

Newsletter No. 84, January 6, 1978*

** Thursday, January 19, 1978
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Spend an hour writing needed letters, then enjoy your TCWP friends over refreshments. Resource materials and expert help will be available. Non-members welcome, too!

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1. SMOKIES: WILDERNESS HOPES AND HOG PROBLEMS

A. Wilderness: a great beginning requires our effort for consummation

Sen. Jim Sasser has finally broken through the 13-year do-nothing barrier: on Dec. 6, he introduced S.2342, the "Great Smoky Mountains Wilderness Act." TCWP is most sincerely grateful for this action, and we hope many members will express their gratitude on an individual basis. Here's a quick summary of the bill (copy of text available from Sen. Sasser's office), and especially its handling of controversial matters.

- a. It designates 475,000 acres as wilderness following the recommendations of the Great Smokies Park Wilderness Advocates (of which TCWP is a member).
- b. Included in this wilderness are the 44,000 acres N of Fontana Res., formerly owned by TVA, which were the grounds for the so-called 1943 Agreement, with its threat of a Northshore or a transmountain road. However, the Secretary of the Interior is directed to seek arrangements with the State of N.C. and Swain County "which would eliminate the need for any encroachment, pursuant to the Agreement of July 30, 1943, upon the wilderness designated in this Act."
- c. A 10-acre enclave including the Mt. LeConte Lodge is excluded from the wilderness (thus allowing continuation of lodge operation) but designated "a potential wilderness area."
- d. The AT trail shelters within the Park are to be maintained for at least 15 years, unless the NPS determines that continued maintenance is not required for health, safety, and well-being.

While introduction of the bill is great news indeed, the effort has only just begun.

What you should do.

- a. Express your thanks to Sen. Sasser (Senate Office Bldg., DC 20510)
- b. Work to get support from other immediately involved senators -- Howard Baker (TN), Robert Morgan (N.C.), and Jesse Helms (N.C.); and from the Senate committee leadership (Senators Henry Jackson and James Abourezk) for early hearings. Write to one or more of these (Senate Office Bldg., DC 20510).
- c. Work to get the bill introduced into the House. It is very important for you to write to the Congressmen most directly concerned, even if you do not live in their district, and ask them to introduce a bill identical to Sen. Sasser's. They are John Duncan, Jim Quillen, and Lamar Gudger. (The support of Rep. Gudger, who represents Swain Cy, NC, and who is also a member of the House Interior Committee, is particularly critical.) Then write to your own congressperson asking him/her to co-sponsor the House bill when it is introduced. (House Office Bldg., DC 20515).

B. The NPS program to eradicate destructive introduced boars is in jeopardy

European boars were introduced into the Smokies area less than 30 years ago. They are an exotic species that has multiplied at the expense of native wildlife and has become exceedingly destructive of the vegetation in the Park. A recently completed 5-year study by Dr. Susan Bratton shows that the hogs root up major portions of Gregory and other grassy balds each year, killing wild azaleas among other flowering plants. As Carson Brewer recently put it, the boar population threatens to bring about "degeneration of this park into a hog lot." Recognizing this, the NPS (National Park Service) not too long ago began a boar-eradication program, using professional hunters. Then, all of a sudden, USDI declared a moratorium on this NPS effort. Rumored explanations: (a) threats from N.C. hog hunters, who want the Park used as a reservoir for hog population build-up; (b) fears that hog-killing might provoke an outcry similar to that caused by burro-eradication in the Grand Canyon. TCWP president Ed Clebsch and representatives of other conservation groups recently met with Sheila Minor, who is writing a report on the problem for USDI. You should express your views on the matter to Mr. Robert Herbst, Assistant Secretary, and to Mr. William Whalen, NPS Director, both at the U.S. Dept. of the Interior, Washington, DC 20420. (Anyone interested in more detailed info on the problem may want to write to the Tenn. Wildlife Resources Agency for the 259-page "1972 European Hog Research Project W-34 Final Report.")

2. NATIONAL FOREST WILDERNESS

A. The RARE-II process needs help

Last May, the U.S. Forest Service launched the RARE II (Roadless Area Review & Evaluation) process, to consist of 3 phases: (1) Inventory, completed 11/18/77. (2) Evaluation, to determine which of the inventoried areas would best fill "gaps" in the existing Wilderness System (e.g., to represent ecosystems and landforms) with the least cost to competing uses. These analyses will be ready in the form of draft EIS's by June 1978 for public comment during mid 1978. (3) Recommendation to be made to Congress in a final EIS late in 1978 or early in 1979. The decisions will be (a) to designate an area as wilderness, or (b) to open it for almost unlimited development -- never again to be considered for wilderness, or (c) to pursue further studies.

Phase 1 was regarded in good faith by conservationists as a technical process for accurate identification of roadless areas. But well-financed development interests used it as an opportunity to demonstrate against the very principle of wilderness. Partly as a result of this, important areas have been omitted from the current inventory that consists of 65.7 million acres (2.3 million of them in the East). The Wilderness Soc. and Sierra Club are therefore submitting a list of inventory omissions to USFS Chief McGuire and are challenging him to include this.

Specifically, in the Cherokee National Forest, conservationists working on the RARE II inventory have protested omission of 8 areas totalling 56,880 acres (or 9% of the Cherokee). The present inventory lists 17 areas totalling 100,243 acres (16%). Existing Wilderness and Wilderness Study Areas constitute only 1.3 and 3.4% of the Forest, respectively.

Between now and the hearings to be held under Phase 2, we need to do a great deal of preparation on the areas already inventoried and, hopefully, to be added to the inventory as a result of the challenge. Factors to be studied by us are boundaries, wilderness characteristics, geology, vegetation, animal life, history, and current management. The RARE II process is a great challenge and at the same time a great risk (areas lost now may be gone forever) -- so please help, if you can. Call Will Skelton, who will give you more info (8029 Sabre Drive, Knoxville 37919. Phones 693-5617, home; or 546-2800, office).

B. No Omnibus Eastern Wilderness bill this session

Ernie Dickerman, who was coordinating efforts for an omnibus eastern wilderness bill, finds that not enough states are ready with firm proposals at this time. Individual states that are ready should get their bills introduced, however. Later on, the appropriate Congressional Committees are expected to combine these separate proposals, which would make for more united citizen action.

C. Two road threats to nearby National Forest wilderness

The proposed Tellico Plains - Robbinsville Road and the Appalachian Regional Commission's (ARC) Corridor K both have potential for extreme destruction in the beautiful part of the mountains roughly S and E of the Smoky Mtns Natl Park, and both would encroach on proposed wilderness (in the Cherokee and Nantahala National Forests). The first of these roads is almost completed within Tennessee where runoff from roadcuts through toxic formations has totally wiped out aquatic life in several tributaries of Citico Creek. If the road is extended to the NC border, there are then a number of almost equally damaging alternative locations in the Santeetlah Creek, Santeetlah Crest area, which abounds with critical habitats of endangered species. The main justification for this road -- which is being strongly pushed by State Rep. Watson, powerful Chairman of the House Conservation Committee -- are logging of surrounding forests, and development of a couple of very small communities. What you can do: Let us know if you're willing to work on this problem.

The other road threat is ARC's Corridor K, for which 8 alternatives have been proposed. None of them are necessary from a traffic standpoint, since existing roads in this sparsely

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populated region have been upgraded. However, ARC does not need to justify highways on the basis of traffic counts: it builds roads to create traffic, in the hope of drawing industry. Therefore ARC does not even consider the "no build" alternative. Conservation groups which have studied the problem would best of all like no road; but, if one is unavoidable, they opt for alternative 8. (Most destructive are alternatives 1 and 7).
 * Let your Congressional representatives know of your feelings on this score.

3. OBED: GOOD AND BAD NEWS

A. Implementation of segments authorized in 1976: good news

The Park Service (NPS) is proceeding diligently with the implementation of the 1976 Act which authorized inclusion of about 45 river miles (Obed, Clear Creek, Daddys Creek, and Emory) into the system. The following major steps have been taken: (a) A Project Manager, Doyle Kline, was established in his local office (Oneida) some months ago (see NL 80 116); (b) an NPS land acquisition office was set up in Wartburg to take care of land-owner contacts, surveys, appraisals, etc.; (c) an Interim Statement for Management has been issued for comment by 1/15/78; (d) funds of \$1 million have already been appropriated; (e) informative material has been developed by NPS (see C, below).

The Interim Statement for Management, a 21-page document plus addenda, describes the purposes of the park, the significance of park resources, land classification, legislative and administrative constraints on management (as determined by the Wild & Scenic Rivers Act, the Obed authorizing legislation, the Rare & Endangered Species Act, NEPA, etc.), regional influences (e.g. land uses in the vicinity, pollution sources), within-park influences (e.g. extent of visitation, litter, river-use hazards, trails), and management objectives. In general, the emphasis on preserving the wilderness character of the resource is good, but some of the NPS suggestions for catering to increased use may need to be reexamined. For example, there is the statement that some accesses "will need to be improved since they are presently passable only on foot or by 4-wheel drive." That is exactly the reason why the river has stayed wild; and anything that is done to increase access by motor vehicles to the river itself would seem to us to violate the purpose of the Act and of those who worked for many years to get the Obed included. It is precisely in those areas where motor vehicle access is now possible that there has been most degradation: plant removal, tree cutting, garbage, etc. -- One excellent feature of the Statement is its informed and rational advocacy for amendatory legislation that would (a) include the rest of the 100 miles recommended in the BOR study, (b) raise the appropriation ceiling, (c) change the cutoff date in the residential retention provision, (d) authorize studies of additional river segments, and (e) authorize land acquisition outside the river area for visitor contact stations. Your comments on the good and bad features of the statement should be sent by January 15 to Mr. Doyle Kline (Brewster Building, Industrial Lane, P. O. Drawer 630, Oneida, TN 37841), in order to influence the final statement that will be written by NPS. You can get a copy of the interim statement from Mr. Kline, or from County Court Clerk's Offices at Wartburg and Crossville, the NPS land acquisition office at the Federal Bldg in Wartburg, or the TWRA office in Crossville.

The \$1 million land acquisition money for the Obed is part of \$278 million appropriated by Congress for NPS in fiscal year 1978. The total land acquisition ceiling in the 1976 authorizing legislation is only \$2 million, and this is going to be quite inadequate, since, according to the Interim Statement, 100 acres per river mile (for a total of 4520 acres) must be acquired in fee title to protect the resource, plus about 900 acres in scenic easements. Actually, we feel that the scenic easement acreage should be considerably enlarged (perhaps to its allowed maximum of 9940 acres) in order to keep out adverse intrusions. It is therefore not too early for us to communicate with our Congressional representative on the subject of more funding.

B. Inclusion of additional river miles: bad news

On reading about the NPS's recommendation for expansion of the wild & scenic river area, the Cumberland County Court requested Doyle Kline's presence at their Dec. 19 meeting.

The Court was uninterested in any NPS actions other than the proposals affecting Cumberland County, and then resolved to continue their opposition to any extension of the Wild River into the county. However, they may be interested in accommodating a visitor center in the Crossville area. After Doyle Kline's talk, a top level assistant of Congressman Al Gore, Jr. told the court that Gore would not introduce the Obed legislation they opposed; and we have heard that Gore has, since then, personally repeated that statement, in spite of being aware that the Obed opinion in the rest of his district (e.g., Murfreesboro, Cookeville, Sparta) is overwhelmingly the other way. It is to be hoped that Gore would give more weight to statewide pro-Obed sentiment rather than striving to please a minority led by one county court, some of whose members are riverbank landowners and thus not totally disinterested.

C. Information material available

* In addition to the Interim Statement for Management, NPS has also published a Question and Answer pamphlet on this statement and on the legislation in general. In addition, a slide program has been developed by the NPS (containing many of Bill Russell's slides); it describes the area, the Act, and the NPS recommendations. The program is available for presentation to groups within driving distance of Oneida. Send your requests to Doyle Kline, P. O. Box 477, Oneida, TN 37841, or phone him at 615, 569-6389, giving primary and alternate dates.

4. BIG SOUTH FORK: POLITICAL SUPPORT FOR FUNDING

We have received strong political support for an Administration budget item for BSF National River & Rec. Area (BSFNRRRA) land acquisition. On Dec. 2, Sen. Jim Sasser wrote again to President Carter, this time jointly with Kentucky Sen. Walter Huddleston, asking for "\$20 million [to] be specified for this project in the budget", and pointing out that the project would preserve "the unique sandstone gorge which would have been inundated by the Corps dam", and thus "could be a bellwether for Corps involvement in the conservation of natural resources." Sen. Baker is, of course, known to be a strong supporter of the BSFNRRRA. On Dec. 2, also, Congr. John Duncan wrote to urge a budget allocation of BSFNRRRA land acquisition funds. He, as well as Senators Sasser and Huddleston, deserve our sincerest thanks for their recent efforts.

In addition to writing to the President, Sen. Sasser spoke to James McIntyre, Director of the Office of Management and Budget (OMB). There have been other important contacts with key OMB personnel and with Kathy Fletcher of the White House Domestic Council, made for TCWP by Lee Russell and for EPC (Envtl Policy Center) and a coalition of national groups by Brent Blackwelder (who took a look at the BSF after he spoke at our annual meeting).

* There are now several possibilities for BSFNRRRA land acquisition funds. (a) They will be in the President's budget (somewhat unlikely); or, (b) they will be added in February or March after the new National Water Policy is announced; or, (c) Sen. Sasser (who is on the Appropriations Comm) will try to put in as much as possible during Senate work on the budget. What you can do: (a) Write to Senators Sasser and Huddleston (Senate Office Bldg. DC 20510) and to Congr. Duncan (House Office Bldg, DC 20515) to express your thanks for their recent actions, and to Sen. Howard Baker for his continuing support. (b) Write to your own Representative to urge support for such funds when they come to a vote later this spring. This is particularly important in the case of Reps. Marilyn Lloyd and Al Gore, Jr., whose Districts include parts of the authorized BSFNRRRA.

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5. DAMS AND ENDANGERED SPECIES

A. Senator Baker is getting ready to gut Endangered Species Act

Senator Baker is said to be planning to introduce a bill this January which would gut Sect. 7, the heart of the Endangered Species Act. Sect. 7 presently requires a federal agency to consult with the Sec. of Interior to ensure that its projects do not jeopardize endangered or threatened species or their critical habitats. The Baker amendment would permit an agency building a project to decide on its own whether or not to proceed in the case that the project would harm an endangered species or its critical habitat. All of us can guess which way such a decision would go.

The argument by Sen. Baker and by the lobby headed by former Congressman Kuykendall (see NL 83 13A) is that the Act is stopping needed and important projects. This is simply not true. As we have mentioned before, some 4500 consultations have settled all but 3 potential conflicts arising as a result of the law. Clearly then, there is no inflexibility in the Act. The Tellico Dam case, which is obviously what's behind Baker's efforts, could have been resolved, had there not been inflexibility on the part of the agency, TVA.

Where a case really can't be resolved between an agency and USDI, why not let Congress make the decision whether the project's benefits are great enough to justify extinction of the species? Obviously, backers of Tellico Dam don't want to take that course, because it has already been demonstrated to Congress (in last summer's hearings and by the GAO study) that the project isn't even worth the life of a cockroach!

And that goes even more so for Columbia Dam, where at least one species has this fall been definitively listed as "endangered" (even though no lawsuit has yet been filed). Just to remind you: the Columbia Dam on its own could never, from the very beginning, be economically justified (even with TVA's wildest figures, it never by itself gave a benefit/cost ratio above 1.0); TVA was shown in court to have suppressed data gathered by its own experts that would have resulted in an unfavorable b/c ratio; an official recalculation made in 1977 at the request of Pres. Carter yielded a b/c ratio of only 0.6, regardless of whether the new or the old discount rates were used; the dam would generate no power.

 So be sure to let Sen. Baker know that his efforts to change the Endangered Species Act would destroy a valuable piece of legislation for the sake of saving some totally worthless projects. In view of Sen. Baker's national orientation, he will hopefully look beyond the interests of some local supporters of a boondoggle or two. (1) Write him at Senate Office Bldg, Wash. DC 20510; (2) send a copy to your Congressperson; (3) send a copy to your letters-to-the-editor column.

B. Recent developments on the Tellico Dam legal front

The Supreme Court decided in November to hear TVA's appeal of the District Court ruling against completion of the dam. While dam proponents have hailed this as a good sign for them, dam opponents feel that the review will be useful in focussing national attention on the case and in bringing out facts that had not come out before. The Solicitor General's Office, which customarily represents federal agencies in court, was to have filed its brief on behalf of TVA with the Supreme Court on Dec. 29. However, a two-week extension was requested, and this delay has sparked rumors that the Administration does not want to seem to be supporting TVA, thus weakening the Endangered Species Act (which Interior Sec. Andrus has staunchly defended on several occasions).

In other action, TVA has petitioned the U.S. Fish & Wildlife Service to rescind its designation of the Little T as "critical habitat" for the snail darter. Should the USF&WS agree -- which is highly unlikely -- obstacles to completing Tellico Dam would be removed. If they disagree, it is reported that TVA would appeal the denial, i.e., they would be in court with USF&WS, as another possible avenue to dam completion.

C. Water resource policy

The Env'tl Policy Center and others have urged the Administration to eliminate economically unjustifiable and/or environmentally unsound projects from the budget and to substitute non-structural flood control and projects like the Big S. Fork (see ¶4). EPC submitted a list of 105 projects (including Tellico and Columbia Dams) that they feel are highly questionable. However, since the Administration budget will be released at least a month before the results of the Water Policy Study are announced, it is unlikely that funding for any water project will be missing from this initial budget. There is a possibility that budget revisions may subsequently be made in the light of the new Water Policy. -- A 1973 Corps of Engineers survey of dams over 12 feet high ranks them according to hazard potential, should the dams fail (as did Toccoa dam in Georgia, in November). The ranking is based on what is downstream from a dam, not on its structural soundness. Of 538 Tennessee dams, 23 were listed as having "high" hazard potential.

6. STRIPMINE NEWS

A. Federal

i. Stripmine regulations were published in the Federal Register of Dec. 13 (vol. 42, No. 239, pp. 62639-62716). The 1977 Act (PL 95-87) requires the Secretary of the Interior to publish initial environmental protection regs that are applicable to all coal mining operations on lands presently regulated by the States, until either a States regulatory program has been approved or a Federal regulatory program is implemented in that State. A Federal enforcement program will be effective during this initial period. The Act requires the Secretary to implement such an enforcement program by Feb. 3, 1978. -- The coal operators have bitterly fought the regulations at every step of the way; and the Interior Dept., for the most part, has held the line against this pressure. Now that the regs are out, the operators will probably challenge them in court (which they must do before Feb. 11). If so, citizens groups will participate in the legal proceedings in support of USDI. TCWP has joined a coalition determined to counterbalance the operators' attempts to make a shambles of the interim program.

ii. Chief administrator of the federal program is Walter N. Heine, recently nominated to head the Office of Surface Mining and Reclamation Enforcement. Heine's appointment is lauded by environmentalists, who were impressed by his vigorous yet fair enforcement of Pennsylvania's strong stripmine law while he was assoc. deputy secretary for mines and lands protection for that state. -- Heine's boss is Joan Davenport, Asst. Secretary of the Interior for Energy & Minerals. Ms. Davenport has drawn the industry's wrath, and she is being accused of inexperience in mining issues. However, environmental leaders are impressed by her wise policy decisions and by the good people she has brought in.

iii. Job openings available in administration of new federal law. Mr. Heine has sent out an appeal for qualified Reclamation Specialists, responsible for survey, reclamation, and enforcement work. These are Civil Service positions, ranging from GS-5 through GS-13, and Mr. Heine hopes to attract highly capable people with backgrounds in mining and civil engineering, geology, hydrology, forestry, biological sciences, or general resource management. In addition, there is one opening for Chief, Div. of Research (GS-15), five for Scientist/Engineer (GS-14), one for Chief, Div. of Small Operator Assistance (GS-15), and several for lower level positions. TCWP has particulars and application forms.

iv. To put Tennessee's coal role in perspective, the following facts are of interest. In 1976, Tennessee mined 8,600,000 tons of bituminous coal, or 1.3% of the nation's total production. That same year, the state consumed 22,400,000 tons, or 2.6x its own production. TVA, in its 8-state service area, generates >5% of the nation's electricity, making it the world's largest single utility.

B. State: water portion of stripmine permits under continuing attack by strippers

i. Political pressure leads to resignation of Water Quality Control Director. Late in October, Gov. Blanton's state patronage chief, Shorty Freeland, called a meeting involving

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Campbell County stripmine operators (all but one of whom had a record of violations), State Public Health staff, and the chairman and one member of the Campbell Cy. patronage committee to discuss the strippers' complaint that the WQCD took too long to process their permits. Subsequent to this meeting, according to the Nashville Tennessean, the Campbell Cy. permits were given special treatment, over the objections of WQCD chief, John Saucier. Shortly afterwards, Saucier resigned, citing other reasons. -- Our fears that Saucier's resignation might signify an end to the WQCD's excellent record of enforcement have been allayed by the recent appointment of Elmo Lunn to take Saucier's place. Mr. Lunn, an attorney as well as an engineer, has held chief responsibility for the issuance of discharge permits, and was a key figure in WQCD's successful stand against AMAX. The Tennessee Env'tl Council has always found him "sensitive to environmental concerns." -- Incidentally, with regard to the strippers' complaint that WQCD doesn't issue enough permits, it is of interest that in the year ending 6/30/77, 234 coal mining permits were issued, and only 10 were pending.

ii. A new threat to the WQCDivision's role in stripmine regulation comes from the draft plan of the Government Reorganization Commission. This plan would create a Department of Natural & Cultural Resources with jurisdiction over wildlife, environmental protection, cultural resources, and natural resources. Both development and regulation of natural resources would thus be under one Commissioner -- hardly a move to strengthen regulation. Further, the present important two-step system for stripmine regulation (i.e., water discharge permit a prerequisite for a surface mining permit) would be eliminated. This proposed Government reorganization is a top priority item for EAF (see ¶7).

iii. New regs on mining in or through streams are proposed. As an outgrowth of last year's victorious fight against AMAX, the WQCD staff was requested to draw up regs pertaining to mining in or through streams. Such regs were presented at the Dec. 13 hearings as proposed amendments to the TN Water Quality Act. The proposal, which is strong and specific, forbids mining through "perennial" streams (those that flow more than 180 days per year), or even through intermittent streams if these support certain stable aquatic species or meet certain criteria for chemical quality. AMAX, FACT, and other coal interests are submitting comments for the hearing record, asking for the rules to be weakened. TCWP, and hopefully other groups, have testified in support of the rules.

C. State: other stripmine news

i. State decrees bond forfeitures and proposes bond hikes. In November, the Tenn. Dept. of Conservation revoked the permits of 17 operators, threatened 11 more with revocations, and decreed bond forfeitures totalling \$286,000 where no reclamation work had been done. Some of the violations were 4 or 5 years old. It is worth noting that SOCM had originally protested the granting of permits to many of those who are now on the list of violators; and SOCM staffers recently pointed out that the present problems could have been avoided if the permits had been issued more carefully in the first place. -- The Conservation Dept. plans to ask the legislature to approve a mandatory bond increase from \$1000 to \$1500 per acre. FACT is already fighting the proposal as "a penalty for the legitimate operator."

ii. State senators toured stripmines in November, following cancellation of earlier plans for FACT to host such trips. At the request of Sen. Ashe, site recommendations were obtained from SOCM as well as from FACT. At one of the FACT-chosen sites there were coffee and donuts and a great show of reclamation. SOCM took the legislators to one site that demonstrated the "face-up" loophole, and to another that had earlier been shut down for violations. Senators Ashe and Baird and Rep. Cawood deserve our thanks for preventing a wholly FACT-organized tour. Senators on the tour were Lt. Governor Wilder, Ray Baird, Victor Ashe, Annabelle O'Brien, Ed Gillock, and Ray Albright, chairman of the Energy & Environment Committee. -- Sen. Albright subsequently said in an interview that the new federal stripmine regs "would put Tennessee's small operators out of business."

iii. Ozone Falls, a state natural area, will after all not be immune from stripmining. We were overoptimistic when we reported in NL 83 ¶1 that a permit to strip above the falls, and above Camp Ozone, was denied as a result of citizen protests. The Board of Reclamation Review subsequently overturned this denial by a vote of 2:1. One of the 2 is a past president of FACT.

7. TENNESSEE'S ENVIRONMENTAL ACTION FUND SETS 1978 PRIORITIES

The Tennessee Environmental Action Fund, born early in 1977, this year has 5 member organizations (League of Women Voters, Tenn. Chapter of Sierra Club, TCWP, TSRA, Vandy Env'tl Group), and the same paid lobbyist, Frank Fly. Ann Luckado will be assisting him. EAF met Dec. 10 to develop a platform for 1978, drawn from the numerous resolutions that had been passed at the immediately preceding Intergroup Conference (where TCWP was represented by Ed Clebsch, Betsy Williams, Brad Neff, Paul Somers). EAF top priorities were assigned to the following matters: opposition to any government reorganization that would weaken the regulation of stripmining (see ¶6Bii); prevention of any weakening of the state stripmine law during the process of bringing this law into compliance with the new federal Act; closing the "face-up" loophole in the state stripmine regs; support for funding for the State Scenic Rivers, Trails, and Natural Areas programs; support for early passage of last year's bottle bill. An EAF brochure will be sent to you with our next mailing.

8. GOOD NEWS FOR THE PROTECTION OF NATURAL AREAS

A. Savage Gulf natural area doubled in size

On Dec. 30, the Nature Conservancy (TNC) acquired 4138 acres in the Savage Gulf, and it plans to transfer the land to the State for inclusion in the Natural Areas System. The acquisition, which, roughly forms an upside-down U in the SW of the Gulf, doubles prior state holdings in the area. The land was bought from the J. M. Huber Corp. at \$600,000 (ca. \$145/acre), which is 23% below the highest appraisal; the AMAX Coal Co. donated mineral rights the firm held in the Huber property. Savage Gulf, which contains the headwaters of the Collins River (a State Scenic River) had earlier been designated a National Natural Landmark by the NPS. Its mixed mesophytic forest contains almost 1/3 of all plant species known to occur in Tennessee, most common Eastern mammals, numerous large birds as well as songbirds, 28 species of amphibians, and 31 species of reptiles. Land acquisition began in 1974. This latest big purchase is the first major action by the newly-opened Tennessee office of TNC and its Director Tim McCall (see also ¶10). Quite an auspicious beginning, we'd say!

B. New Fish & Wildlife Service opportunities for habitat protection

Under the terms of new legislation reported earlier (NL 82 ¶11C) the U.S. Fish & Wildlife Service has received extra funding for habitat protection. As we understand it, the money will go mainly for land acquisition and can either be expended directly by USF&WS, or channeled through existing state programs (e.g., a state natural areas system). For the initial phase of this program, USF&WS is developing an inventory of areas having national significance or unique wildlife ecosystems. Pete Poulos has been appointed to work up the list for Tennessee, as well as 2 other states. He met over Thanksgiving with Ed Clebsch and the Russells, and has since been in contact with TCWP and a number of knowledgeable individuals we suggested. It is important to make this inventory just as inclusive as possible, even if we are not perfectly sure of the qualifications of an area (the list will be subject to more detailed study), since there may be little opportunity to add areas later. Any of you who know of potentially worthy areas should get in touch with Mr. Poulos by mid-January (USF&WS, Room 511, 1720 West End Ave., Nashville 37203, Ph. 251-5506).

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A. Progress on Tennessee trail system

In the past 2 years, about 200 miles of trails have been developed in state parks and elsewhere in Tennessee by citizens groups and the Dept. of Conservation. This includes the 18-mile Fiery Gizzard Trail in Savage Gulf, a 40-mile system in Natchez Trace State Park, and about 11 miles at the southern end of the Cumberland State Scenic Trail within the Prentice Cooper State Forest. A new trail brochure with map has just been issued on this last one; and a tabular listing of all Tennessee trails has recently been published (see ¶14, this NL). Another State Scenic Trail, the Trail of the Lonesome Pine, is making fine progress as permission has been obtained from 400 landowners along its proposed route by the Bostocks and former TCWP board member Gordon Newland.

B. Bartram Trail study

The National Trails System of 1968 listed 22 potential national scenic trails for study. One of these is the Bartram Trail, which would roughly follow the route of 18th century naturalist, artist, and journalist William Bartram. Its potential length is 2500 miles, about 8 miles of which would be in Tennessee, possibly connecting with the John Muir Trail. In October, the Bureau of Outdoor Recreation (BOR) awarded a contract to the Bartram Trail Conference (a citizen group representing all states traversed by Bartram) to compile and evaluate information on Bartram's activities, and to identify government and private actions that would preserve and make accessible the areas related to his travels. One in a series of meetings arranged to discuss findings and action recommendations was held in Cleveland on Dec. 6. Ruth Heston represented TCWP. According to BOR Director Delaporte, the arrangement with the Bartram Trail Conference is being viewed as a "pilot effort to develop a process whereby active citizen involvement will be a mainstay in all of [BOR]'s resource studies." For more info, write Robert M. Baker, Regional Dir. BOR, 148 International Blvd, Atlanta, GA 30303.

C. Appalachian Trail legislation

On Oct. 25, the House passed strengthening legislation for the AT by a vote of 409:12. This legislation would increase the ceiling on federal land acquisition to \$90 million; raise the limit on eminent domain power from 25 acres/mile to 125 acres/mile; establish a legislative (instead of executive) mandate for the Appal. Natl. Scenic Trail Advisory Council (a citizen group); and require a comprehensive plan for land acquisition within 2 years. The strengthening features of the bill were enthusiastically supported by the Carter Administration. Senate hearings were held Nov. 1, and prospects for Senate passage appear good.

D. North Ridge trail patch

The Oak Ridge Recreation Dept., in cooperation with TCWP and the Pellissippi Distr. of Boy Scouts, is sponsoring a contest for design of a trail patch for the North Ridge Trail, a national and state recreation trail developed and maintained by TCWP. Entries (mounted on cardboard, with name, address and phone no. on the back) should be submitted by Jan. 14 to the O.R. Recr. & Parks Dept., P. O. Box 1, Oak Ridge TN 37830. Prizes will be awarded for the top 5. The purpose of the contest is to promote public awareness of the trail.

E. 'Bicycle Study' approved by Congress

A non-controversial section of the National Energy Act (which is still pending in Congress) authorizes a study to be completed within one year after enactment by the Secretary of Transportation on the energy conservation potential of bicycle transportation. The study is to identify any present obstacles to increased bicycle use, and to develop a comprehensive program for bicycle use in commuting. This program should include Federal planning and construction grants, presumably for bike trails.

10. STATE CAPSULES

-- The proposed new regional prison will not go into Frozen Head State Park (see NL83, ¶5C). Several of us have received strong assurances to this effect from the Asst. Commissioner of Correction who states: "The only feasible site we have considered is the land area near Brushy Mountain Prison, where the old honor farm was located."

- The Cedar Glades Natural Area, a 1000-acre tract within Cedars of Lebanon State Forest, was dedicated as a nationally registered Natural Landmark on Nov. 9. This Area represents the largest and best remaining example of the cedar glades ecosystem unique to Middle Tennessee, with much of the native flora in it being rare or endangered. Since the NPS's Landmarks Program began in 1963, 13 such areas have been designated in Tennessee (including Savage Gulf, see ¶8A). There are 455 nationwide, which means that we are running a little ahead of average.
- Proposals to destroy Overton Park in Memphis by building I-40 through it have recently lost some of their backers. Two organizations, the Memphis Area Chamber of Commerce and Future Memphis, announced on Dec. 22 that they would seek federal funds for hiring a private planning firm to study I-40 alternatives that "would not involve the use of any of the land of Overton Park." Rep. Robin Beard has written that he supports such funding. To our knowledge, some alternatives have already been studied in the past, and a new effort along these lines may not have to be very extensive.
- The Tennessee Heritage Program, which was originally created by the Nature Conservancy in 1975, and was headed by Monty Halcomb (who has now joined USF&WS, see NL 83, ¶5B), had increasing interaction with the Dept. of Conservation. It has now moved wholly into the Dept., and most of the data-gathering and management functions will be in the Division of Educational Services & Information (John Grant, Director). Rex Boner has replaced Monty as Director of the 8-person Heritage Program, which will keep up its interaction with the Nature Conservancy by working with TNC's new Nashville office, headed by Tim McCall (see NL 83, ¶5B). TNC will use Heritage data to determine which areas should be protected. See ¶8A for Savage Gulf.
- We have been requested to participate in a questionnaire on littering sponsored by the Five Rivers RC&D. Since the full questionnaire is quite long, and since TCWP's main interest is in the source of litter (with its energy and resources implications), rather than in the human proclivity for spreading it, we are herewith reprinting only one of the questions.
#6 "Would you support a Bottle Law to encourage return and reuse of beer and soft drink containers? Yes _____ No _____

* Please send us your answer on a postcard and we shall forward it to the Five Rivers RC&D.

11. TCWP ORGANIZATIONAL CAPSULES

- As the year ended, the Board sorrowfully said goodbye to two long-standing and highly active members: Bob Farmer and Martha Ketelle. Bob, together with Murray Evans, is devoting 1978 to starting a Tennessee Native Plant Species Society and would like anyone who knows of possibly interested persons to get in touch with him (99 Reservoir Rd, Norris 37828). Martha is assuming a great job with Senator Sasser (see ¶13), and we'll undoubtedly be in touch with her in her new capacity. The Board welcomes its two new members: Lynn Dye (who in the past has organized our phone committee, among other things) as Secretary; and Patrick Doyle (who has organized our Murfreesboro Chapter).
- Please note the enclosed piece of colored paper. It is your dues statement. Early payment will save Treasurer Charles Klabunde a lot of bookkeeping woes, to say nothing of helping TCWP's treasury.
- And talking of treasury, Bill Chandler's end-of-the-year fund appeal has had great results. As you know, we were about to end 1977 with our budget overspent by 40%. Thanks to the generous response by the membership, this overdraft has now been drastically reduced. To date, 32 members have contributed a total of \$1100, and the checks appear to be still coming. This is a most heartening response, because it makes us realize how much you think of our efforts. In case you wonder where all the money is going, I might mention the major items: exec. director's half-time salary (and this at half the rate he could be earning elsewhere), travel, phone calls, postage, printing, lawsuits.

- Look for the following TCWP fundraisers in the spring. (a) A weekend at the Gibbons' Obed farm, complete with barbecue, music, etc. (b) A guitar concert by Larry Long, guitarist, and the Classical Guitar Society, at the renovated Bijou Theater in Knoxville. You will get special notices for both of these. -- By the way, our T-shirt sales have pulled way ahead of expenses now, but we still need your orders. Check your recent Newsletters for descriptions of designs, colors, sizes; or write for an order blank (Hal Smith, 103 Walton Lane, Oak Ridge, TN 37830).
- TCWP has received \$100 from the Georgia Conservancy to prepare a complete directory of Tennessee Conservation groups. The work is being done by Betsy Williams.
- Never could resist reporting kudos. The Upper French Broad Defense Assoc.'s Newsletter had a special item on TCWP, describing us as "a group of extremely active people," and TCWP membership as "more than worth the membership fee." -- A TCWP member writes: "The newsletter is especially fantastic, and I am always amazed at the wealth of information I find in each one."

12. NATIONAL NEWS

A. Wetlands protection (404): a compromise

The Clean Water conference committee report was finally completed in early December. The bill, hailed as a "reasonable" compromise by industry, is regarded as a step backward by many conservationists. With regard to the Sect. 404 dredge-and-fill permit program, however, conservationists are pleased that the Senate version (better, largely due to the efforts of Sen. Baker -- see NL 82 ¶10 and NL 83 ¶10A) prevailed on most counts over the disastrous House version. Undoubtedly your letters, calls, etc. to Sen. Baker made a difference in the conference too. (TCWP wired.) Development interests had sought to exempt inland streams and wetlands from the requirements of the permit program. However, the bill retains the Sect. 404 authority over "all waters of the U.S." The following are departures from the 404 provisions of the 1972 Act. (a) Routine farming and forestry practices (incl. irrigation ditches, farm and forest roads) were exempted in order to lay to rest opposition from the agricultural community. (b) Much of the permit program was delegated to the states, allowing them to substitute their "Sect. 208" plans, but under EPA enforcement power. This state delegation puts a special responsibility on citizens to keep an eye on the program. (c) Federal projects were exempted -- an amendment (derived from the House bill) that is most disappointing, since federal projects are often the most damaging ones. However, in order for a federal project to be exempt, an environmental impact statement addressing wetlands alteration has to be written and must then be reviewed by the congressional committee that authorized the project. Otherwise the project won't be funded.

B. A wilderness review policy for our nation's largest public lands (BLM)

The 1976 BLM Organic Act provides for inventorying, land-use planning, and wilderness review on the 470 million acres of federal lands that are under the jurisdiction of the Bureau of Land Management. At recent oversight hearings, however, western congressmen sympathetic to mining, grazing, and timber interests, attempted to intimidate BLM regarding the Bureau's implementation of the Act. Of particular controversy is the provision requiring review, by 1991, of all roadless lands of >5000 acres, and of currently identified natural or primitive areas, for possible wilderness designation. BLM has been working on a draft wilderness policy, soon to be presented for public comment. It is important to make our voices heard during this policy formulation phase, especially since commercial interests will be opposing anything that would curb their free reign over BLM lands. Remember that more of our public lands are under BLM jurisdiction than under any other agency. What you can do: Write to the Hon. Cecil D. Andrus (Secretary, Dept. of the Interior, Wash. D.C. 20240) and urge a strong wilderness review policy for BLM. Send a copy to your representative (House Office Bldg., Wash. D.C. 20515).

- C. President Carter is maintaining personal contacts with the conservation community
President Carter met with citizen conservation leaders on Nov. 4 and plans at least two such meetings a year. Among topics discussed were energy conservation, Alaskan wilderness, and the filling of key environmental posts. The President has instructed his staff to be sure that the concerns of the conservation community are reaching him regularly. We hope you will express your appreciation for his personal involvement (The White House, DC 20500).
- D. National Park Service invites comments on Everglades NP and Biscayne NM
You have until Feb. 27 to comment on the draft environmental statement and proposed general management plan for the Everglades National Park and Biscayne National Monument. The NPS Everglades proposal recommends continued management of the 1,400,000-acre park as a wild area. It also gives special emphasis to the need for regionwide planning in order to reduce environmental threats to the park from developments outside its boundaries. -- Biscayne NM, 25 miles south of Miami, contains about 104,000 acres of prime marine habitat, keys, and coral reef. The management plan calls for establishing a wide range of interpretive programs, rather than large-scale development of visitor facilities. -- The planning documents may be inspected at the NPS Southeast Regional Office, 1895 Phoenix Blvd, Atlanta 30349, and comments should be sent to this same address.
- E. Energy bill goes only a little ways toward rate reforms
While the whole energy package is still not ready, the portion on rate reforms has been agreed upon by the conferees. Under this compromise, state public utility commissions would have to "consider" rate reforms, and within 3 years express themselves on the "appropriateness" of time-of-day rates, seasonal rates, and other methods for spreading out the utility's power load. For this purpose, utilities would have to make available to the state commissions information on the cost of providing electric service at different times of day and to different types of customers. The fact that this information would be available to the public on request is seen as the key to encouraging energy-conserving rates (e.g., lower rates during off-peak hours) and to ending bargain rates for high-volume users. The state actions are to be reviewed annually by the Sec. of Energy who would recommend further needed legislation.
- F. Public concern for clean water
A recent Yankelovich survey finds that people are willing to pay higher prices if necessary for industrial water pollution control costs. About 50% thought industry compliance has been "poor"; and 68% believe there is a need for stricter government enforcement.

13. APPOINTMENTS OF INTEREST

- Martha Ketelle has assumed a position on Senator Sasser's staff where she'll be legislative assistant with particular responsibility for matters pertaining to energy and the environment. Martha has been active in TCWP for many years as Secretary, chairman of volunteer services, and, most recently, member of the 1977 Board.
- The Senate Committee on Environment & Public Works has been holding up confirmation of Marion Edey who was last May nominated by Pres. Carter to the 3-person Council on Environmental Quality, CEQ (NL 80 111). Ms. Edey had evidently rubbed some senators the wrong way in her earlier capacity as director of the League of Conservation Voters. We recently (NL 83 110C) asked you to urge Pres. Carter not to withdraw the nomination. Far from doing so, he has actually called several Senators on the committee and asked them to support Marion's confirmation. You may wish to write to Sen. Baker, an important Public Works Committee member, and ask for his support.
- Russell Peterson, former head of CEQ and, before that, Republican governor of Delaware, has accepted the post of Director of the Congressional Office of Technology Assessment. OTA is an independent research arm of the Congress, charged with "identifying policy alternatives for technology-oriented issues." While head of CEQ, Peterson stressed the

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economic benefits of environmental controls and spent much of his time battling with Presidents Nixon and Ford over national environmental policy. After Peterson resigned from CEQ, he was one of the founders of New Directions, similar to Common Cause but concerned with international politics.

- Mack Prichard has been replaced by Alan Coggins as head of the State's Natural Areas Program. Mack has returned to his former position of chief State Parks Naturalist.
- East Tenn. Development District Deputy Director, Robert E. Freeman, was named Acting Director, following resignation on Dec. 1 of John W. Anderson, Jr., Exec. Director of ETDD since 1967.
- Walter Heine is the new federal stripmine administrator (see ¶6Aii).

14. PUBLICATIONS OF INTEREST

- "The Tennessee Valley Authority's Tellico Dam Project -- Cost, Alternatives, and Benefits. EMD 77-58." This recently released, important study by the General Accounting Office should be required reading for all our decision makers, and for those of us who can influence decision-making. (Free to students and faculty members from USGAO, Distribution Section; Room 452, G Street NW, Washington, D.C. 20548. Others pay \$1 and order from GAO, P. O. Box 1020, DC 20013).
- "Selected Tennessee Trails," 4-page pamphlet recently issued by the Dept. of Conservation, lists 36 trails in tabular form, each with its location, length, difficulty, camping facilities, and where to write for more info. (Order from Joe Gaines, Tenn. Dept. of Cons., 2611 West End Ave., Nashville 37203)
- "Setting the Course for Clean Water," is a citizen handbook on the Sect.-208 water quality management program that describes this important planning program of the Clean Water Act, and shows how citizens can effectively participate. Developed by NWF from a draft by NRDC. (Single copies free from Educational Services, NWF, 1412 - 16th Street NW, Washington, DC 20036.)
- "Land Use Controls in the United States: A Handbook on the Legal Rights of Citizens," Natural Resources Defense Council, Elaine Moss, Ed. 362 pp. Chapters on bills protecting air, water, wild & scenic rivers, etc.; agencies administering public lands; state land use controls; how to keep informed, participate in hearings, etc. (\$7.95, The Dial Press, NY 1977).
- "The Unfinished Agenda," Ed. Gerald O. Barney, 184 pp., is the report of a task force sponsored by the Rockefeller Brothers Fund and presents the views of 63 environmental leaders on the most important problems of the coming decade. The consensus is that we are in transition from abundance to scarcity at such a rapid rate that quick action is necessary (\$3.95, Thomas Y. Crowell Co., N.Y. 1977)
- EPA has released a list of the major regulations being developed by the agency to implement programs in the areas of air and water pollution abatement, solid waste management, pesticide control, etc. In addition to briefly describing the proposed regs, the publication also lists contact persons for further info. (EPA, New Services, Office of Public Awareness (A-107), 401 M St., SW, Wash. DC 20460)
- Among wilderness-recreation oriented books that can be ordered at a reduced price from the Wilderness Soc. Book Service (Box 725, Stamford, CT 06904) are: "Canoe Camping," by G. Heberton Evans III (\$14.95); "The New Complete Walker," by Colin Fletcher (\$9.50); "Wilderness Photography," by Boyd Norton (\$12.95); "Cross-Country Skiing Today," by John Caldwell (\$7.50). Other books at reduced prices: "The Southern Appalachians: a Wilderness Quest" (\$11.95); "Wilderness Areas of N. America" (\$8.50); "Fieldbook of Natural History" (\$16.50).

- "Overnight-use Principles for the Appalachian Trail," as endorsed by the 1977 meeting of the Appalachian National Scenic Trail Advisory Council, can be obtained from David A. Richie, A.T. Project Manager, Appal. Trail Project Office, NPS, Harper's Ferry, West Virginia 25425.
- "Energy and Energy Resource Conservation: Obstacles and Opportunities," Proceedings of the 1977 Fontana Conservation Roundup (\$3.50 from Bob Sloan, Fontana Village Resort, Fontana Dam, N.C. 28733; a 1-page summary of recommendations is free)
- "From Rails to Trails," published by the Citizens Advisory Committee on Envtl Qual., describes how abandoned railroad rights-of-way can be converted to trail use. Funds for doing this are available from the Bureau of Outdoor Rec. (\$1.50 from U.S. Govt. Printing Office, DC 20402. Stock No. 040-000-00330-4)
- "Land Use: Tough Choices in Today's World," contains proceedings of a 1977 Symposium, with analyses of land use implementation experiences at the local, state, and federal levels (\$7 from Soil Conservation Soc. of Amer., 7515 Northeast Ankeny Rd, Ankeny, IA 50021)
- "The ABC's about Beverage Containers," by Mark Sullivan is an 11-page booklet that examines the resource- and energy consumption of disposables, and outlines the results of EPA and FEA studies on the potential effects of a national bottle bill. (Single copies free from Educ. Serv. Div., Natl. Wildlife Fed., 1412-16th St NW, DC 20036)
- "Endangered Species: a Bibliography," by Don A. Wood, 85 pp. 1977 (\$5 from Environmental Inst., Oklahoma State Univ., Stillwater, OK)
- "The Environmental Quality Index" for 1976 and 1977 may be obtained (free) from Educ. Services, NWF, 1412-16th St. NW, Washington, DC 20036.
- "Planning for Man -- Planning for Nature: Land Use Planning and Development," by Barbara J. Quanstrom. A 1977 bibliography, 11 pp. (\$1.50 from Council of Planning Librarians, P. O. Box 229, Monticello, IL 61856)
- In case you resolved this Christmas not to use so much tinsel and glass on your tree, read up on how to decorate with plant materials in 1978. A factsheet on the subject can be ordered (free) from U.S. Dept. of Agric., Consumer Info Center, Dept. 619E, Pueblo, CO 81009.

15. CALENDAR

- Today - Pay your TCWP 1978 dues before you forget!
 - Jan. 14 - Deadline for submitting designs for North Ridge Trail patch contest (see ¶9D).
 - Jan. 14 - TTA hike, Harriman & NE Railroad bed (Grimes Slaughter 483-5859)
 - Jan. 15 - Deadline for commenting on Obed Interim Statement for Management (see ¶3A)
 - Jan. 15 - Approximate deadline for getting in suggestion worthy of USF&WS inventory (see ¶8B)
 - Jan. 18 - Workshops for Sect. 208 planning (nonpoint sources), U.T. Nashville (10th and McLemore). Mining subcommittee in Rm 310; Forestry subcomm. in Rm 308.
Both at 9:00 a.m.
- Jan. 19 - TCWP Letter-Writing Social (see front page)
- Jan. 26 - TEC Board meeting, 2:00 p.m. U.T. Nashville
- Feb. 4-5 - TSRA white-water float Tellico-Citico, Class III (Bill Griswold 297-2387)
- Feb. 11 - TTA hike, Savage Gulf (call Bob Brown, Nashville 352-7474)
- Feb. 24-25 - Tenn. Environmental Education Conference, Nashville, will include workshops on the role of government, the schools, and citizen groups in the development of environmental ethics (Write John Grant, Jr., Dir., Div. of Info and Education, Tenn. Dept. of Cons., 2611 West End Ave., Nashville 37203)
- Feb. 27 - Deadline for comment on Everglades NP and Biscayne NM proposals (see ¶12D)
- May 3 - Sun Day. A variety of activities are being planned throughout the country to promote solar energy. (For more info write Sun Day, Suite 1100, 1028 Connecticut Ave., NW, Washington, DC 20036)

