TENNESSEE CITIZENS FOR WILDERNESS PLANNING
*Newsletter No. 45, January 6, 1972

This NEWSLETTER brings you only brief current news in order to leave room for our summary of 1971 events and activities which will, we hope, make you proud of TCWP. This summary is an excellent way to let prospective members know what TCWP is all about; and this is an excellent time to recruit new members -- when they can get a full year's value for their dues. We hope each one of you can get at least one friend to join (membership blank enclosed for this purpose). Let's make this effort NC1W and reap the benefits of a doubled membership: Also may we remind you that your own dues are payable at this time (billing enclosed). -- This is the first mailing on our new bulk-mailing permit which will save us several hundred $ on postage during the year -- money which will be put to excellent other use.

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1. SENATORS BAKER AND COOPER INTRODUCE STRIPMINE BILL

Senators Howard H. Baker, Jr. and Sherman Cooper on December 13 introduced 5.3000, which represents the second-strongest (after the Hechler bill) federal stripmine bill pending. The bill would establish a system of federal-state regulation (but with strong federal control) under EPA. EPA would immediately upon enactment begin to develop regulations; and during that time (for 9 months) new stripmines could not be started and existing stripmines could not be expanded beyond current production rates. EPA would develop not only reclamation criteria but also criteria for exclusion of areas which "cannot be adequately reclaimed." Reclamation would require "topographical conformance substantially as it existed....prior to operations. ... The phrase shall further mean that no appreciable spoil material shall be permanently deposited outside the bench or pit."

This generally fine piece of legislation could be strengthened by making the language more rigorous in places, e.g. by setting standards for an "alternative plan", and by defining "control", where this may be taken as an alternative to prevention (of erosion, etc.). There are, further, not enough provisions for public notification of permit applications and none for public comment prior to release of bond. In general, since the bill does not categorically prohibit anything, while it does seem to require vast limitations in current stripmining practices, the enforcement agencies (states) will be greatly subject to pressures.

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Hopefully these various weaknesses in the bill can and will be corrected. We hope that you will express your appreciation to Senators Baker and Cooper, and the hope that they will further improve a potentially fine bill.

2. MUCH OTHER STRIPMINE NEWS

The TCWP committee has been hard at work for several weeks revising last year's "citizens' bill" in the light of experience gained in 1971. The revised bill will be a stronger, more internally consistent, and neater piece of legislation. The promised "Administration bill", based on the Thackston draft, has still not been shown to us (even though, reciprocally, our citizen bill was sent to the Conservation Department in its very earliest draft stage). According to a newspaper article, stripmine operators have been informed of the tentative content of the Administration bill, which is said to lack a slope limitation.

An organization was formed last month of residents of the stripmined areas. This group, Save Our Cumberland Mountains (SOCM), will support a state bill to outlaw stripmining.

Bob Peelle testified for TOWP at Washington hearings held on pending federal stripmine bills November 23. The House Subcommittee commended us on our thoroughly researched testimony and asked a number of pertinent questions. The written testimony was also submitted to the corresponding Senate Subcommittee.

Senator Jackson, chairman of the full. Senate Interior Committee, has written to TCWP asking for suggestions concerning sites to be visited by the Committee during a projected field trip to Tennessee stripmining operations. In our reply we have offered all possible assistance.

Tennessee Congressmen Anderson (D.-6th Distr.) and Fulton (D.-5th Distr.) have co-sponsored the Heckler bill, which would ban stripmining 6 months after enactment.

In a new book, My Land is Dying, (E. P. Dutton. & Co., Inc., New York, 1971, $6.50, with 35 pages of photographs), Harry Caudill documents the destruction by stripmining as the final destruction of the Appalachian land and people. "That they may know some cared, this book is dedicated to all those unborn millions who must someday inhabit America's spoil banks."

3. A BILL TO PRESERVE THE BIG SOUTH FORK AREA

As promised by Senator Baker at his August meeting with us, a bill is being prepared to establish some sort of protective status for portions of the Big South Fork watershed. However, conservationists have not been invited to have an input and have not been shown any drafts for comment. According to our information, the latest proposal being considered is too limited in area and in restrictions on the area's use. For technical reasons, BOR has just been asked to re-draft the language of the legislation. Senators Baker and Cooper are anxious to put the bill in the hopper, since Senator Cooper plans to retire at the end of this year and hopes to have obtained Congressional authorization before then.

Representatives of a number of conservation groups from Tennessee and Kentucky will meet this weekend to draw up a position paper on the subject. This will be submitted to the Senators and released to the press.

4. LITTLE T: DUNN OPPOSES DAM: LAWSUIT OPENS

Few of you will have missed the superb news that Governor Dunn expressed opposition to Tellico Dam in a letter addressed to TVA Chairman Wagner and dated Dec. 7 (but not released until December 14). In the same letter, the Governor announced that he would request both state and federal Scenic River status for the Little T. We hope very much that you have already expressed your appreciation to the Governor; but, if not, it is not too late to do so now (Executive Chamber, State Capitol Bldg., Nashville, TN 37219). In his reply, Chmn. Wagner indicated that TVA expects to continue the project -- for which it will, of course, require appropriations. Your Congressman should know how you feel about this!

The lawsuit against TVA by EDF et al., which was filed in Birmingham, Ala. (officially TVA's HQ), has been transferred to Knoxville on TVA's request and will open January 7.

5. RESULT OF TCWP ELECTIONS

The following were elected December 13 and took office January 1:

		Directors:
President:	William L. Russell	*William C. Countess
Vice President:	Edward E. C. Clebsch	*Robert E. Farmer
Secretary:	Helen Ward	Liane B. Russell
Treasurer:	*Charles Klabunde	*William F. Searle III
		Donald E. Todd

*Indicates newcomer to the Board
Nominating committee: Minnie Duncan, Donald W. Jared, Ruth Slusher (chairman)

6. ALASKA LAND USE CONFERENCE REPORT IMPROVES NATIVE CLAIMS BILL

A much improved Alaska Native Claims bill emerged from the House-Senate Conference report on Dec. 14. While the 55,000 natives received $1 billion and 40,000,000 acres, the conferees at the same time recognized the national interest in Alaska's unique scenic and wilderness resources by authorizing the Secretary of the Interior to withdraw up to 80,000,000 acres for possible inclusion in the national park, forest, wildlife refuge, to make recommendations to Congress; Congress has 5 years to act on the recommendations. During this period, the land, while remaining withdrawn from being appropriated by the State of Alaska, would not be exempt from selection for native village sites. We hope you will urge Interior Secretary Rogers Morton to use the withdrawal privilege to the fullest within the period allowed.

7. TRAILS

At our annual meeting, TTA suggested a portion of the projected Cumberland Trail that could be laid out and cleared, as a TCWP project. Members wishing to help with this should contact the editor.

The Oak Ridge City Council has asked the City staff to request National Recreation Trail status for the TCWP-developed North Ridge Trail.

SUMMARY OF 1971 EVENTS AND ACTIVITIES

1. Stripmine control

Because the great increase in virtually uncontrolled stripmining is threatening to turn portions of our state into an ecological, social, and economic disaster area, TCWP expended one of its biggest efforts in 1971 on attempts to strengthen the state's stripmine control law and to support passage of federal stripmine legislation. A great deal of research, contacts with many experts, and innumerable field trips formed the basis for an extensive set of amendments to the 1967 state law which were drafted by the TCWP stripmine committee and introduced early in the 1971 session of the General Assembly. TCWP sponsored two public meetings (Knoxville and Oak Ridge) featuring a variety of speakers to air all sides of the question (later we al**so** participated in Energy 2000, a workshop sponsored by Environment 2000). Subsequently we sent several informative mailings to all legislators and to the press.

As a result of a "do-nothing" Dept. of Conservation bill that rivaled our "citizens' bill" (which the Dept. opposed), and due to some rather shady legislative dealings, the session ended with a bill essentially equivalent to our proposed one having passed only the Senate (under the able sponsorship of Sen. Baird) -- having been prevented by Rep. Bowman from being called to a vote in the House. However, the publicity and the contacts that we generated during and since that period have resulted in a political climate much more favorable to the passage of meaningful legislation in 1972. Particularly important has been (a) an extensive stripmine series in the Nashville Tennessean (now published in booklet form), which grew directly out of contacts made during legislative hearings; (b) establishment of fine rapport with citizens living directly in the stripmined areas; (c) liaison established with groups battling the evils of stripmining elsewhere in Appalachia. During the summer and fall, TCWP continued its research through field trips (to which legislators were invited) and otherwise. We also testified at Tax Equalization Board hearings concerning taxation of coal lands.

On the federal level, TCWP drafted detailed **and** extensive testimony which we presented orally before a House Subcommittee conducting hearings on a score of bills; similar testimony was submitted in writing *for a* Senate Subcommittee. Our main recommendation is to prohibit stripping where it would result in the placement of spoil on slopes steeper than 15° and to formulate strict regulations for all remaining stripping. Our views were presented pere ally to Sen. Baker who was drafting his own bill. We enter 1972 with much work ahead but hopeful of some success

2. Efforts to stop unjustified dams:

Little T

The battle against Tellico dam, only a year ago considered by many to be a lost cause, came to life during 1971. The interrelated factors were (a) a revival of local effort, (b) support in the state legislature and administration, and (c) legal action made possible by the Environmental Policy Act. The Association for the Preservation of the Little T, encouraged by the possibility of a lawsuit, came back to life; and the considerable local opposition to Tellico dam, which had become silent through discouragement, reawakened and grew to great proportions. The issue was brought vividly before the public through billboards, TV debates, newspapers, organized floats, name speakers such as Mike Prone, the opening of an office in Knoxville, even airplane-towed banners. Measures were introduced into the state legislature which, if passed, would express opposition to continued funding for the dam, and would give the Little T state scenic river status. Through TCWP contacts, the Environmental Defense Fund (EDF) agreed

to take the lawsuit, based on TVA's Draft Environmental Impact statement which was submitted in June and has already drawn very unfavorable comments from a number of state and federal agencies. The suit was filed in Washington, refiled in Birmingham, and has just been transferred to Knoxville. Just before Christmas, the Governor expressed his opposition to the Tellico dam and his intention to ask for state as well as federal scenic river status, but TV& shows no signs of abandoning the project.

Duck River

TCWP became much more deeply involved this year in efforts to preserve the beautiful and scientifically valuable Duck River from two planned TVA dams (Normandy and Columbia) which analysis by independent experts shows to be totally unjustified. The project has never been included in the President's budget of either this or the past Administration, but TVA appropriations continued to be obtained through Congr. Evins' powerful position on the Appropriations Committee, in spite of Washington testimony by TCWP *and* the newly formed Duck River Preservation Assn. DRPA, which has worked in contact with TCWP, has been very effective in consolidating local opposition to the dams. The National Environmental Policy Act (NEPA) provided a new tool for attacking the unjustified project by way of the Environmental Impact (102) statement required of the promoting agency. TVA filed the draft statement 6/30/71 and held hearings on it 8/24/71. TCWP was among several organizations testifying to the inadequate and erroneous nature of the "102" statement. TCWP is also cooperating in the formulation of a citizen expert report on the project; and, during the spring, helped promote inclusion of the Duck R. story in a Reader's Digest article "Needed: A Bill of Rights for our Rivera", which we later circulated. Unfortunately, Gov. Dunn and Commissioner Jenkins have endorsed the dams, even though the final Environmental Impact Statement has not yet been filed and even though Jenkins' own Department had only recently included the Duck in a list of four rivers sent to USD1 for possible **inclusion** in the National Scenic Rivers system.

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

Big South Fork of the Cumberland

The danger of Devils Jumps dam gradually faded during this year as the Corps of Engineers' report, originally due 12/31/69, seemed to become indefinitely delayed. The delay is taken by politicians and administrators as a sign that the Corps cannot justify the project -- probably as a result of the high power costs and zero recreation benefits, which we have brought to public attention **in** the past. TCWP organized meetings of several conservation groups with Senators Brock and Baker in June and August, respectively; and at these it became obvious that Congressional action would be forthcoming to give some kind of positive legislative protection to a portion of the watershed. Since then, TCWP has had numerous personal and phone contacts with Washington to urge that an optimum area be included and a high degree of protection be assured in a bill which will be introduced by Senators Cooper and Baker. During the year, a stripmining operation was opened in the gorge, and TCWP elicited a statement that "TVA does not intend to purchase coal" in the area being considered for federal status. The oil boom in the general region appears to have passed its peak.

Obed

While the Obed studies authorized by the National Wild and Scenic Rivers bill were progressing throughout the year, TCWP repeatedly had to bring to public and official notice a number of potentially adverse developments: a proposed coal washing operation near Crossville (halted), applications for stripmine permits (finally denied by state following BOR intervention), a real-estate development near Adams Bridge (convinced

by BOR to incorporate suggested zoning). In view of these continuous threats, TCWP asked the entire Tennessee Congressional delegation to urge a speed-up of the study. At the same time we worked to supply data and materials to BOR and met locally with the field-study team. As a result of continued depletion in assigned staffs (both BOR and State), the projected completion date for the study was postponed until Sept. 1972. -- Early in the year, TCWP had testified at Stream Pollution Control Board hearings and urged highest priority for ensuring prime water quality of the Obed system.

4. Trails as a means of natural area protection

In 1971, Tennessee became the first state with a comprehensive state foot trails system. TCWP had a major part in the writing of the bill and helped to support its passage. Three classes of trails are established (scenic, recreation, connecting) and seven "scenic" trails are designated as initial components of the system. Motorized traffic is banned and the natural vegetation is to be kept largely undisturbed within the trail rights-of-way.

TCWP also continued to cooperate with Bowaters Southern Paper Corp. in the establishment of Pocket Wildernesses and trails therein. The Honey Creek Wilderness, dedicated in 1971, grew out of a TCWP suggestion.

The 9-mile North Ridge Trail through the Oak Ridge city-owned greenbelt was completed by TCWP volunteers. The city has instructed its staff to request National Recreation Trail designation.

5. State Natural Areas

After failing by only **one** vote in 1970, a Tennessee Natural Areas System bill **passed** smoothly in 1971. TCWP had helped with the drafting, revision,and support of this legislation. The act provides for (a) Scenic-Recreational areas, (b) Natural-Scientific areas (which may have limitations placed upon their use if deemed fragile), and (c) a registry of areas whose private owners have agreed to maintain them in a natural state. No areas were designated for initial inclusion, and the act requires the Dept. of Conservation to recommend specific areas to the legislature within a year.

A Senate Joint Resolution passed in March directs the Dept. of Conservation to study ways to preserve Savage Gulf and to take **action** if required.

6. Smokies and nearby National Forests

The study which the then Secretary of the Interior Hickel directed the NPS to undertake on the occasion of our delegation's visit 6/23/69 was released on 2/19/71. In it, NPS Director Hartzog proposes that a 190-mile parkway system around the Gt. Smoky Mtns. Natl. Park (Proposal B) might become a substitute for the 1943 obligation. Proposal B also includes the gradual phasing out of US 441 -- institution of a free public transportation system at first, and, finally obliteration of the road. TCWP went on record endorsing Proposal B (with three minor modifications in routing of the circumferential system) and asked that plans be made to avoid overdevelopment at the proposed new access points. Tennessee and N.C. politicians all have applauded the beltway but have condemned the closing of US 441. The idea of a new Trans-mountain Road has not even been mentioned in any recent public comment.

In the nearby National Forest areas, the battle to keep the Robbinsville-Tellico Plains Road from dividing Joyce Kilmer Memorial Forest from the wild Slickrock Creek

watershed continued in 1971, and TCWP took a supporting, rather than leading, role. Even while two USFS studies were in progress (an environmental impact statement for the road and an assessment of the wilderness potential of Slickrock), high officials in the USFS and the Federal Highway Administration made statements rationalizing the damaging and divisive ridgetop location of the road.

In other contact with the USFS in our area, TCWP submitted four written and two oral testimonies, most of them in connection with the Unit Plan for the Southeast. We commended the Service for quite a few features of the Plan and criticized several of their practices. The substance of a number of our comments appears to **have** been incorporated **in** later versions of the Plan.

7. Educational and liaison activities

Films in TCWP's Harvey Broome Memorial Film series were continuously on loan to schools, teacher workshops, and organizations. An attractive brochure about the series was printed and a "leader" was produced for each film. A new film was purchased for addition to the Series, -- The TCWP-initiated Environmental Studies course became a regular feature of the ORHS curriculum.

TCWP organized joint meetings of representatives of a number of conservation groups with Governor Dunn, Conservation Commissioner Jenkins, Senator Brock, and Senator Baker to present these gentlemen with information and conservation viewpoints on a number of topics.

8. National issues; TWAC

As in earlier years, TCWP in 1971 cooperated with national conservation organizations **on** a selected number of important national issues. A considerable effort was put into the battle against the SST which we helped win by organizing a coalition of 13 Tennessee organizations and winning the support of 5 of Tennessee's 9 Congressmen. We also worked hard to oppose the Alaska pipeline and to urge land-use planning, most recently in connection with native-claims legislation (we won 3 Tennessee Congressmen). Our success was much poorer (only one Congressman on our side) in urging votes for the Reuss amendment, which would have put a moratorium on certain channelization projects. We submitted written testimony for Senate hearings on timber management legislation, supporting the Metcalf bill on *the* basis of 10 specific points. At frequent intervals, we urged communications in support of the Executive Order on Wilderness which would protect potential wilderness and "de facto" wild lands. Our effort to secure CEQ funds through Congr. Evins were evidently successful. The following additional national and regional issues were brought to the attention of *the* membership: the Tennessee-Tombigbee Canal, land-use planning bills, proposed Land and Water Conserv. Fund changes, public-land legislation, Grand Canyon NP master plan, Redwoods NP dangers, Hells Canyon NR bill, extinction of whales, Environmental Education Act, bill to allow citizen suits, highway coalition, Pawley's Island dredging.

TWAC, which should have expanded in 1971, only maintained its earlier modest level, due to resignation of one of the co-chairmen. However, even so it played an important supporting role in some of the above-named efforts.

9. Credits

Throughout the preceding summaries, mention of names **of** individuals **has** been avoided. Here we list (alphabetically) the names of TCWP members who have contributed substantial efforts on the various issues and in the service committees. Our apologies for any omissions, which may occur in a list of this length.

Stripmine control: Claiborne, Farmer, Hebble, Lefler, R. Peelle, L. Russell, Searle, Todd, Todd Jr., Warren
Big S. Fork: Coleman, Dickerman, Harbour, Mayfield, Russells, H. Smith
Obed: Berg, J. and M. Gibbons, Russells, Todd
Little-T: Clebsch, K. Johnson, Milton, Prichard, W. Russell
Duck: Bodley, Coleman, Collier, Cox, Hollenbeck, Ivey, Russells
Natural areas bill: R. Miller, L. Russell
State trails, pocket wildernesses: R. Brown, Camisa, Klabunde, Murray, L. Russell, Streetman, Todd
O.R. greenbelt trails: Bauman, Claiborne Duncan., Goodmans, Guthrie, Lefler, etc.
Smokies, Slickrock Creek: Clebsch, Foster, Fox, Payne, L. Russell
USFS planning, timber management: Dahlman, E. Peelle
National problems: Dickerman, L. Russell
Educational: A. Broome, Countess, July, Peelles, Russells
Tennessee-Tombigbee: D. Hale
Washington Representative: Dickerman
TWAC: K. Warren and 9 district representatives
Phone chairmen: J.. Dempster, E. Du Bois, L. Jackson, Kosloski, Meservey, Phelps, Rodgers, M. Swindell (state Chmn), H. Warren
Newsletter: L. Russell
Outings : C. Klabunde
Clerical (typing, mailings, labels etc): Alford, Gerrard, Jczszak, Lewis, Oates, Reichles, Stallworth, Sweeton, H. Ward, and many other helpers
Photography and art work: L. Andrews, Lorenz, W. Russell, Todd, Wilson
Personnel survey: H. Lewis, Sweeton
Publicity and Programs: Peelle, F. Smith, R. Young;
Refreshments: Mesdames Begun, Bruce, Davis, Lorenz, Moore

Extra special thanks to outgoing Treasurer Fred Sweeton who not only did an outstanding job in the usual treasurer's duties, but also, with the help of Marian Oates, accomplished a most efficient computerization of our membership information. This has made it possible to get automatic printing of address labels and print-outs ordered according to any one of various criteria. Fred also designed and completed cards containing questionnaire replies to facilitate the search for specific volunteers.