

TENNESSEE CITIZENS for WILDERNESS PLANNING

Newsletter No. 164

August 3, 1988

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Sept. 23-25, Big South Fork
PLAN TO ATTEND! (see ¶17A)

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*Editor: Liane B. Russell, 130 Tabor Road, Oak Ridge, TN 37830. Ph. 615, 482-2153
Star in margin means "Action Needed." Don't be overwhelmed -- check the ACTION SUMMARY!

9. ACTION SUMMARY

No.	Issue	Contact	"Message!" or Action
1B	Smokies	US Senators (copies to Byrd, Dole)	"Pass compromise wilderness bill!"
3C	TN Landfills	Tenn. DHE	Review proposed state rules
4A	Roaring River	Tenn. DHE	Comment on dam proposal; attend hearing
4B	Rivers in Tennessee	TCWP	Take an active role
6A	Natl Park Service	US Senators	"Support S 2360!"
6B	Tallgrass Prairie	Sens. Boren, Nickles Rep. Vento	"Move S 1967!" "Move HR 3803!"
6E	Endangered species	US Senators	"Push for action on S 675!"
6F	Biodiversity	US Rep	"Cosponsor HR 4335!"
6G	Arctic Refuge	US Rep (and Sens)	"Oppose oil development; oppose land swaps!"
6J	Federal compliance	US Rep	"Support HR 3781-3785!"
7A	Annual Meeting	TCWP	Tell us you're coming!

Senator Joe Doe
United States Senate
Washington, DC 20510

The Hon. John Doe
U.S. House of Representatives
Washington, DC 20515

Governor Ned McWherter
State Capitol
Nashville, TN 37219

Dear Senator Doe
Sincerely yours,

Dear Congressman/woman Doe
Sincerely yours,

Dear Gov. McWherter
Respectfully yours,

To call a Representative or Senator, dial Congressional switchboard, (202) 224-3121

To find out about the status of a federal bill, call (202) 225-1772

Come to TCWP Annual Meeting!

1. SMOKIES WILDERNESS BILL HAS GRAVE SETBACK BUT MAY SURVIVE

A. Helms succeeds in filibustering wilderness bill

The Smokies wilderness bill (HR 1495) finally came to the Senate floor on June 20 with fine supporting speeches by Senators Sasser and Gore. But despite the conciliatory amendments made earlier by Sen. Sanford about the 44,000 acres north of Fontana Res. and about cemetery visits (NL163 ¶1A), Sen. Helms proceeded to filibuster the bill. A motion for cloture (which takes 60 votes for approval) failed when the vote was 49:35. The bill was brought up again on the following day, and this time the cloture vote was 54:42. On both days, all Democrats present voted for cloture and virtually all Republicans against, Senate Minority Leader Dole and Vice President Bush having made the support of Helms a party-unity issue. A few Republicans did vote for cloture (i.e., for wilderness): on the first day, they were Chafee, Cohen, Durenberger, Lugar and Roth; on the second day, we lost Durenberger (who was absent) and Lugar (who changed his vote). (Had the cloture motion passed, many of the Republicans who voted against cloture would have voted for the wilderness bill.) While urging their party members to vote against cloture, the Republican leadership let it be known that they would subsequently be willing to go for a compromise bill. The makings of such a compromise are covered in ¶1B, below.

B. Compromise wilderness bill may yet save the day

The day after the second cloture attempt failed, members of the North Shore Cemetery Association phoned Sen. Sanford's office saying that they would give up on the road if we would give up on the wilderness designation for the 44,000 acres. Swain County Commissioners, worried about losing the \$11 million payoff to their county that is part of wilderness bill, also began promoting a compromise. Representatives of environmental groups met June 27 and agreed on proposing the following compromise (which was also approved by the TCWP Board on the same date). [Here we should acknowledge, with gratitude the immense amount of work that has gone into this issue by a number of conservation leaders -- Ron Tipton, Leroy Fox, Ray Payne (to mention but a few), and especially by Ted Snyder, who has several times traveled to Washington, met with local opponents and supporters, keeps us all informed, and coordinates the entire effort.]

- a. The so-called "TVA" tract" (44,000 acres north of Fontana Res.) would not be designated as wilderness or potential wilderness.
- b. This tract would be managed in accordance with the 1982 management plan for the Park, notwithstanding any subsequent revisions of that plan (Note: under the 1982 plan, management is similar to that for a designated wilderness). No road or other developments would be constructed.
- c. The Sec. of Interior would be directed to compile a list of outstanding private rights within the 44,000-acre tract. (The environmental groups proposed that this be done within one year, but sponsoring senators decided on a two-year deadline.) Interior would be directed to acquire such rights (or extinguish or transfer them, as appropriate) as expeditiously as practicable, but without a set deadline.
- d. Most of the improvements in cemetery access and other matters specified in the recent Sanford amendments (NL163 ¶1A) would be included in the compromise bill.
- e. The \$11.1 million payment to Swain County would be retained as in the original bill, and so would all items pertaining to wilderness designation outside the 44,000-acre tract.

Supporting members of Congress have agreed to this compromise, and Senators Sasser and Sanford wrote to Majority Leader Byrd on July 10 asking for his help in once again trying to move the legislation forward. It is reported that if Helms does not accept a reasonable compromise, Minority Leader Dole will release Republican senators from their obligation to party unity on a third cloture vote.

A major reason why it is important for this compromise bill to be passed expeditiously is that, if it fails, Sen. Sanford intends to lift the \$11.1 million appropriation to Swain County out of the wilderness bill and attach it to the next appropriation bill that is ready for passage. The Swain County Commission would then no longer have the incentive to support the wilderness bill.

There are other ominous signs: for example, the Bryson City Board of Aldermen has requested that the Gt. Smoky Mtns National Park provide water from Indian Creek (inside the Park) for use of the town. NPS has offered the use of the Deep Creek Campground well as specified in an earlier agreement between the Park and Bryson City.

WHAT YOU CAN DO: Contact your Senators to tell them how important it is to pass the agreed-upon compromise wilderness bill. Be sure to send copies to Senate Majority and Minority Leaders, Robert C. Byrd and Robert Dole, respectively, urging them to exert their leadership in getting the bill passed at last (address on p.2).



2. BIG SOUTH FORK: ROADS AND OTHER MATTERS

A. County-road issue being resolved

Fourteen years after authorization of the Big South Fork National River and RA, the county-road issue is finally being resolved. We understand that the usual practice, when a federal area is created, is for local governments to donate any rights-of-way within such an area. This did not happen in the BSFNRRRA, and, unfortunately, the Corps of Engineers took no action to acquire these rights-of-way at an early time when it could have been a routine transaction. Later on, as a result of agitation by one or two individuals, the road issue was blown out of proportion in a couple of the counties (Scott and McCreary) and became an anti-feds rallying cry by some of the local politicians who still have not fully realized that the BSFNRRRA is a boon to the area rather than a scourge (NL157 ¶2A, NL158 ¶2A, NL163 ¶2B). It should be noted that these roads serve no residences or farms within the gorge area, that the counties had done little if anything to maintain them (some were virtually impassable), and that few were even shown on county road maps.

The authorizing legislation that created the BSFNRRRA forbids roads within the designated Gorge Area except for several that are specifically named. Two of the 5 counties (Fentress and Pickett) indicated some time ago that they had no interest in any Gorge Area roads (one Fentress Cy road that entered a small gorge is being relocated), and both signed agreements with NPS for mutual maintenance of certain plateau roads. Morgan Cy also has presented no problems.

The Corps has now issued Declarations of Taking to McCreary and Scott Counties. Each county was informed that the Corps has asked the Justice Dept "to file a condemnation proceeding to extinguish all outstanding road interests except legislatively designated gorge access roads, and adjacent area roads appearing on the 1988....Highway Map of [the] County. The court will be requested to grant immediate possession to the United States." After the expressions of outrage by a few local politicians that these condemnations are provoking have died down, we hope the counties will settle back and enjoy the treasure in their backyards.

B. O & W railbed alternatives

The legislation that authorized the BSFNRRRA mandated a study of the long-abandoned O & W railroad, with subsequent recommendations to the Congress as to possible developments. Three studies were in fact conducted in the period from 1977-1979. The first recommends development of a bicycle trail, and the third outlines pros and cons of three alternatives: a bicycle trail, a rubber-tired sight-seeing tram, and restoration of a railroad. Recently, there has been some local pressure to construct a road for private cars. To restore the O & W Bridge across the Big S. Fork to a condition where it could carry cars, a tram, or a train would be prohibitively expensive, so some thought it also being given to approaching the River from either side but not crossing it (except on a foot- or bicycle-path).

Preliminary discussions with members of the environmental community have already crystallized the following positions:

- (a) We would oppose the spending of any money on the O & W railbed development until after land acquisition is complete, i.e., after "deferred areas" have been acquired.
- (b) We would oppose turning the railbed into a road for private motorized traffic.

The positions on other alternatives are still being formulated.

C. Superintendent Charlie Vial transfers to another park

For the second time, we are losing a fine superintendent of the Big S. Fork NRRRA and Obed WSR. Charlie Vial has worked tirelessly for good management compatible with preservation of the resources, and has stood up courageously to all kinds of pressures. On August 14, he is transferring to Cumberland Gap National Historical Park, where he'll be superintendent. (At least he'll still be close!) Jim Wiggins, presently Assistant Superintendent of the BSFNRRRA and Obed WSR, will take over as Acting Superintendent.

D. Report on recent BSFNRRRA field trip

On July 12 (the day the rains finally came), Bill and Lee Russell toured part of the BSFNRRRA with Susan Neff and Linda Wilkes of the Nashville District, Corps of Engineers. Susan, who had been involved with BSFNRRRA matters on a high level, is moving up to become Chief of Planning for the entire Corps District, and Linda is taking her place. Since our familiarity with the area extends primarily to the Tennessee portion, the CoE folks showed us some of the Kentucky developments: two attractively built overlooks near Devils Jumps, the Blue Heron campground, and the well-planned Blue Heron Mining Village reconstruction (which is still under construction). A major objective of our field trip was to tour the eastern portion of the O & W railroad. -- see ¶2B, above.

E. Capsules

- The U.S. Fish and Wildlife Service has determined that the Cumberland sandwort, *Arenaria cumberlandensis*, which grows in the BSFNRRRA and nearby, is an endangered species and will be given Federal protection. The final rule became effective 7/25/88.
- The Tennessee Dept. of Transportation is planning to replace the present Peters Bridge on Clear Fork, at the upstream edge of the BSFNRRRA. It will be important to keep an eye on this construction project to insure that it does not damage the landscape or the water quality.

3. STATE NEWS**A. 1988 Environmental legislation**

The General Assembly's 1988 performance on environmental legislation was so confusing that we are only now getting information on what happened. Several promising bills mentioned in earlier Newsletters (NL161 ¶3A, 3D; NL162 ¶2B) didn't go anywhere. On the septic-tank issue, however, there is at least hope now that, as a result of this year's educational efforts by the Environmental Action Fund, the next legislature may be more willing to remove a provision in present Tennessee law that permits blasting in bedrock (allowing untreated waste to enter the ground water supply).

Some other 1988 legislature actions were recently reported by the Tennessee Environmental Council. A couple are here summarized. (a) The Water Quality Control Act was weakened by several amendments, one of which limits citizen intervention and another of which will allow "variances" to be granted to industries that discharge pollutants into groundwaters. A third amendment changed the definition of pollution as it applies to the Pigeon River, so that Tennessee water quality standards are no longer violated by the dirty mess that crosses the state line from NC. (b) Instead of replacing interstate billboards with exit logos, legislation, was passed to add some of the latter to all of the former.

B. The proposed zoo for Long Hunter State Park

We recently (NL163 ¶4A) pointed out that a zoo proposed for Long Hunter State Park (near Lebanon) would destroy natural eco-systems and disrupt miles of volunteer-constructed trails. The Jones Mill Boat Ramp area on Percey Priest Reservoir had been proposed by the Tennessee Trails Assn as an alternative zoo site. We have since heard from Dr. Elsie Quarterman (Prof. Emerita, Vanderbilt Univ.), who not long ago made a very extensive study of cedar glades in the area. She points out that at Jones Mill -- as well as at Long Hunter -- high-quality cedar glades (a unique U.S. ecosystem) would be destroyed by the zoo. However, there are a number of areas on the Percey Priest property -- specifically, Lamar Hill, Stewart Creek, Vivrett Creek, and West Fork -- that have no cedar glades and could be considered as possible zoo sites.

From a recent letter from the Zoological Society of Middle Tennessee (ZSMT) we have learned quite a bit more about their zoo proposal. The ZSMT plans to lease 200-300 acres of the 2,230-acre park. The developed portion of the zoo would be less than 100 acres, and the disruption of natural ecosystems would be avoided (some might be incorporated as demonstration areas within the zoo). The existing trail in that area of Long Hunter State Park would be outside the zoo's perimeter fence. The Jones Mill area (see preceding paragraph) has been rejected as a zoo site and will be added to the Park. Planned zoo programs would include environmental education and nature appreciation.

C. Proposed landfill regulations: your comments needed

Regulations for monitoring landfills and protecting groundwater affected by them have been proposed by the state and, as you may imagine, are being opposed by the dumpers. Citizen support of the good features of these regs is thus needed. For a copy of the proposed rules write Doye Rowland, Div. of Solid Waste Mngt., TN Dept. of Health & Environment, 701 Broadway, Nashville, TN 37219, or call 615, 741-3424. Public hearings will be held in the fall.

D. Supercollider in Tennessee?

As you have undoubtedly read in the papers, Tennessee is one of seven states still in the running for the superconducting supercollider (SSC). However, the 1989 Energy & Water Appropriation bill, HR 4567, fails to provide construction funding for the SSC. The Middle Tennessee site encompasses Bedford, Rutherford, Williamson, and Marshall counties. Area residents have formed the SSC Fact-Finding Group (P. O. Box 5, Rockvale, TN 37153) which is attempting to gather information on the following concerns: (a) possible contamination of ground water, both from construction and operation of the facility; (b) pollution and storage problems associated with the removal of over 4,000,000 tons of rock; (c) disruption of the area's cave complex.

E. Public Lands Day to be celebrated in Tennessee

Public Lands Day celebrations will be held September 10 at East and West Tennessee locations: (a) the Tri-Cities area, and (b) the Dover area. Activities will include exhibits and workshops covering such topics as minimum-impact camping, recycling, and local ecology. Sponsoring groups include government agencies (TVA, USFS, NPS, and TWRA) and non-governmental organizations (TEC, Keep America Beautiful, Clean Tennessee). The objective of the celebrations is to improve people's attitudes toward their public lands and thus diminish abuses such as littering, tree cutting, and wildlife-habitat destruction. For more information, contact TVA(1,800,362-9250).

F. Tennessee's U.S. Senators help with local stripmine problem

The Rith Energy Co. has proposed to mine the highly toxic Sewanee coal seam at a site in Bledsoe County (NL163 ¶10C). Local residents, much concerned about what this would do to their well-water supply, finally prevailed on the Office of Surface Mining (OSM) to require the company to submit a toxic materials handling plan which has to be approved before a permit can be issued. Sen. Al Gore, Jr., wrote to OSM and asked that EPA be given time to review this plan prior to OSM making a final decision on the permit. Following a rather insulting response from OSM -- stating that they were doing a good job -- Sen. Gore reiterated his specific request. SOCM reports that Sen. Sasser and Rep. Jim Cooper as well have maintained strong support for a thorough review of the plan and that all these individuals deserve our thanks. (At presstime, we hear that OSM is now trying to rush through the permit on the basis of inadequate evidence that the plan would work.)

G. Concerns about Oak Ridge land transfers

Because of concerns about how the City of Oak Ridge should handle land transfers, and especially those involving extensive former DOE lands, the city's Environmental Quality Advisory Board (EQAB) has written a letter to the City Council addressing a number of issues. Among points stressed by EQAB are (a) that requirement of the National Environmental Protection Act be fulfilled (environmental assessments must be made to determine whether full-fledged environmental impact statements are required); (b) that public input be assured; (c) that environmental interests be represented on any Board or Commission created by the city to conduct a land transfer; and (d) that the city not become liable for any toxic waste sites on lands purchased from DOE.

H. Tennessee Green Parties

One of our members has asked us to inform our readers that two Green Parties have been formed in Tennessee: (a) the Woodland Greens of Nashville (contact, R. D. Flowers, 615, 226-8344), and (b) the Delta Greens of Memphis (contact, Doug Mason, 901, 942-5139). The Green movement combines "campaigns for peace, social justice, grassroots democracy, and ecological awareness in order to establish a healthy, just, and sustainable environment."

4. RIVERS IN TENNESSEE AND ELSEWHERE**A. Dam proposed for Roaring River**

The Town of Livingston, Tenn., has applied for a permit to impound the Roaring River, a portion of which is in the Tennessee Scenic Rivers System. The project would be outside the Scenic River segment of the Roaring, but it is necessary to consider the impact of the proposed construction on water quality as well as water flow downstream. The proposal is for a 5 ft clay dam which would back up water for 800-1000 ft. to provide a water supply for the town. A three-day minimum flow downstream would be guaranteed. Some of the proponents realize that this impoundment provides only a short-term solution for Livingston, but they feel that the long-term option -- to bring water from nearby Dale Hollow Reservoir -- would cost too much in terms of pipeline construction etc. A public hearing is scheduled for August 18 in Livingston, and we hope that some folks interested in the Roaring Scenic River will comment. For further info, contact the Div. of Water Pollution Control, Tenn. Dept. of Health & Environment, 7th Floor TERRA Bldg, 150-9th Ave. N., Nashville 37219-5405; Phone. 615. 741-7883.

B. America's rivers need your help -- starting with Tennessee's

American Rivers (formerly, the American Rivers Conservation Council) provides the following sobering statistics:

- 600,000 miles (i.e., 15% of America's rivers) have been dammed (and hundreds of thousands of additional miles ruined by pollution or shoreline destruction)
- There are 68,000 dams in America, but only 72 river segments are permanently preserved
- Numerous dams have been constructed on public lands that some of us have thought were protected: 108 on National Park Service land, 172 in National Wildlife Refuges, 1,760 on BLM lands; scores of dam applications are pending for the National Forests
- Of the ten Most Endangered Rivers in America, seven are on public lands
- Present laws give private developers subsidies for building dams.

TCWP members have many opportunities to get involved in protecting rivers in Tennessee -- working for Obed WSR and Big South Fork NRRRA land acquisition, supporting WSR status in the current Nolichucky study (NL163 ¶5B), urging a state inventory of rivers, opposing unwarranted hydro projects (NL163 ¶4A), preserving the Harpeth (NL162 ¶3A), supporting local river conservancies (NL163 ¶5A), etc., etc. We urge you to take an active role in some of these efforts -- our rivers need all the help they can get. (Contact us if you need info on what to do.)

C. The Yampa River is threatened

If you have visited Dinosaur National Monument, you undoubtedly admire the magnificent Yampa -- which incidentally, is the last major Colorado River tributary to remain undammed. Now there is a proposal to impound 60 miles of the Yampa just upstream from Dinosaur Natl Monument. For info, contact Kirk Koepsel, Colorado Environmental Coalition, 303, 837-8701.

5. TVA: LAYOFFS AND REORGANIZATION BEGINNING TO TAKE THEIR TOLL

A. Nickajack Reservoir Land Management Plan delayed

TVA layoffs and reorganization have contributed to delaying finalization of this Plan. Information workshops held last September revealed overwhelming support for preserving the natural state of the lands surrounding the reservoir (NL160 ¶6D). TVA issued its draft plan in March, the comment period ended in April, and TVA's response to comments was to have been issued by July. It is now promised for early September.

Another reason for the delay is the controversy over Little Cedar Mountain (Tract No. 3 and 4) -- wildlife management area vs development. TVA has just initiated search for a qualified contractor to analyze developmental concepts for these tracts, recreational needs, economic impact and feasibility. For additional information, call William S. Ambrose, 615, 632-1559.

B. Citizen Action Line discontinued

This service, which gave citizens access to the bureaucracy -- both to obtain information and to provide input -- was instituted when Dave Freeman chaired TVA. In recent years, the toll-free line has handled about 80,000 calls per year (that's well over 300 per working day!). TVA plans to install a computerized answering service to handle inquiries about lake levels and water quality. In addition, some opportunities for toll-free calling will be available through TVA's Office of Governmental and Public Affairs.

6. NATIONAL NEWS

A. Freeing the National Park Service from political tampering

A bill that would do much to protect the National Park Service from the kind of political tampering it has recently experienced is expected to come up for a floor vote any day. HR 3964 (Vento) would establish a 3-member independent review board (which would report annually), would set a 5-year term for the NPS director, and would require Senate confirmation of the director. The Administration opposes the bill as "unnecessary." A companion bill, S 2360, has been introduced by Sen. Bill Bradley.

WHAT YOU CAN DO: Urge your senators to support S 2360 (address on p.2).

B. Tallgrass Prairie bill needs a shove

Prairies, a major American ecosystem, are presently not being federally preserved. Not long ago, a very special opportunity arose to include an outstanding tallgrass prairie in the national park system. Three ranchers in northeastern Oklahoma, where bison and elk used to roam, offered major portions of their land for sale. S 1967/HR 3803 were introduced which would authorize acquisition of 50,000 acres of prairie lands, and the protection of another 50,000 acres through conservation easements, to create the Tallgrass Prairie Preserve. Subsequently, opposition to these bills was voiced by the Osage Indian tribe (fearful of losing revenues from mineral rights), backed by the oil industry and a few cattle ranchers. This has caused the bill to languish in subcommittee. Delays could be critical, since the ranchers who have offered their land for sale may reconsider.

WHAT YOU CAN DO: (a) Write to Oklahoma Senators David Boren (D) and Don Nickles (R), praising them for co-sponsoring S 1967, and urging them to move forward without delay. Send copies to your own Senators. (b) Write to Rep. Bruce Vento, chair of the House Subcommittee on Natl Parks and Public Lands and urge him to move HR 3803.

C. Interior Dept. appropriations bills provide some relief

The Interior and related agencies (USFS, parts of DOE) appropriations bill has passed both Houses, and in several areas provides more funding than requested by the Administration. Thus, only \$18.3 million had been requested for federal land acquisition and \$3.4 million for state programs. The House and Senate bills call for \$167 million and over \$200 million, respectively (divided among Park Service, Fish & Wildlife Service, and Forest Service). Major increases were also voted in the parks construction and maintenance budgets. Unfortunately, much of the extra money

generated by last year's new parks entrance fees, which was to have been used for interpretation, research, and resources management, is being used for general maintenance because of tight budgets.

D. Forest Service emphasis on logging threatens remaining virgin forests

Environmental groups have for some time now deplored the fact that the U.S. Forest Service (which administers 191 million acres in 156 forests) often forgets its multiple-use mandate and instead emphasizes logging and road construction. For example, with 343,000 miles of logging roads already criss-crossing the Forests, the USFS is planning to build or rebuild 580,000 miles over the next 50 years. The same Senate and House appropriations bills discussed in ¶6C, above, cut, respectively \$15 and ca \$30 million from the Administration's proposed road-construction program -- small fractions of the total. However, they approve a timber-sales level higher even than that requested by the USFS. Environmental groups have been trying to halt or slow the rapid logging of "old growth" forests on public lands (see e.g., Audubon Activist Special Report, July/August 1988). The bills provide a little help in that regard by directing pertinent agencies to produce a definition of old growth, and by appropriating funds for inventories of such stands (conservation groups are preparing inventories too). However, the bills do not -- as suggested by environmental groups -- require the USFS to give 60-day notice to the Congress before selling old-growth stands.

E. Endangered Species Act may finally move -- or will it?

Several months of negotiations have overcome most remaining objections to the Endangered Species Act reauthorization and have engendered hope for floor action. One or more Western Republicans (e.g., Simpson of Wyo.) are thought to be still holding up S 675 because they oppose the listing of certain predators (wolves, grizzlies) as "threatened." Similar opposition killed the bill in the last Congress. Unless Sen. Majority Leader Byrd succeeds in getting opponents to agree to time limitations during floor action on S 675, it is likely that the crush of other legislation will prevent him from scheduling the bill for consideration this year. The Senate committee bill has been ready since November 1987, and the House passed its bill (HR 1467) in December 1987. S 675 lists nearly 1000 species (ca one-half from the USA) as threatened or endangered. \$307 million would be provided over the next 5 years for endangered species programs. Several strengthening amendments were added during committee markup. The law's authorization for appropriations expired in 1985, and Congress has annually appropriated relatively small sums since then.

WHAT YOU CAN DO: If you have not done so already, write to or call your senators right away and ask them to push for immediate action on S 675 (address and phone no. on p.2). Every day of additional delay means more species lost.

F. Protection of biodiversity

The National Biological Diversity Conservation and Environmental Research Act (HR 4335) would require a coordinated federal program for maintaining biological diversity in the U.S. Hopefully, this might set an example for other countries to follow. The bill would also require that environmental impact statements (EISs) explicitly consider biological diversity. Often, the most significant long-term impacts of a project are the cumulative losses of habitat and species diversity, yet these matters receive little or no attention in EISs.

WHAT YOU CAN DO: Urge your U.S. Rep to cosponsor HR 4335 (address on p.2).

G. Arctic National Wildlife Refuge: the pressures are mounting

Among the many strategies employed by the Administration to open the ANWR Coastal Plain to oil & gas leasing is to get Alaskan native populations into the act. Behind closed doors, the Interior Dept. negotiated a trade whereby 18 Alaskan native corporations and their oil company partners would receive development rights to 166,000 acres on the coastal plain in exchange for 891,000 acres of native-owned wildlife habitat elsewhere in Alaska. A House Interior subcommittee recently held hearings on this proposal, which some characterized as a cynical attempt to give the native corporations a vested interest in lobbying to open ANWR to oil drilling. Despite the legislative complexities (summarized in NL163 ¶7F) and the Congress' desire thoroughly to examine this issue (there were 21 Congressional hearings on ANWR in 1987 alone), the pressures are mounting to bring a leasing proposal to the floor, especially in the House where Speaker Wright favors leasing.

WHAT YOU CAN DO: If you have not done so, contact your U.S. Rep (and both Senators too, while you're at it) asking him/her to oppose oil exploration in our country's most magnificent arctic wilderness ecosystem, and to oppose land swaps. Remind him/her of the studies (NL163 ¶7F, NL162 ¶7E) which show that the environmental damage from the adjacent Prudhoe Bay development was much more extensive than predicted. Reps. Lloyd and Clement support oil development in the ANWR: try to change their mind!

H. USDI favors coal over environmental values

The U.S. Dept. of the Interior is required to develop regulations that will allow the identification of those USDI coal lands that should not be leased because the impact of mining on their environmental values would be too great. The regulations recently promulgated, however, fail to address such important values as wetlands, air quality in National

Parks, and Native American sacred sites. USDI further failed to prepare either an Environmental Impact Statement or environmental assessment on the proposed regs. Two national groups, NRDC and NWF, have filed suit against USDI.

J. Environmental compliance by federal agencies

Under the "unitary executive" concept espoused by the Reagan Administration, there have been several instances of federal agencies not complying with environmental laws that would normally be enforced by other federal agencies (e.g., EPA). There are presently 5 bills (HR 3781-3785) moving through the House Energy and Commerce Committee, of which Rep. Jim Cooper is a member, that would insure compliance with federal environmental laws (e.g., RCRA) by all federal agencies. Among the provisions: environmental compliance would have to be budgeted for separately from other agency spending; an independent council would adjudicate between the federal agency and EPA, etc.

* **WHAT YOU CAN DO:** Urge your U.S. Rep to support HR 3781-3785, which would ensure that federal agencies are not above the law when it comes to environmental compliance.

K. Enforcement of federal laws threatened by new executive order

Again the Administration is using the administrative process to implement its agenda, thus bypassing the Congress. In March, Pres. Reagan issued Executive Order 12630, which invites property owners restricted by federal regulations to sue the government. EO 12630, further, uses the prospects of those law suits and their potential monetary awards as a new deterrent to federal regulatory activity. EPA staff have already expressed concern about their ability to issue permit restrictions and regulations under the new order.

L. EPA capsules

- In response to increasing reports of groundwater contamination from pesticides, EPA is launching a nationwide 2-year testing program. About 1300 private and public wells will be tested for ca 100 possible contaminants.
- The SE Regional Office of EPA (Region IV) has a new administrator. He is Greer Tidwell, president of a Tennessee environmental management planning and engineering firm. He succeeds Lee A. DeHihns who was appointed Acting Regional Administrator in August 1987.

M. Why Recycle?

The Tennessee Environmental Council recently summarized some of the literature showing how recycling conserves resources, saves money, and creates jobs. (a) Resource conservation benefits of using recycled over virgin material, by % reduction, are as follows:

	<u>Paper</u>	<u>Glass</u>	<u>Steel</u>	<u>Aluminum</u>
Energy	23-74	4-32	47-74	90-97
Air pollution	74	20	85	95
Water pollution	35	—	76	97
Mining wastes	—	80	97	—
Water use	58	50	40	—

(b) Money savings: studies in New York City, Pennsylvania, and California all show that recycling of part of the waste was less costly than disposing of the same amount by conventional means (garbage collection, incinerating, landfilling). (c) For 10,000 tons of potentially recyclable material, recycling produces 36 jobs, landfilling 6 jobs, and incinerating 1 job.

7. TCWP NEWS

A. Plan to attend our annual meeting, Sept. 23-25, Bandy Creek

* Quite a few of you have responded to our preliminary announcement mailed about a month ago, but we'd really like to have greater attendance than seems at present indicated. If you have lost your announcement, call Martha Ketelle (522-2443, 632-6686), or Lee Russell (482-2153) and she'll send another -- or just call us to say you hope to come. The final announcement will be mailed before long, and we hope you'll appreciate the program: talks by Corps of Engineer and Park Service leaders about Big South Fork natural resources and problems; a summary of the effort that led to preservation of the Area; a discussion of how Rugby fits into the big picture; an evening talk by a Washington-based environmental leader (Kevin Coyle of American Rivers); Saturday afternoon and Sunday outings throughout the beautiful BSFNNRA; pure entertainment, like slide and movie (Indonesia) shows, wine tasting. Please do help us with our arrangements by giving us your preliminary response now and by returning the reservation form when the final announcement arrives in your mail.

B. We thank our volunteers

- The following helped with assembly of Newsletter #163 at Dick Ambrose's house: Peggy Turner, Anna Dobbins, Henri and Betty Levy, Alice Runtsch, Miriam and Francois Kertesz, Charlie Klabunde, Dick Ambrose. We thank all of these fine volunteers.
- Chuck Coutant has represented TCWP in the TVA Reservoir System Planning process (NL 161: 7D)
- Bob Luxmoore has represented TCWP on the TVA Board Appointment Coalition.

C. News about members

- Dick Ambrose recently authored a long, illustrated article in the *Knoxville News-Sentinel* (July 17) about the Hawaiian island of Kauai, where, among other things, he backpacked the Na Pali trail.
- Ram Uppuluri, now an aide to Congressman Jim Cooper, will enter Vanderbilt Law School this fall. He has volunteered to be TCWP's representative on the Environmental Action Fund.

8. EVENTS. RESOURCES

- Sept. 23-25: TCWP Annual Meeting in the Big South Fork -- don't miss it! (See ¶7A).
- Oct. 14-19: North American Assoc. for Environmental Education, 17th Annual Conf., Orlando, Florida. (Contact Louis Iozzi, New Brunswick, NJ, 201, 932-9164.)
- Oct. 17-20: Natural Areas Assoc., Annual Meeting, Knoxville (call Judith Bartlow, Norris, 494-9421, or George Fell, Rockford, IL, 815, 964-6666).
- Nov. 8: Election Day -- vote environment! (Look for our pre-election analysis in October).
- Nov. 18-19: "Celebrate America's Rivers," a conference sponsored by American Rivers, National Park Service, U.S. Forest Service, and BLM to celebrate the 20th anniversary of the National Wild & Scenic Rivers Act and to set new policies for the years ahead. At Alexandria, Virginia (contact American Rivers, Washington, DC, 202, 547-6900).
- Sept. - Nov: Courses in natural-resource and environmental management, Duke University School of Forestry and Env'tl Studies (Call 919, 684-2135 for info).
- The Natural Areas Association works to promote the protection and management of North America's natural areas and biological diversity through better communication. It publishes the *Natural Areas Journal* and holds an annual conference (see above). (For info, contact Judith Bartlow, Norris 494-9421.)
- The "State of the States" Report compiles data in key environmental categories from state and federal sources. The 50 states are ranked according to their efforts in these categories. Published by the Renew America Project (1001 Connecticut Ave, NW, Suite 719, Wash., DC 20036). Subscription, \$25 (which also includes a quarterly newsletter, in-depth focus papers, and a catalog for environmentally conscientious consumers).
- "Controlling Nonpoint-Source Water Pollution," by Hansen et al. is published by the Conservation Foundation and the National Audubon Soc. (\$7.50 from Conservation Foundation, 1250-24th Street, NW, Wash. DC 20037).
- "Beyond Oil: The Threat to Food and Fuel in the Coming Decades" is an extensive computer-projected assessment of future U.S. energy supplies, and offers opinions on public policy implications from opposing experts. Summary Report (47 pages), \$5; full report (304 pages), \$14.95. From Carrying Capacity, Inc. (1325 G Str., NW, Suite 1003, Wash., DC 20005).
- "The Abandoned Mine Land Program, 1977-1987" is a 10-year report published by the Office of Surface Mining (free, from OSM, 530 Gay St., SW, Suite 500, Knoxville, TN 37902).

See you at our Annual Meeting!

LATE-BREAKING NEWS

The following items were received after press time and amplify or modify the contents of NEWSLETTER 164.

1. THREAT TO MAJOR FOREST IN STATE PARK: YOUR HELP NEEDED!

In a bend of the Collins River lies a 300-acre, beautifully wooded peninsula which is part of the Rock Island State Park. It is loved by hikers, and used for nature study and family outings. All of sudden, the state is planning to use this for a golf course, cabins, pro shop, and 200-car parking lot. This is by no means the only site where a golf course could be built in Rock Island Park. In fact, the 1966 master plan, generated by state planners, projects a golf course for an open area of the park, where much less destruction of natural values would occur. A little additional land acquisition (outside the present park boundary) would be needed for this site, but the legislature has already appropriated \$300,000 for the purpose; and further, the forested peninsula, too, would require acquisition by the state since it is presently owned by TVA and the state's lease on it is up this year.

It is probably unrealistic for us to oppose construction of a golf course, but there is no reason for it to destroy a valuable area, when an alternative site is available.

WHAT YOU CAN DO: Write to Gov. Ned McWherter (address on p.2) with a copy to Dr. Elbert Gill (Commissioner, TN Dept. of Conservation, 701 Broadway, Nashville, TN 37219-5237, Phone 742-6748). Do not delay, the decision will be made soon, and your opinion can really count.

2. SMOKIES

Sen. Helms is unwilling to accept compromise described in ¶1B of this NL, and it appears increasingly likely that there will be no wilderness bill in this Congress.

3. CHEROKEE NATIONAL FOREST

A settlement in our appeal of the Land & Resource Mngt Plan was signed August 4. Clear-cutting, scenic areas, and roadbuilding are addressed, but three other issues must still go to Washington for a decision.

4. STATE LEGISLATION (Add to ¶3A, this NL)

A bill was passed to designate Shelby Farms Forest on the Wolf River in Memphis as a 1000-acre State Natural Area (see NL161 ¶3A).

5. ENDANGERED SPECIES (see ¶6E, this NL)

On July 24, the Senate passed S 675 with amendments. Details later.

6. TRUST FUND

Sen. Gore has agreed to co-sponsor this bill, which would create the means to purchase lands for parks and natural areas in the future (see NL163 ¶7A).