes a unique subsidy for barges, which will pay no user fees (how is that for competition with the impoverished railroads?). The main use for the canal will probably be the shipping of stripmined coal to Japan (is there a connection with AMAX? see ¶3). Gov. Blanton recently went to Washington to lobby for this project. How do you feel about it? Let your Congressperson know without delay.

D. Recommendations by the National Commission on Water Quality, issued March 18 (see ¶15), have been attacked by conservationists and by EPA. The National Audubon Soc. says that the NCWQ's proposals would play into the hands of those who "prefer business and pollution as usual" and would negate the achievements of the 1972 Water Pollution Control Act, which established a system of uniform national requirements for various categories of industry. The NCWQ proposals would "reward those polluters who have dragged their feet." EPA's Deputy Adm., Quarles, has called the report a "backward step."

13. OTHER NATIONAL NEWS AND ACTION CALLS

A. Public-land give-away: your quick action needed
The House of Representatives will shortly vote on a bill that will affect more than 600 million acres of our public lands for many years to come. The Bureau of Land Management (BLM) Organic Act, H.R. 13777, emerged from the Interior Committee as such a bad bill (it has been dubbed the "exploiter's relief bill") that it must be killed, unless it can be radically amended on the floor. Among the most harmful provisions of the present bill are those that

(a) make this bill applicable to national forests;
(b) automatically reopen millions of acres of BLM and National Forest lands to mining that are presently protected; and require Congressional scrutiny of every future "withdrawal" from mining on BLM and Natl. Forest lands;
(c) prohibit the Int. Secy from enlarging Natl. Wildlife Refuges and Ranges;
(d) set grazing fees below fair market value;
(e) give state and local governments special influence over land-use planning for BLM lands and Natl. Forests.

The above harmful provisions must be deleted. Furthermore, a provision needs to be added that would require the Sec. of the Interior to study public lands to see whether some portions would be more appropriately protected as Natl. Parks, Natl. Forests, Wildlife Refuges, or Wild & Scenic Rivers. At least these, and probably some additional, changes must be made. The best solution, in fact, would be for the House to substitute an entirely new bill, similar to the Senate bill, S. 507. Failing either of these remedies the bill should be killed. Contact your Congressperson without delay (phone or wires preferred), at House Office Bldg., Washington, D.C. 20515.

B. Land & Water Conservation Fund will be greatly increased

The annual funding authorization for the L&WCF, which is so important in land acquisition for parks, wild & scenic rivers, etc., has been considerably increased -- though to different degrees -- in bills that have passed both Houses of Congress. The Senate bill, S. 327, passed Oct. 1975, would authorize funding up to $1 billion. The bill approved by the House, May 4 (H.R. 12234), increases authorization from $300 million to $425 million in fiscal 1978, to $625 million in fiscal 1979, and to $800 million annually for the fiscal 1980-1989 interval. The Senate and House bill also differ with regard to what portion of the L&WCF is distributed to the States (which then put up matching $$), and whether these funds can be used for the construction of sheltered facilities. Differences will be resolved in Conference Committee.

C. "Forestry Reform" bill coming to floor vote

The Senate Agriculture Committee reported the Humphrey bill (S. 3091) instead of the Randolph bill (S. 2926), which had been supported by virtually all major national conservation groups (except the Natl. Wildlife Fed.) and by TCWP (see ¶14 for a dissent). According to the Natl. Audubon Society, S. 3091, as reported, "has some improvements ... [but] still lacks several provisions conservationists are demanding so as to bring about true forestry reform." Six important amendments that will be offered on the floor by Senators Bumpers and Randolph seek to (a) require use of all forms of silviculture, so that no one technique (e.g. clearcutting) would dominate; (b) place controls on the cutting of immature trees; (c) sustain even flow in timber cutting; (d) strengthen guidelines for cutting on steep slopes, stream banks, and other areas of multiple natural use value; (e) safeguard against excessive conversion of eastern mixed hardwood forests to pine monocultures; (f) strengthen protection of stream-, soil-, and wildlife-resource values. If you feel that these are important goals, contact Senators Brock and Baker without delay (Senate Office Bldg., Washington, D.C. 20510). Whatever bill passes the Senate will be referred to committee in the House.

D. Returnable Beverage Container Act introduced

S. 613 (Hatfield) and H.R. 3246 (Jeffords) would (a) require a mandatory 5¢ deposit on all beer and soft-drink containers (cans and bottles) effective 3 years after enactment; (b) prohibit "flip-top" tabs one year after enactment. It was not so many years ago that all beverage bottles were returnable. Now we have 60 billion throwaways per year! In states that have implemented deposit legislation, litter has decreased, jobs have been created, consumers have saved money, and energy and materials have been conserved. Let your Congressperson and Senators hear from you.

E. "Lobbying bill" for tax-exempt organizations needs support

H.R. 13500, which would clarify and liberalize the rules under which tax-exempt charitable and educational organizations may try to influence legislation, is being marked up in the House Ways & Means Committee. In the Senate, the bill was introduced May 12 by Sen. Ribicoff in the form of an amendment to the tax reform bill (H.R. 10612), but it awaits action by the Finance Committee. Sen. Bill Brock (Senate Office Bldg., D.C. 20510) is a member of this committee and needs to hear from you on the need for speeding up committee action on the measure. Send a copy to Sen. Russell B. Long, Chairman, Finance Committee.

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14. TCWP ORGANIZATION NEWS

-- TCWP now has an executive director. Starting in mid-June, Bill Chandler will work on a half-time basis to build membership and financial base, handle correspondence, stimulate and coordinate our volunteer effort, and do many of the dozens of other things that need to be done to keep TCWP functioning effectively. Bill is a native Tennessean and a graduate of U.T. His most recent employment has been with the Institute of Energy Analysis. Our next issue will bring you more information on Bill's interests and goals. In the meantime, we hope you will call him if you'd like to volunteer some of your time and talent to help his efforts (573-6218 or 483-8411, ext. 258).

-- If you have not yet paid your 1976 dues, PLEASE do so soon. Only a fraction of our membership paid in the first quarter, possibly because we did not send a separate dues slip in our last issue. Now, more than ever, we need your financial support.

-- TCWP's Harvey Broome Memorial Film Series Committee (Margot Spore, chairperson) reports that films were loaned on 68 occasions between January and October 1975. Mack Prichard, Acting Director of the Dept. of Conservation's Division of Educational Services, has kindly offered to have our films cleaned, lubricated, and serviced by his Division, and also to distribute the list of our films in his mailings. We are most grateful to Mack.

-- Bob Farmer appeared on a Ch. 10-TV panel show on May 4. He talked about the rapid transition of TCWP from a single- (actually double-) purpose organization at its inception to one of several interests; and from fighting brush fires to taking positive -- often broad and long-range -- action.

-- Once in a while, we feel we ought to report comments from NEWSLETTER readers. Here's one criticism, Herman Baggenstoss', objecting to our stand on the timber management bills for national forests: "If all the objectives of TCWP, Sierra Club, SOCM, Wilderness Society and others were to be accomplished over night this nation would grind to a halt." -- And lots of praise: "Your newsletters are certainly the most complete and informative of any that I received. People just don't realize what a tremendous amount of work you put into this effort " (Alex Duris, Upper French Broad Defense Assn). "I think the format and content of the newsletters are particularly effective .. (D. Richard Sears). "...your Newsletter ... that is a really fine job you are doing, and your organization deserves a lot of credit for making things happen where it counts ... through legislative actions." (Billy Minser, S.E. Sect., The Wildlife Soc.). "It amazes me how clearly in limited space Lee is able to report on the status of so many issues and to make an effective appeal for responsive action on each ... (Ernie Dickerman, The Wilderness Soc., retired). "Please keep up your excellent work. You are one of the few persons within our conservation community who rates all the praise that we can send your way." (Zip Little, S.E. Repr., The Izaak Walton League of America). "I expect to use your 'letter-writing socials' in my book." (George Alderson, formerly The Wilderness Soc.).
Folks, I feel <u>amply</u> rewarded by such praise!

15. PUBLICATIONS OF INTEREST

-- "The Tennessee State Scenic Rivers Program 1976" describes the System and its implementation. Twelve appendixes give the text of the 1968 Act, text of scenic easement, public info brochure, etc. Order from Michael L. Countess, Program Administrator, Tenn. Dept. of Conservation, 2611 West End Ave., Nashville 37203.

-- Environmental profiles on 8 presidential candidates (Carter, Humphrey, Udall, Brown, Wallace, Jackson, Reagan, Ford) are available for $2.00 from the League of Conservation Voters, 324 C Street, S.E., Washington, D.C. 20003.

-- "For the People: A Citizen's Guide to the Tennessee State Legislature," contains profiles on all legislators, their positions on major issues, their business associations. (You may order the whole Guide for $10 + $1 handling; or individual profiles from 25¢ to 75¢, from Tennessee Legislative Project, Box 4551-B, Vanderbilt Univ., Nashville 37235).

-- "Final Environmental Impact Statement for Public Lands Highway, Tellico Plains - Robbinsville," U. S. Dept. of Transportation, 1/9/76. In TCWP library. The proposed action is the "Santeetlah Crest Route," chosen in lieu of the Haoe Lead alternative so strongly opposed by TCWP and other groups. Other alternative routes rejected are: (a) Low Santeetlah Creek; (b) High Santeetlah Creek.

-- "TVA's Role in Industrial Growth," reprint of remarks by David S. Freeman, former director of the Ford Foundation Energy Policy Project at the TEC Symposium on TVA and the Environment ($0.75 from TEC, P. O. Box 1422, Nashville, TN 37202).

-- "Energy: The Case for Conservation," by Dennis Hayes. The U. S. could reduce its energy consumption by 50% within 25 years and hardly lower the standard of living ($2 from Worldwatch Inst., 1776 Mass. Ave., NW, Washington, D.C. 20036).

-- "People and Energy," a monthly newsletter highlighting energy decisions, at all levels, that can be influenced by citizen action. $7.50 annually. Write 1757 "S" Street NW, Washington, D.C. 20009.

-- "Report to the Congress by the National Commission on Water Quality" on the impacts of the 1972 Clean Water Act. Issued 3/18/76. $1.20 from Supt. of Documents, U.S. Govt. Printing Office, D.C. 20402. Stock No. 052-003-00153-5.

-- "Bottles & Sense," -- why returnables are better than throwaways: 20 pages of facts on energy, solid waste, materials, consumer and employment issues. (Environmental Action Foundation, 724 Dupont Circle Bldg., D.C. 20036.) 1-9 copies, $1 each. Cheaper in quantity.

-- "Pesticide DOs and DON'Ts," a new leaflet by the National Audubon Society, warns against certain substances and recommends others. (Order from Natl. Audubon Soc., 950 - 3rd Ave., New York City 10022: single copies free; $5.00 per 100).

-- "MARIAH," a new color magazine subtitled "The Quarterly Journal of Wilderness Experience" will chronicle a variety of expeditions, and promises to focus on "ways to preserve our vanishing wilderness." (Mariah Publications, 3401 West Division St., Chicago, IL 60651).

-- "An ERDA Solar Bibliography", TID-3351-RIPI, March 1976 (supersedes Dec. 1975 version). Vol. 1, citations, $13.75; vol. 2, indexes, $10.75. (Order from Natl. Tech Info Serv., U. S. Dept. of Commerce, Springfield, VA 22161).

-- For "ERDA List of Reports," with information on where these may be obtained, write Energy Research and Devt. Administration, Public Documents Room, 20 Mass. Ave., NW, D.C. 20545.

-- "Biological Services Program, Fiscal Year 1975," is the first annual report by this new program of the U.S. Fish & Wildlife Service. In its first year, the Program has focused on the environmental implications of the nation's accelerating energy development. Among the 40 studies initiated: fish and wildlife habitats in stripmined areas, including Appalachia ($2.25 from Natl. Techn. Info Service, Springfield, VA 22161).

-- New mass transit studies. "Energy, The Economy, and Mass Transit" (OTA-T-15); and "An Assessment of Community Planning for Mass Transit (OTA-T-16): both free from Office of Technology Assessment, U.S. Congress, D.C. 20510. Also, "Energy Conservation Potential of Mass Transit" (Conservation Paper #34), free from F.E.A., Washington, D.C. 20461.

-- Information for the "Super Saver Electric Home," which is said to conserve heating and cooling energy, may be obtained from Jim Ward, TVA, Chattanooga.

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16. CALENDAR

June 12,13 - TVCC float on Buffalo R. Class I. (Call Ray Robinson, Soddy-Daisy 842-1358, H, or 755-2316, W).
June 12-13, 20, July 3-5, 11, 17, Aug. 1, 14-15 - Smoky Mtns. Hiking Club outings. For info contact Ray Payne, 836 Roderick Dr., Knoxville 37919.
June 14 - Deadline for applying for Conserv. Educ. Workshop (see July 26-Aug. 7, below).
June 15 - Hearing on Tennessee's Critical Environmental Areas, 10 a.m. CDT, Harpeth National Bank, Franklin Public Square, Franklin (see item 7A, this Newsletter)
June 18,19,20 - TSRA School of River Canoeing, Hiwassee River and Gee Creek Campground -- only for those who reserved by June 1.
June 19,20,26; July 5, 10, 24-25, 31, Aug. 7-8 - TVCC floats. For info, write P. O. Box 11125, Chattanooga 37401.
June 21 - Hearing on Tennessee's Critical Environmental Areas, 2 p.m., CDT, Board of Education Auditorium, 2597 Avery Ave., Memphis (see item 7A, this Newsletter)
June 22 - TCWP public meeting on AMAX and our Water Quality Law (see p. 1).
June 24 - Hearing on Tennessee's Critical Environmental Areas 7:30 p.m. EDT, Auditorium, Plant Sciences Bldg., U.T. Agric. Campus, Knoxville (see item 7A, this Newsletter).
June 27 - Sierra Club float, Sequatchie River (easy). (Call Barbara Kelly, Chattanooga 266-6607)
July 4 - Big S.Fork canoe race, starting at Leaterwood Ford (Contact Bill Dunlap, Scott County Chamber of Commerce, Oneida, Tennessee 37841)
July 10 - Clinch River canoe race
July 11 - Nolichucky canoe race
July 27 - TCWP Letter-Writing Social, Oak Ridge (see p.1)
July 29 TCWP Letter-Writing Social, Knoxville (see p.1)
July 26 thru Aug.7 - U.T.Conservation-Ecology Workshop, Fall Creek Falls State Park, will address itself to the needs of teachers and administrators for developing programs of conservation education. Apply by June 14 to Mack Prichard, 2611 West End Ave, Nashville, TN 37203

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JUST FOR FUN

Toward the elephant cartoon that appeared in the April TSRA newsletter, we turn the other cheek. A pro-Obed elephant being halted and forced backwards by TCWP (for 10 years the leader in Obed preservation) is so funny, we are reminded of the A. E. Housman poem:

A tail behind, a trunk in front,
Complete the usual elephant.
The tail in front, the trunk behind,
Is what you very seldom find.