

TENNESSEE CITIZENS FOR WILDERNESS PLANNING

\*Newsletter No. 63, July 7, 1974

1. Come to the TCWP get-together picnic, August 24 . . . . . p. 1
2. End-spurt on federal stripmine bill; other stripmine news. . . . . p. 1
3. Wiseman advocates stripmine phaseout; other candidate news. . . . . p. 3
4. Water quality: workshop materials available; stripmine run-off regulatory activities stepped up. . . . . p. 4
5. Eastern Wilderness bill: we must not let time run out. . . . . p. 5
6. Big South Fork: funding, hearings, factsheet. . . . . p. 5
7. Pumped storage threatens beautiful Sequatchie Valley. . . . . p. 7
8. Duck River: Court juggling while dam construction continues. . . . . p. 7
9. State programs: endangered species, scenic rivers, trails. . . . . p. 8
10. What else is new in Tennessee? . . . . . p. 8
11. Land-use planning bill postmortem. . . . . p. 9
12. River news across the country. . . . . p. 10
13. National News Capsules. . . . . p. 10
14. Publications of interest. . . . . p. 11
15. Calendar -- and a "Preservation Note". . . . . p. 12
16. How to wire and phone your member of Congress. . . . . p. 12

1. COME TO THE TCWP GET-TOGETHER PICNIC, AUGUST 24

To give old and new members and their families a leisurely summertime chance to get acquainted with each other, we'll spend a day swimming and lazing, boating and walking at and near Leatherwood Ford on the Big South Fork. Bring food and drink, swimsuits, sturdy shoes, and canoes if you like (the flow will probably be low enough so we can paddle not only down to Angel Falls but back up again; if you don't want to paddle, you can walk.) Plan to meet at 10 a.m. EDT on the big sandy beach downstream from the bridge on the east bank of the river. One carpool, convenient to Knoxville and Oak Ridge residents, will form at 8:30 a.m. in the King's Department Store parking lot, Oak Ridge (corner of TN 62 and TN 95). Any of you travelling individually and coming from the east, drive to Oneida; turn west from U.S. 27 onto Third Street. Stay on the extension of Third Street (it makes a left-right jog after 0.4 miles) for 5.4 miles to the Terry and Terry (T & T) Grocery; bear left and reach the river after another 7 miles. On a flat grassy area before you drop down to the bridge is a right turn to the sandy beach. If you come from the west, go north through Jamestown on U.S. 127; turn right almost immediately on TN 154; and right again after a few miles on County Road 2451, which takes you right down to the Leatherwood Ford bridge.

2. END-SPURT ON FEDERAL STRIPMINE BILL; OTHER STRIPMINE NEWS

A. Federal bill

You still have time to wire or phone -- and if there's only one thing you can do today, let it be this (see item 16 for instructions). The stripmine bill, H.R. 11,500 is expected to come before the Rules Committee July 9, and to the House floor July 16. A harmful, weak substitute bill will be offered by Congr. Hosmer who has openly admitted to letting the industry use his office as a lobbying headquarter. If H.R. 11,500 manages to win over this substitute, it is felt that enough strengthening amendments can be added to it to make it into an excellent instrument for preventing many of the disastrous effects of future mining and for repairing those of the past.

\*Editor: Lee Russell, 130 Tabor Rd, Oak Ridge, TN 37830  
Phone: (615) 482-2153 (home); 483-8611, ext. 3-7639 (office)

*over*



But, for this to come about, your Congressman MUST hear from you TODAY: he's hearing plenty from the stripmine industry and public power lobbies, to say nothing of TVA, which is lobbying strenuously against (among other things) the bill's requirement of returning land to approximate original contour.

This is what your wires and phone calls should urge your Congressman to do:

- (1) Support HR 11,500 with strengthening amendments. Defeat the weak Hosmer substitute. Also, defeat any attempts to weaken presently strong features of H.R. 11,500, such as the requirement to return land to original contour (it's been done successfully for years in Pennsylvania), the prohibition against putting spoil down the outslope, the provisions for public hearings and for the designation of areas unsuitable for mining, and the requirement for permanent revegetation.
- (2) Support the Seiberling amendment. This would add a reclamation fee of \$2.50 per ton of coal; however, miners could deduct up to \$2.25 of this for surface reclamation, deepmine health & safety equipment, and black-lung benefits. Because the write-off provision will favor deepmining relative to stripping, the amendment will help restore deepmining to an economically competitive position.
- (3) Support an amendment to phase out, within 6 months, any stripping on slopes greater than 20°. Also support a more gradual phase-out of other kinds of stripmining (as advocated by Congr. Hechler), since only less than 5% of our country's coal reserves can be stripped -- the rest must be deepmined.
- (4) Support amendments to protect surface and subsurface water courses from interruption, diversion, and pollution.
- (5) Retain features protecting rights of the surface owner; written consent of the surface owner must be mandatory.

WIRE  
PHONE!  
If we don't get a good bill now, it'll probably be at least 2 more years -- and by that time close to another million new acres will have been torn open by stripping. ACT TODAY! Don't let our mountains and streams and people down!

#### B. Stripmine capsules

- The 6th U.S. Circuit Court of Appeals on June 10 heard our appeal against the U.S. District Court's decision in the case of environmental groups (NRDC, SC, EDF, SOCM, TCWP, SOK) versus TVA. We are trying to establish that TVA's single environmental impact statement (EIS) on stripmining is inadequate (e.g., no alternatives are considered) and that a separate EIS's should be filed on each major contract (each of which is of a magnitude of many tens of millions of \$\$). TVA's attorney Pederson told the Appeals Court "We don't like to be put in the role of an outlaw," and "reclamation is our middle name." The court took the appeal under advisement.
- A few weeks ago, Ann Powell of Channel 10 News (WBIR-CBS) produced some amazing TV footage of a stripmine industry practice SOCM members have, in vain, warned about for years: coal "layering". The news broadcast clearly showed the coal truck moving back and forth for loading from two different piles of coal in such a way that the "trashy" coal (largely dirt) filled most of the truck except for a well in the center and a layer on top, for which good coal was used. The cameras then followed the truck to TVA's Kingston steam plant where the sampling device goes smack into the central plug of high-BTU coal. A final scene, in the coal yard, showed manager Shannon Walls (a relative of Jack Walls) yank Ann Powell's microphone out of her hand, growling "you're in deep trouble." The next day, TVA General Manager, Lynn Seeber, interviewed on the WBIR News said that TVA had been aware of this practice and that he felt it affected only a small portion of TVA's coal purchases. SOCM's John E. Burris, in a statement presented to TVA on the subject of the Authority's proposal for a monthly escalator clause on coal prices, said, a propos the coal layering, "We are afraid that their [TVA's] failure to protect against these practices -- which could be prevented by the simplest efforts -- suggests that other, more serious abuses must be taking place at other stages of their production."



- A two-year study released May 20 by the Appalachian Regional Commission finds the Kentucky stripmine law to be out-dated and very inadequately enforced. The study finds that strong environmental controls on stripmining are desirable as well as feasible.
- The U.T. Environment Center is compiling data on 26 watersheds affected by stripmining with respect to the average cost of damages to individual households within these watersheds. The areas were selected to give a wide range in such parameters as acreages stripped, slope, and population density. While the complete study has not yet been published, Prof. John Moore in a panel discussion in April cited a cost range for the 26 watersheds from about 60¢ to about \$6 per ton of coal stripped. It should be remembered that this represents individual costs and does not include such social costs as damage to roads and water supplies. It also does not include the cost of benefits foregone, e.g. tourism. None of these costs are reflected in the market price of the stripped coal.

### 3. WISEMAN ADVOCATES STRIPMINE PHASE-OUT IN MOUNTAINS; OTHER CANDIDATE NEWS

Gubernatorial candidate Tom Wiseman, on June 21, issued a position statement on coal mining in Tennessee. He proposed to phase out stripmining on slopes greater than 15° and to replace it with safe, sound deep mining. He cited figures to show that the ratio of deepminable to strippable coal in Tennessee is 24:1 (32:1 for low-sulfur coal), and a study showing that a switch to deepmining would add a large number of jobs to the region. Not only would strippable coal be exhausted in about 10 years, but stripping in certain topographies precludes future deepmining of the same and/or neighboring seams, he said. In addition to pledging himself to a stripmine phase-out for steep slopes, he promised that he would:

- (a) propose a state law for the express purpose of making deep mining safe (to supplement federal law);
- (b) propose amendments to the state stripmine law to prohibit placing of spoil within 100 ft of streams;
- (c) work to remove from the Rules and Regulations the overall escape clause that gives the Commissioner of Conservation tremendous discretion in enforcing the stripmine law;
- (d) appoint a Commissioner of Conservation "who will act in the interest of the people . . . rather than in the interest of the mining industry;"
- (e) increase the staff of the Water Quality Control Division, so monitoring of stripmine discharge can be made adequate;
- (f) do all within his power to get TVA to change its coal buying policy and to favor the purchasing of deepmined coal.

Mr. Wiseman made this statement from a stripmine pit in Campbell County. Last fall, he spent two days hiking through stripmined areas. To our knowledge, only one other candidate, Mr. Pack, went "into the field" on this issue. Following the release of Wiseman's coal mining platform, Pack stated that he was for stricter regulation of stripmining, but not for a phase-out of mountain stripping. We invite all the others to get the field experience and to tell us of their proposed actions, if elected.

TEC (Tennessee Environmental Council), of which TCWP is a member, is mailing out an environmental questionnaire to all gubernatorial candidates and will publicize their answers. As you may recall, TCWP had done this in the past, but since we felt the questionnaire would carry more weight coming from an umbrella organization, we supplied our questions to TEC to be included with those of other groups. Look for the responses in your paper, and remember the August 1 primary!

TCWP hopes to finalize a statement on its goals for certain Tennessee issues (land-use planning, stripmining, wild & scenic rivers, natural areas, etc.) and send it to gubernatorial candidates in the hope that all or part of it will find its way into somebody's platform.

*over*



Jack Bowman of Harriman, a representative from the 32nd District (parts of Roane, Anderson, Campbell, and Scott Counties), who for years has used his powerful position in the General Assembly to be the most effective influence against any strengthening of the state stripmine law, has decided not to seek re-election. It is rumored that he will become a lobbyist for the stripmine industry. In the race now are Republicans "Jake" Gamble (backed by former Bowman supporters), Bob Collier, and Gerald Hensley; and Democrats Chris Cawood and Ernest Phillips.

#### 4. WATER QUALITY: THE WORKSHOP AND AFTER

##### A. Workshop materials still available

Our Water Quality Workshop, attended by about 130 persons, was a great success. All the events we had announced on the program you got with your last Newsletter took place -- plus some. We had an extra plenary speaker (Dean Rivkin), several extra leaders for the afternoon groups, a beautiful photographic exhibit and perpetual slideshow (thanks to Peggy Turner and the Carbide Camera Club), and a dirty-river canoe trip as well as a stripmine tour on the following day. All the many who worked so hard to make the Workshop a roaring success should at least be listed. In alphabetical order, they were: J. W. Bradley, Billy Christopher, Nancy Ferguson, Marian Fox, Mary Goodman, Reid Gryder, Mike Holland, Bob Humphries, Don and Dee Jared, Charles Klabunde, John Landry, Fran Mashburn, Bill and Lee Russell, Mike Shelby, John Sundill, Peggy Turner, Annetta Watson, John Williams, Boomer Winfrey, Bill Worley, and Ruth Young.

One of the products of the Workshop was an "action kit," containing brief write-ups of what you as a citizen can do under the state and federal programs, plus appendices of various kinds (e.g., instructions on how to collect evidence of water pollution, useful addresses, letters you can send to agencies, bibliography). If you or your friends would like a copy of this kit, send a self-addressed envelope (about 9 1/2 x 4") bearing 30¢ in postage to the editor. Also left over from the Workshop are some of Bill Worley's terrific fish-with-mask posters some of you may have seen in public places around the East Tennessee area. We'll ship one to anyone who sends us a mailing tube (over 18" long) and return-postage. Or, pick up in person, for a \$1 donation to TCWP.

##### B. Stripmine run-off regulatory activities stepped up

The Tennessee Water Quality Control Division issued 31 and 27 discharge permits to coal surface mines in April and May, respectively. Unfortunately, permit conditions are apparently being violated. Two official citizen complaints (by various individuals and SOCM) have already been filed following collection of water samples and documentation that permissible levels of pollutants were being grossly exceeded. One, filed in April, concerned stripping by the Premium Coal Co. in Anderson County (see NL #62, Item 5B); the other, filed June 19, relates to the Ferrell Mining Co. operation in Campbell County. Partly in response to these complaints, the WQC Division has taken a look at a number of creeks in these two counties. Complainants are asking to be allowed to inspect the mining sites to see if corrective steps have, in fact, been taken. -- The WQC Division's monthly report mentions additional complaints and violations relating to stripmining. Thus there have been complaints that TVA's Ollis Creek operation is interfering with the LaFollette water supply. According to the report, TVA will take steps to "correct and/or minimize" the siltation problem. -- In Grundy County the SQC Division had a law suit against a stripmine operator and TVA for polluting the Big Creek Utility Distr. Reservoir and killing fish. It became clear, however, that, despite the law, the court would "not burden the defendants with the combined cost of fish killed and reclamation;" and the state voluntarily dismissed the suit.



\* Effective July 7, the WQC Division adopted new procedures that require extensive and detailed pre-mining plans to be reported by stripmine operators applying for a discharge permit. Such planning for resource recovery, drainage, revegetation, monitoring, and waste treatment can have only beneficial effects on the quality of our streams. We applaud the Division, and hope you too will extend your individual appreciation to Charles S. Higgins, Jr., Chief, Surface Mining Program, Division of Water Quality Control, Room 621, Cordell Hull Bldg., Nashville, TN 37219.

#### 5. EASTERN WILDERNESS BILL: WE MUST NOT LET TIME RUN OUT

The Senate passed the Eastern Wilderness Areas Act, S. 3433, on May 31. Some of the potentially damaging changes made by the Agriculture Committee in the originally excellent Interior Committee bill, S. 316 (see NL #62, item 6), were at least partially corrected by amendments on the floor. Thus, the period during which a study area will remain protected (following the U.S. Forest Service's recommendation to Congress) was extended from 3 years to "the expiration of the third succeeding Congress from the date of submission" (i.e., 6 to nearly 8 years). The amendments also limit the anti-grazing, anti-mining, and condemnation provisions to areas east of the 100th meridian. While environmentalists might have liked such provisions to be general, this feature of S. 3433 would almost surely have killed the bill. During the debate on S. 3433, Sen. Nelson established legislative history to support the proposition that offroad vehicles would be impermissible in study areas except on inholdings.

With so much already gained in the Senate, would it not be a sad blow if time were to run out on us in the House? Yet this is a very real threat as a result of subcommittee delays. Although H.R. 13455 was introduced 4 months ago and hearings have already been held on it, there has recently been a move underway in the subcommittee to fragment this omnibus bill into several smaller ones, and to hold field hearings for this purpose. This would undoubtedly spell the death of H.R. 13455 for this session. One bright piece of news is that, on June 20, a "Dear Colleague" letter was sent by 5 Congressmen, including LaMar Baker, to all members of the House, inviting each of them to co-sponsor the bill. Massive co-sponsorship would convince the subcommittee to get moving and bring the bill to the floor.

\* What you can do: Phone, wire, or write your Congressman (see item 16 for instructions) and ask him to join as co-sponsor in the re-introduction of H.R. 13455, the Eastern Wilderness Area bill. Draw his attention to the "Dear Colleague" letter and urge him to respond. Remind him that there have been 5 hearings on the bill already, including 2 in the field (TCWP testified at the Roanoke one). Urge support both for the whole omnibus bill and, specifically, for our own Tennessee areas. [These are now as follows: Cohutta Wilderness, 49,660 acres -- note increase; Joyce Kilmer-Slickrock Wilderness 15,000 acres; Gee Creek Wilderness, 2,570 acres; Big Frog Study Area, 4,500 acres; Citico Study Area, 14,000 acres.] Also, write to Congr. John Melcher, Chairman, Public Lands Subcommittee, House of Representatives, Washington, D.C. 20515, and ask him to allow the bill to come to a floor vote without further delays. P.S. If your Congressman is LaMar Baker, one of the senders of the "Dear Colleague" letter, thank him and urge his continuing battle for the bill. This is particularly important in view of the fact that Congr. Baker has recently been under pressure from Polk County jeep and motorcycle clubs and lumber interests which are opposing the Cohutta Wilderness.

#### 6. BIG SOUTH FORK: A LITTLE FUNDING TO START IMPLEMENTATION

Congr. Joe Evins' Public Works Appropriations Subcommittee has voted \$250,000 for this current fiscal year for the Corps to do its planning, surveying, etc., on the BSF project. As far as we can ascertain, no action has occurred on the Senate side

over



yet. The Corps, used to many projects that are authorized but never funded, appears to be encouraged by this green light. Representatives of six of the member organizations of the Big S. Fork Preservation Coalition (including TCWP) met at Pickett on June 15 to discuss the current situation. They agreed to ask for a meeting with the Corps, and this is set for next week. -- The National Park Service liaison man for the project is now Supt. Vincent Ellis, Dr. Hendrickson having been moved to another region.

\*  
Congr. Evins, who has had some anti-BSF flak from Fentress County (most of it stirred up by Dr. Bowen of Maryville, an absentee landowner) has reportedly insisted that the Corps conduct several "information sessions". The rumor is that if strong opposition is expressed at these hearings, Evins will provide no further funding. The schedule is as follows: July 22 at Oneida, July 23 at Whitley City, and July 25 at Jamestown. We urge all of you who reside in the Big S. Fork counties (Morgan, Scott, Fentress, Pickett, McCreary)\* or in adjacent ones to testify at these hearings. Urge relatives and friends to do likewise. We have prepared a fact sheet to counter some of the wild rumors that have been wilfully circulated around the Fentress County area. It follows (be sure to share it with interested persons):

\* not  
"outsider"

#### Fact sheet: Big S. Fork National River and Recreation Area

1. The Area to be acquired will consist mostly of the uninhabited gorges of the Big South Fork and many of its tributaries. A limited amount of forested land between gorges will also be included.
2. Boundaries of the Area were carefully drawn so as to exclude cultivated land and residences. It is estimated that there are fewer than 45 dwellings in the whole Tennessee portion of the area. Many are unoccupied. 70
3. Persons residing within the boundary of the Area are given the right to retain their property for their lifetime, or for 25 years if they so prefer. Tenants are allowed to continue residence during their lifetime.
4. Hunting and fishing will be permitted within the Area.
5. The creation of a park-type area always greatly increases the property values in adjacent and nearby lands, and brings considerable economic benefits to the counties involved and those in the vicinity. These benefits are especially pronounced in the case of all National Parks and National Recreation Areas.
6. During the transition period, while the Area is being acquired and developed, the government will make payments to the counties involved. The amounts will be equivalent to the property taxes on the land that is being acquired.
7. After acquisition and development are essentially complete, the Corps of Engineers will turn management of the Area over to the National Park Service.
8. For the purpose of management, the Area will be divided into two types of terrain: (a) the gorges of the main stream and tributaries; and (b) the wooded lands between gorges (called "adjacent areas").

In the gorges, no developments will be permitted except picnic sites and boat and trail access at the several road crossings, primitive campsites in between, and historical restorations near Rugby, Tennessee, and Blue Heron Mine, Kentucky.

In "adjacent areas," various recreational uses will be provided for, such as camping, picnicking, 2 lodges, bridle paths, etc. Oil drilling is also permitted in the "adjacent areas."

9. Creation of the Big South Fork National River and Recreation Area will accomplish the dual purpose of ensuring preservation of the unusual scenic gorges, and bringing great economic benefits to the surrounding region.



# 7. PUMPED STORAGE THREATENS BEAUTIFUL SEQUATCHIE VALLEY

A TVA news release of May 14 states that several sites are being investigated as possible locations for a big pumped-storage project. Specifically mentioned are the Sequatchie Valley area in Marion and Bledsoe Counties, and Lookout Valley in Dade County, Georgia. Sequatchie Valley residents, most of whom have property that has been in their family for several generations, are up in arms, having become alerted to the proposal when TVA condemned an unwilling farmer's land for the purpose of core drilling. A meeting held at Powell's Crossroads June 13 drew a crowd of 200, all opposed to the project. TVA was invited but refused to come and will meet with a smaller group later. TCWP has asked TVA for several items of information. We should, e.g., like to know how much power from conventional power plants (presumably coal-fired) will actually be used up to pump the water to the upper reservoir; and whether other alternatives have been explored to avoid or reduce the peaking-power problem. We shall keep you informed, but, in the meantime, we urge those of you who are not familiar with this beautiful valley to go take a look. One lovely drive is from Crossville down U.S. 127 toward Pikeville and south; another, from Dayton across Walden's Ridge to Pikeville. Stop at a high place and look down into this geologically unusual and esthetically magnificent rift valley.

# 8. DUCK RIVER: COURT JUGGLINGS WHILE TVA CONTINUES DAM CONSTRUCTION

The Duck River Preservation Association has filed notice of appeal with the 6th District U.S. Court of Appeals at Cincinnati on the question of whether Judge Neese abused his discretion in granting TVA a stay of the injunction that he had originally imposed on March 7. DRPA attorney Bob Brandt has also filed a motion asking the Cincinnati Court to enjoin TVA dam construction until the appeal is heard. In the meantime, TVA asked Judge Neese's District Court to dissolve the original March 7 injunction in view of the fact that TVA has now filed a final supplemental impact statement. Judge Neese denied the TVA request because of the pending appeal, but granted yet another stay of the injunction. In practical terms, this means that (a) dam construction is proceeding without interruption, and (b) the Appeals Court will probably send the matter back to District Court for a final determination, in view of the filing of the final EIS. The case could presumably still be appealed on its merits.

TCWP wrote a lengthy comment on TVA's draft supplemental EIS which we found to be very vulnerable. Please ask us for copies if you are interested. TVA gave us an 8-page response in the final EIS, including 2 revised Tables. Significantly, consideration of various points raised by us is dismissed in this response with a number of conclusory and judgemental statements (we are asked to take TVA's "superior" judgement on faith), e.g. "TVA believes that ... is a realistic appraisal." "It is TVA's judgement that the likelihood ... is remote." "TVA does not believe that a recalculation at this time is necessary." How can one expect an objective statement to have been produced in that frame of mind?

We have heard from the General Accounting Office that it is indeed preparing a report to the Congress that will compare the methodology and procedures employed by the various Federal water resource agencies for making benefit-cost determinations. One of the projects included in this comparison is the Duck. The report will probably be issued at the end of July.

over



## 9. STATE PROGRAMS: ENDANGERED SPECIES, SCENIC RIVERS, TRAILS

### A. Severe blow to Nongame and Endangered Species Program

Monty Halcomb, TCWP's representative to the Nongame Task Force reports this disturbing news. The budget for the Tennessee Wildlife Resources Agency's Nongame and Endangered Species Program was drastically reduced and Larry Richardson's position (in charge of that program) abolished. The game-oriented Wildlife Division will now administer nongame activities. Monty feels that, while the volunteer Task Force will be able to continue (hopefully even on an increased scale) certain of its programs, e.g. the inventory, the real crunch of the budget cut will be felt in the areas of habitat preservation by acquisition, management, and education. It may be too late in what remains of this administration to attempt to reverse the budget cut, but this is certainly a prime budget item that we can hope to get our gubernatorial candidates committed to!

### B. New booklet on the State Scenic Rivers Program

The Tennessee Department of Conservation on May 1 issued a 70-page book entitled "The Tennessee State Scenic Rivers Program, 1974." It contains a description of the system as established by law, an account of the manner of implementation, and a discussion of how new rivers may be added. There are numerous highly useful appendices, such as the text of the Scenic Rivers Act, maps of all the rivers, the public information brochure, and others. We recommend that you order this excellent booklet from Mr. Michael Countess, Tennessee Dept. of Conservation, 2611 West End Ave., Nashville, TN 37203.

### C. Implementation of State Trails System to start in Fiscal 75

As of July 1, about \$400,000 will be available for acquisition of rights-of-way on two of the State's seven Scenic Trails. The segments chosen for this first phase of implementing the Act will be 53 miles of the Cumberland Trail, between Frozen Head State Park and the head of Sequatchie Valley, and 55 miles of the Chickasaw Bluffs Trail, between Meeman-Shelby State Forest and Hiway 19 near Fort Pillow. Both segments were chosen because of development threats in the area. Three of the 7 trails now have their own supervisors: David Shupe for the Cumberland Trail; Gene Hyde, Chickasaw Bluffs Trail; and Bill Phillips, Trail of the Lonesome Pine. Drafts of masterplans for the first two of these trails have been completed. Joe Gaines, the state's Trail Administrator, reports that work is also underway on a trails system for the South Cumberland Recreation Area (including Savage Gulf).

### D. Bikeways

The Dept. of Conservation has contracted with Barton-Aschman Associates to conduct a study on bikeway facilities and uses. Some of you may have attended one of the regional seminars that were held in June and July (see NL #62, Calendar). If you have any comments on bikeway facilities -- existent or needed -- write by August 1 to: Barton-Aschman Associates, Inc., 10 Cedar Square West, 1710 South 6th Street, Minneapolis, Minn. 55404. -- You may recall that Repr. Bissell's H.B. 2082, to aid communities in constructing bike trails, was vetoed by the Governor. Gov. Dunn, however, agreed to appoint a Citizens Task Force to study the question and report to the next General Assembly.

## 10. WHAT ELSE IS NEW IN TENNESSEE?

- The chief of the Smokies' Master Planning Team, David Turrello, has moved from his Denver location to the Park. Representatives of conservation groups will probably meet with him in the near future.
- Administration of TVA's Land Between the Lakes will move from the Division of Reservoir Properties to the Division of Forestry, Fisheries and Wildlife Development. Dr.



Frank R. Holland will become the new manager of LBL, succeeding Robert M. Howes who has directed the area since 1964. Mr. Howes was the author of the first survey (published in 1938) of the scenic resources of the Tennessee Valley and, incidentally, Harvey Broome's brother-in-law).

- Cedar Glades in Wilson County has been approved by the U.S. Dept. of the Interior for inclusion in the National Registry of Natural Landmarks. The 1050-acre site contains, in addition to hardwood forests, a large cedar glade, the "largest and best example remaining" in the U.S. today. The area is owned by the state. Nationwide, there are 294 registered national landmarks.
  - All groups who have presented plans for development of the western end of Bays Mountain Park agree that Laurel Run Gorge and Kiner Waterfall should be acquired for inclusion in the Park. Laurel Run flows north to the Holston River, tumbling over three falls and several cascades. Kiner Waterfall is on a small tributary. TCWP's Holston Valley Chapter had an outing in the gorge and waterfall area on June 30. We regret that this Newsletter is published too late to serve as an announcement for this hike and for the Bays Mountain Park Assn. annual meeting on June 23. A master plan for the lower end of the mountain was previewed at that meeting.
  - Sweetwater Creek -- an idyllic stream that flows through McMinn, Monroe, and Loudon Counties, but occasionally floods in Sweetwater and Philadelphia -- is the subject of a controversy between the Soil Conservation Service and conservation- and sportsmen's groups, backed by the Tenn. Wildlife Resource Agency (formerly Game & Fish). SCS has a \$3 million proposal for channelization and 9 tributary dams. Conservationists point out that there are alternative methods to prevent flood damage, including flood-plain zoning.
- Obel: We're all working hard for introduction of a bill to add the river to the National Wild Rivers System, under National Park Service-plus-State management. If you haven't already written to Congressmen LaMar Baker and Joe Evins and to Senators Brock and Baker, DO SO TODAY!

# 11. LAND-USE PLANNING BILL POSTMORTEM: ONLY ONE TENNESSEE CONGRESSMAN VOTED RIGHT

On June 11, the Land Use bill, H.R. 10294, fell victim to impeachment politics and a heavy mail campaign by economic interests that had no qualms about manufacturing a series of myths about its contents. Actually, the bill died not in a vote on the legislation itself but in the second-line attempt to keep it from coming to a vote. The first attempt, a negative Rules Committee decision in February, failed when the Committee reversed itself on May 15 and permitted the bill to reach the floor. On June 11, the floor vote was on the "rule," that is, on whether or not the bill should be debated and voted on. Defeat of the rule was a narrow one, 204:211. Of Tennessee congressmen, only Fulton voted right; Quillen did not vote (but had voted wrong twice on the Rules Committee); and all seven others voted against the rule. Had only four of them changed sides, the rule would have won! Some congressmen are claiming to their unsuspecting constituents that they were not really opposed to the bill itself, but simply thought it was not yet ready for vote. But knowledgeable observers of the progress of this legislation tell us that everyone voting on the rule that day knew that it was a vote on the merits of the land use bill itself. and nothing else. -- President Nixon, who only a few months earlier, had called strong land use planning a priority goal, switched sides in an attempt, according to Congr. Udall and others, "to court conservatives to stay with him on impeachment." Interior Secretary Morton then announced that he had joined the President in opposing H.R. 10294, and timed this announcement for maximum effect on the swing votes; and lobbyists for the White House and the Dept. of the Interior "flooded several swing Republican congressmen with telephone calls." Floor remarks by several Congressmen revealed total misinformation

WRITE!

over



\* about the contents of the bill. Congressman Fulton deserves our thanks, but all other members of the Tennessee delegation should be told how disappointed we are.

## 12. RIVER NEWS ACROSS THE COUNTRY

- The New River flowing from North Carolina into Virginia is threatened by the mammoth Blue Ridge Pumped Storage Project which would destroy about 250 miles of river and tributaries and displace over 2000 people. Under the leadership of N.C.'s senators, the Senate voted to include this river in the study category of the Wild & Scenic Rivers Act, which would put a moratorium on the dam project. Sen. Baker voted against study status, Sen. Brock did not vote. Now the House must consider a similar bill, H.R. 11120. Do let your congressman know that you want this river to have a chance to be studied.
- \* -- The proposed Dickey-Lincoln Dam project on the St. John River in Maine would be bigger than Egypt's infamous Aswan Dam, would cost \$800 million, and would eliminate the finest wilderness river area in the Northeast. There are good economic arguments to show that this would be one of the biggest boondoggles ever! Yet the House, including all 8 of Tennessee's congressmen, on June 6 narrowly voted funds for this monster. The Senate vote on an amendment to delete funds will come very soon, and Senators Baker and Brock should be told how we feel about this.
- The Chattooga, which 2 months ago was added to the National Wild & Scenic Rivers System (see NL #62, item 4C) is the first -- and, so far, the only -- river to go all the way through the 5(a) study procedure of the 1968 Act. This, in spite of the fact that there are 26 rivers listed in the study category, and almost 6 years have passed since the Act was signed.
- The National Wildlife Federation's "Conservation News" of May 15 contains a short article by Lou Clapper about the Tennessee Buffalo, recounting some of the attempts to preserve it and the recent troubles from developers (see also NL #62, item 4B).
- A new computer study, released early in June, shows that rail transportation uses 10-23% less energy than do barges. The groups releasing the report (Am. Rivers Conservation Council, Env'tl. Policy Center, and Sierra Club) call for an abandonment of proposals to spend \$10 billion in federal subsidies for barge canals and inland waterways.
- \* -- After many years of effort at preservation, the magnificent Hells Canyon is still not safe, especially in view of a damaging new Forest Service proposal. The Hells Canyon Preservation Council asks us to support S. 2233, a bill to create a NRA and Wilderness around the river, by writing to Rep. Roy Taylor and to Pres. Nixon.

## 13. NATIONAL NEWS CAPSULES

- The 1966 Freedom of Information Act has recently been amended to make government officials more accountable. According to COMMON CAUSE, sections of the new legislation set time limits for responding to requests for documents, require identification of officials who deny requested information, and require agencies to make annual reports to Congress on information requests that have been denied. When a citizen who challenges government action prevails in court, legal fees can now be assessed against the government agency.
- Energy conservation quotes: Mike McCloskey, Exec. Director of the Sierra Club: "We must state our continuing belief that 'Project Independence' represents an imbalanced energy policy -- some modest energy conservation in the short-term, all-out depletion of domestic resources in the mid-term, and close to blind faith in unlimited supply for the long-term." -- Ruth Neff, the environmental quality chairman for the Tennessee League of Women Voters recently told the State Council that the Southeast



was expected to have the highest rate of power-plant growth of any region, related in part to the fact that TVA produces power in 8 of the 12 southeastern states. "The agency is still seeking energy-intensive industry, promoting industrial and private electric consumption, and the rate structure still favors the large user of electricity."

- "Our Natural Resource Agencies in Trouble" is the title of an article in the May 1974 issue of the National Parks & Conservation Magazine. This staff report documents how the Office of Management & Budget year after year has deleted funds that could have had a dramatic impact on serving the public interest in natural resource management. Decisions are hidden from view and internal mechanisms are vague at best. You may order a reprint of this article from the TCWP editor.

#### 14. PUBLICATIONS OF INTEREST

- "A Citizen's Action Guide to the Federal Flood Insurance Program," May 1974, American Rivers Conservation Council (324 C St. S.E., Washington, D.C. 20003). Very important in showing how citizens can monitor the enforcement of the flood-plain land-use controls at the local community level.
- "95 Theses -- to be tacked on the doors of the Chief of Engineers and the Commissioner of the Bureau of Reclamation on May 3, 1974" (Order from Brent Blackwelder, E.P.C., 324 C St. S.E., Washington, D.C. 20003). Remember that, in the year 1517, Martin Luther tacked his 95 Theses on the door of the Wittenburg church, asking for reform?
- "Should Trees Have Standing?" by Christopher D. Stone, \$2.95 (paper), publ. by William Kaufmann, Inc., 1 First St., Los Altos, Cal. 94022. Proposes that natural objects (trees, mountains, rivers, lakes) should have legal rights.
- "An Environmental Bibliography" Feb. 1974, EPA (Office of Public Affairs A-107, U.S. E.P.A., Washington, D.C. 20460). About 50 references with one or more paragraphs describing each.
- "Energy Conservation Strategies" July 1973, Office of Research & Monitoring, EPA (Order EPA-R-5-73-021 from EPA Forms and Publications Center, Rt. 8, Box 116, Hiway 70 West, Raleigh, N.C. 27612). A scholarly exploration of 24 strategies. 112 pp., 20 tables. 24 references.
- "Rehabilitation Potential of Western Coal Lands," Ford Foundation Energy Policy Project. Publ. by Ballinger, Cambridge, Mass. Available at bookstores.
- "A Bibliography of the Zoology of Tennessee and the Tennessee Valley Region," compiled by Dr. Charles S. Shoup (TCWP member). 3350 entries, arranged by zoological classification and indexed by locality of collection or reporting. Order by Document No. NP-19905 from the National Technical Information Service, Springfield, Virginia 22151. \$7.60.
- "1974 Directory of TVA Environmental Programs" lists research and publications in a number of fields from Air Quality to Wildlife Resources. Available, free, from Information Office, TVA, Knoxville, TN 37902.
- "Leased and Lost," May 1974, Council on Economic Priorities (84 Fifth Ave., New York City 10011), \$3.00. First complete survey of federal coal leases. Nearly 85% of the coal extracted in 1973 was stripmined, but Interior has failed to insert environmental safeguard clauses in 58 of the 85 leases that have come up for adjustment; and it has never cancelled a lease after violations.

*over*



### 15. CALENDAR

- July 12-14 - TSRA School of River Canoeing, Hiwassee River  
(Call Lester or Jane Levi, Murfreesboro)
- July 13 - TTA hike on Crab Orchard Mountain (Meet County Store, Crab Orchard,  
9:30 CDT)
- July 14 - Sierra Club, H.B. Group, hike to Cove Mtn. Fire Tower (Call Charlie  
Frye, Knoxville 588-8486)
- July 21 - Children's Museum, Oak Ridge 2 p.m. Last of 4 stripmine seminars: Jack  
Gibbons, J. W. Bradley, legislators.
- July 27,28 - TERC hike to Rocky Bluff, N.C. (Call Dick Ardell, Kingsport 247-3718  
after 7 p.m.)
- Aug. 10-11 - National Open Canoe Championship, Nantahala River (Call Reid Gryder,  
Oak Ridge 483-1836).
- Aug. 17 - TTA hike on Brady Mtn. (Meet entrance to Cumberland Mtn. State Park 9:30 CDT)
- Aug. 18 - Knox SC hike to Big Creek and Mt. Sterling (Call C. Frye, 588-8486).
- Aug. 24 - TCWP get-together picnic, Leatherwood Ford (see item 1)
- Oct. 5-13 - TERC 105-mile hike through Shenandoah National Park (Contact Don Nelan,  
Kingsport 239-9534)
- Oct. 17-19 - Regional Trails Symposium, S.E. Div. of Natl. Trails Council, Cumberland  
Mtn. State Park (Call Lily Rose Claiborne, Oak Ridge 483-3250)
- Nov. 23 - TCWP hike in Piney River gorge (Call Grimes Slaughter, Oak Ridge 483-5859)

### Preservation note from Brussels

In the street outside the Royal Palace, President Nixon was greeted by a tourist couple from Georgia who told him they lived near the Okefenokee Swamp. "I know where it is," he told them, adding "Dry it out." [from TIME, July 8, 1974].

### 16. HOW TO WIRE AND PHONE YOUR MEMBER OF CONGRESS

To phone: Dial 1-202-224-3121 and ask the Congressional switchboard operator to connect you with your congressman's office.

To wire: Phone Western Union and ask to have the wire billed to your phone number. For \$2 you can send either a Public Opinion Message (POM) or a MAIL-O-GRAM. POM's are received the same day over the congressman's teletype. Your message (exclusive of address and signature) must not exceed 15 words. MAIL-O-GRAMS are delivered (like a letter) the following day. You are allowed 100 words, including address and signature.

If you can afford the day's time, MAIL-O-GRAMS are preferable to POM's because your message will be on a piece of paper.