TENNESSEE CITIZENS FOR WILDERNESS PLANNING

Newsletter No. 118, March 17, 1982

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For a change, there are not just bad bills to worry about but some good bills to support. See ¶2, 5, 11, 14. Be sure, also, to look at the TCWP activities sheet p. 14 and to join in the events we have planned.

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Check the colored page (pp. 13-14)

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Star in margin means "Action Needed." Don't be overwhelmed -- check the ACTION SUMMARY!

1. SHOW CONGRESS THAT WATT's WILDERNESS DECEPTION DIDN'T WORK!

The Administration thought it could fool the people about wilderness. After spending months promoting mineral leasing in wilderness areas, Sec. Watt went on nationwide TV (2/21/82, Meet the Press) to say he was introducing a bill closing existing wilderness to leasing until the year 2000 (except for various qualifications which we won't bother to detail, because the main dishonesty lies elsewhere). Even as he was speaking, we strongly smelled a rat: after all, no new bill was needed -- all he needed to do was not to award any of the pending leases between now and Dec. 31, 1983. After that, the existing 1964 Wilderness Act would take over, and further leasing would no longer be possible (NL 117 ¶12). Now that the whole story on the announced bill is out, the magnitude of the deception has become revealed.

The Administration bill, HR5603 is, in fact, a sequel to last year's Hayakawa-Helms anti-wilderness bill, S842; some have called HR5603 "an anti-environmental agenda for the 1980s." (1) On existing wilderness, it would re-open the mineral leasing issue in the year 2000, whereas under the 1964 Wilderness Act, the issue would remain closed for good after 12/31/83. (2) As for proposed wilderness -- forget it! Thus, under the terms of HR5603: (a) National Forest lands recommended for wilderness status by the RARE-II process would have to be added to the Wilderness System through an Act of Congress by the end of 1984, or be managed for non-wilderness uses and thus be no longer eligible (thus, all USFS wilderness could be lost as a result of simple delaying tactics); (b) BLM lands studied for wilderness designation and found "unsuitable" (a likely outcome in a Watt USDI) would be released from mineral-leasing or timber-cutting restrictions without the presently required congressional approval; (c) no further roadless area wilderness review (e.g., RARE III) would be allowed.

The Reagan Administration was evidently getting concerned about the popular resistance to Mr. Watt's earlier proposals to allow minerals leasing in existing wilderness; for that reason, presumably, Mr. Watt was put on national TV to present an apparent about-face. We must show them that we are not fooled.

✳ WHAT WE CAN DO:
We must strenuously oppose HR5603. In addition we must remind Congress that, if Mr. Watt really wants to save existing wilderness, all he has to do is not to grant any lease applications for the next 1 3/4 years. The best way to ensure this is for Congress to pass legislation to withdraw the wilderness system from mineral activity. Designated wilderness contains only about 1% of the nation's onshore oil and gas (potential new wilderness contains only about 3%). Roughly 70 and 78% of oil and gas, respectively, are on private or state lands; on federal lands, over 118 million acres are already under lease, and 80% of all federal leases expire without exploration. Write today to your U.S. Rep (House Office Bldg., Wash. DC 20515) and both Senators (Senate Office Bldg, Wash. DC 20510).

2. A PARKS BILL WORTH SUPPORTING

Rep. Seiberling, whose subcommittee recently conducted State of the National Parks oversight hearings (at which TCWP testified -- NL 117 ¶4), has introduced HR5552, the National Park System Protection Act. This bill (1) directs the use of NPS funds to monitor, study, and report on impacts on park resources; (2) authorizes the USDI to control activities on federal lands adjacent to parks so as to guard against the degradation of park resources; (3) provides for assistance to local governments to promote planning for areas adjacent to the parks that will emphasize park protection; (4) requires that federal permits, etc., include conditions necessary to protect the parks against adverse impacts; (5) requires an NPS state-of-the-parks report to Congress every 2 years. This is a bill we can all support. Write your U.S. Rep (House Office Bldg., Wash DC) and to both Senators (Senate Office Bldg., Wash DC).

3. SHOULD HUNTING BE ALLOWED IN FROZEN HEAD?

Following a recent hearing by the Frozen Head Planning Task Force, the Dept. of Conservation received a letter from a man who claims to represent a group of hunters, and who demands, in rather threatening terms, that the park and natural area be opened to hunting, to the training

of hunting dogs, and to truck and jeep use of the road to the lookout tower and Squire Gap. A petition with 400 signatures was attached. -- TCWP has written to the Commissioner of Conservation pointing out that the highest use of Frozen Head is the protection of its natural life communities, which afford so much enjoyment to the increasing number of people who visit the park without destroying the animals and plants that live within it. Hunting, and the proposed related activities, would not only present a safety risk to park visitors, but would shatter the peace of the park and would cause the disappearance of many of the wild animals. You should express your feelings on this subject to Commissioner Charles A. Howell III, Tenn. Dept. of Conservation (2611 West End Ave, Nashville 37203); send copies to Alan Coggins (same address) and to Duane Wyrick, Area Manager, Frozen Head State Park, Wartburg, TN 37887. Even a postcard or very short letter will do, but hurry.

4. BIG SOUTH FORK: BUDGET, MINERALS, MANAGEMENT

A. The Reagan budget for FY 1983 contains about $11 million for the Big South Fork NRRA. Unfortunately, only a part of this will be used for land acquisition, the remainder for construction of Leatherwood Ford road and bridge, etc. As you may recall, for the current year (FY 1982), there are only $10 million for the BSFNRRA instead of the $27 million originally planned for.

B. The Corps has designated "deferred lands," that is, lands within the authorized project boundary but placed in a delayed acquisition category in response to an order from OMB to plan only for already authorized funding. Notification of the owners of such lands is resulting in applications for stripmine permits. The state may have to be convinced that there are legal grounds for turning down such permits.

C. Pressures for oil and gas leasing in lands already acquired by the Corps are coming from certain oil interests. People who own mineral rights in the "Adjacent Area" (upland regions) of the BSFNRRA are permitted under the terms of the authorizing Act to extract oil and gas. However, where the taxpayer (through the Corps) has already paid for these mineral rights, it seems wrong to allow someone to come in afterwards to make a profit. You may want to communicate with Sen. Baker on this subject (Senate Office Bldg., Wash. DC 20510).

D. Park Service management steps include inventory of existing conditions, habitats, etc.; monitoring (water and air quality, wildlife populations, visitor impact); and implementation of plans for preservation, improvements, and use of the area. The NPS's new resource management specialist, Michael Duwe, rates water quality, mineral extraction, and protection of endangered species as the area's major issues. Other problems that need addressing are control of exotic species (Kudzu, feral hogs, etc.), reintroduction of extirpated species (e.g., turkeys), and the manipulation of future visitors so they can enjoy the area without harming it.

E. Prospective outdoor recreation concessionaires will be meeting with NPS on March 22 to discuss services they propose to provide, and to finalize a draft concession prospectus. Among services being considered are raft tours, canoe rental, shuttle service, rock climbing, horse rental, guided back-country trips (backpack or equestrian), and instruction (canoeing, fishing, rapelling).

5. STATE NEWS: NEW BILLS, BUDGET, etc.

A. Addition to the Savage Gulf State Natural Area

The Dept. of Conservation has acquired the 368-acre Greeter tract, near Alatamont (Grundy County) on the extreme west of the 12,000-acre Savage Gulf Natural Area. All but $21,000 of the $150,000 purchase price came from a TVA grant. Contained in the new acquisition are a 52-ft high waterfall, a natural swimming area (the "Blue Hole") on Piney Creek, site of a historic grist mill, and a scenic overlook of the junction of Fire Scald Creek and Big Creek Gorge. The DoC plans a small picnic area and ranger station at the new Greeter Falls entrance.

B. Pick an issue and get with it,

says Rosemary Conrad, the Environmental Action Fund lobbyist. Below (¶5 C-G), you will find 5 bills in the General Assembly that need support. State legislators are usually in their home

town from Thursday evening through Monday morning. Contact them there (consult the list we sen with NL 117, or call your county election commission, to get names and locations). Rosemary points out that no legislator can possibly even read (leave alone research) all of the 2000 bills that (s)he encounters in one session. "If they [legislators] get one phone call on a bill, they sit up and take notice; 3 letters on a bill gets their serious attention; and 10 is a landslide." If you want to know the status of a bill, call Rosemary at 7 am CST at 615, 269-9777, or leave a message for her at 329-4230.

C. Tennessee "superfund" bill, S.B. 1801, needs strong support

There are estimated to be at least 165 old dumpsites of hazardous wastes in Tennessee. Althoug a federal Superfund was enacted at the end of the Carter Administration, enforcement of its provisions are now down 40% under EPA's Gorsuch; and it appears that 2 dumps in Memphis are the only ones in the entire state targeted for federal cleanup. S.B. 1801 (Gillock), recently introduced in the state legislature, would pay for cleanup of old dumps in the state by assessing current generators of hazardous wastes a small fee, $0.0045 per pound, paid quarterly by operations that generate over 600 lbs in a 3-month period. The Solid Waste Disposal Control Board would promulgate pertinent regs. This bill will need a great deal of support from all of us.

✶ (a) Ask your state senator to support S.B. 1801, and thank him/her if (s)he is already a sponso (Gillock, Davis, Ford, White, Clement O'Brien, Burks, Crockett, Cutrer, Albright). (b) Ask you state representative to co-sponsor the companion bill, to be introduced by Rep. Kernell. When you call or write, mention the cost of not cleaning up: plummeting real-estate values; loss of drinking-water supply; health effects and medical expenses. Please see ¶5B for suggestions on how to contact state legislators.

D. Container-deposit bill, S.B. 68 (Koella)/H.B. 877 (Cobb)

✶ This is the bill left over from 1981, and your support can help move it out of the commerce committees. The bill, which puts a 5¢ deposit on bottles and cans, would, if implemented, reduce litter by 80% and reduce energy use for these containers by 32-43% (GAO study PAD-81-08, 12/11/80). Some East TN members of the commerce committees are: Reps. Wheeler (Clinton), Severance (Knoxville), Loy Smith (Straw. Plains), Webb (Athens), Bivens (Cleveland), Copeland (Chattanooga); and Sens. Longley (Cleveland) and Koella (Townsend). Write or phone to convey your personal gripe about bottle or can litter. See ¶5B for other hints.

E. Stripmine reclamation bonds, S.B. 438/H.B. 1010

See ¶11

F. Septic Tank bill, S.B. 1653 (Henry)/H.B. 1610 (Yelton)

Tennessee's originally good law was weakened in 1975 as a result of pressure from developers. Tanks may now be placed into highly unsuitable soils. As a result, there was a high rate of septic-tank failure in 1980. S.B. 1653/H.B. 1610 would return the law to the pre-1975 standard

✶ The bill needs to be moved out of committee, where developers want to bottle it up.

G. Revenue for public transportation

S.B. 1014 (Dunavant)/H.B. 813 (Martin) would allow local governments (counties, cities, etc.) to levy a privilege tax of 1¢ per gallon on gasoline dealers, the net proceeds to be used for the support of public-transportation services, including ride sharing. Many of you who know

✶ the urgent need for local public transportation will want to support this bill.

H. The governor's FY 1983 budget

The capital outlay budget includes nothing for scenic rivers or trails. Its single land-acquisition item (about $1 million) is for two tracts needed for silt detention at Reelfoot Lake. In addition, there is one sum ($60,000) for a conservation easement on Ripshin Bog, a potential State Natural Area. The remainder of the $1.5 million budget (73% of which would come from a bond fund) goes for maintenance of existing state park facilities. The operating budget for the Dept. of Conservation contains an increase for staffing in the Division of Parks and Recreation and a new line item for Parks Maintenance. The regulatory programs have also increased, largely in connection with the anticipated approval of state primacy in enforcing the federal surface coal-mine law (see ¶11).

J. Trail news

In NL 117 ¶5B, we summarized the status of the State Scenic Trails system. Another trail that is hopefully in the making is a recently designated National one, the Overmountain Victory Historic Trail from Sycamore Shoals near Elizabethton, TN, to Kings Mtn., S.C. A 14-person Advisory Council to the U.S. Dept. of Interior had its first meeting Feb. 17. For further information, contact TVA's trail coordinator Terry Bonham, a member of the Council (Norris, 494-9800).

6. TVA: THE CASE FOR ABANDONING BAD PROJECTS

A. Nuclear plants and dams: we need a parallel

You may recall that one of the big arguments used by Tellico Dam supporters was that so much money had already been spent, it would be wasteful not to complete the project. We are currently hearing the same arguments for Columbia Dam. Yet, what had, and has, been spent on these dams is small potatoes compared with several billion dollars worth of unneeded and unsellable equipment involved in the recent nuclear-plants shut-down. Editorials in leading area newspapers are unanimous in applauding this shut-down as "the most sensible action TVA could take. ... Obviously TVA, in planning its nuclear power program, greatly overestimated how much electrical power the Tennessee Valley would require in the years ahead." (Knoxville News-Sentinel, 3/10/82). There were no supporting editorials several years ago, when environmentalists talked about TVA's overestimated power demands. And the editorials are yet to come supporting what we've been saying about the wastefulness of dams. Now that TVA has acknowledged its $4 billion mistake on the nuclear plants, we challenge it to acknowledge the Columbia Dam mistake, which has cost only 1/100 of that amount. For Tellico, it's too late, alas, and ... (see B).

B. Tellico: TVA trying hard to show it's working

"Tellico Lake presents a difficult choice. Cast for bass? Troll deep for trout? Or just relax and enjoy the scenery?" That's the caption to a scenic photo in TVA's magazine IMPACT. The article enumerates factors that "favored early development of the Tellico fishery;" among these, the "flooded agricultural bottomlands along the river [which] also enriched the reservoir, creating ideal conditions for propagation of aquatic life on which small fish feed." How sad that TVA could not have had pre-dam articles extolling both the (unflooded) agricultural bottomlands and the magnificent fishing in the Little T! The poor snail-darter could have been kept out of it all. (Incidentally Rep. Tom Bevill has asked Sec. Watt to drop the "endangered" status of the snail darter.)

In the meantime, people are still trying to bring about that big economic boon that the reservoir was going to provide. TVA will enter into a contract with a 3-county development agency being created to oversee sale and development of TVA-owned lakeshore property.

C. Ocoee developments

There are now 3 fronts to this battle. (1) As we informed you last time (NL 117 ¶9), the Commissioner of Conservation ordered TVA to apply for a water-quality permit for the proposed water diversion. TVA (with Dave Freeman dissenting) has filed a federal suit against the State of Tennessee, claiming that the state has no jurisdiction over a federal agency. (2) In the previous suit, filed last summer by the Ocoee River Council against TVA, Judge Wilson recently heard arguments for a temporary injunction which would halt construction until the full case could be heard. (3) Rep. John Duncan may introduce a bill that would require TVA to return water to the river 100 days per year without requiring "user fees." (Note: TVA had earlier offered to allow recreational water use for 82 days/year, but would make recreational users pay a fee for the lost power revenues.) Let Rep. Duncan hear from you (House of Representatives, Wash. DC 20515).

7. COLUMBIA DAM; OTHER WATER PROJECTS; RIVERS

A. The Reagan '83 budget contains $2 million for Columbia Dam

TVA requested this amount for minor road construction and for a program to relocate endangered mussel species. For the current year, TVA has $13 million left over from the deferred sum

released last year (NL 114 ¶5). About $40 million would be needed for planned bridge relocations and large-scale land acquisition, but TVA decided not to ask for this sum, partly because of the unsettled legal questions (the suit challenging issuance of the state water quality permit, see NL 113 ¶5). This may be a good sign -- see ¶6, this NL. We invite you to join us for a Duck River float, June 5 (see enclosed TCWP Activities Sheet).

B. Other water projects in the Reagan budget. Budget deficits and other spending cuts notwithstanding, the President is asking for big water-project money for FY 1983, and has been particularly generous to the West. Overall, the budget calls for $3.82 billion for construction, operation, and maintenance of water projects. The Bureau of Reclamation, which is building 70 projects in 17 western states, had its budget actually increased from the 1982 level (while the Corps got cut by an equivalent amount). The West and the South get $26 per person from federal spending on water-project construction (compared with $8 for the Northeast and Midwest). An interesting brand-new feature of the budget is $48 million for new projects that have not yet been selected. Among moneys for old Pork barrels are $186 million for the Tennessee-Tombigbee Waterway, $161 million for the Central Arizona Project, and increased spending for the $1.5 billion Central Utah Project lauded by Sen. Orrin Hatch, a staunch advocate for cut-backs in all other domestic spending (!)

C. Some good news: deauthorization by the Congress

While the Administration is asking for money for projects that have not yet even been authorized (B., above), the Congress has de-authorized 10 long-standing pork-barrel projects that, in aggregate, would have cost $2.5 billion. The best-known item on the list is the huge Dickey Dam in Maine, part of the Dickey-Lincoln project. Dickey would have exceeded Egypt's infamous Aswan Dam in size. Also familiar to some of you is the Meramac Park Dam in Missouri, which would have wiped out not only a beautiful stream in an area rich with springs, but also some of the nation's most significant caverns.

D. River studies in jeopardy

Studies on rivers proposed for possible inclusion in the National Wild & Scenic Rivers System are funded under the Dept. of Interior appropriation. In FY 1982, about $840,000 were available for policy, planning, and specific studies on rivers and trails. This is only about 1/2 of what was available in FY 1981; and it is possible that the entire program has been targeted for extinction in FY 1983. Remember that the Obed was originally a "study river" and could not have been added to the System without completion of the study. Other rivers should not be denied this mechanism. Write in support of river studies to Russ Dickenson, Director, National Park Service, U.S. Dept. of Interior, Wash. DC 20540.

8. LAND & WATER CONSERVATION FUND AND OTHER BUDGETS

A. Land and Water Conservation Fund (LWCF) in trouble again

The LWCF should cover land acquisition for areas under the jurisdiction of several USDI and USDA agencies, namely national parks, wild & scenic rivers, wildlife refuges, BLM lands, and national forest lands. However, the Administration has requested only $70 million for the LWCF -- just enough to take care of court awards. Last year, the Administration asked for $45 million and Congress appropriated $149 million. This year, like last year, Watt wants to amend the LWCF to allow money to be spent for "improvements" (in addition to acquisition), and he has asked for $105 million for this purpose. He got nowhere with this proposal last year, and chances are that history will repeat itself.

WHAT YOU CAN DO: Land acquisition is the only mechanism through which already authorized parklands can be protected. A prime example in our own area is the Obed Natl. Wild & Scenic River. It is imperative that the Congress greatly augment the tiny sum requested by the Administration. Remember that the needed money comes from offshore oildrilling revenues, rather than from the taxpayer. TODAY, write your 2 Senators (Senate Office Bldg, DC 20510) and your Rep (House Office Bldg., DC 20515).

B. Other budget items of interest

In the USDI budget, funds requested for operation of the Natl. Park system are up 5% ($513 → 540 million) from the amount appropriated last year. The U.S. Fish & Wildlife Service budget is

down 7% from the 1982 appropriation, and the Endangered Species Program, within it, also took a 7% cut; Endangered Species law enforcement agents would be reduced from 202 to 160. While 7% may not sound like a major cut, it should be noted that the FWS has not been adequately funded for years -- In the USDA's Forest Service budget, the trend is to increase funds for revenue-producing programs, such as timber sales, energy, and minerals; and to make decreases in programs such as forest research ($110 → 98 million, i.e. - 11%). -- The slaughter in the EPA budget is described elsewhere (¶10).

C. Environmentalists' alternative budget

A coalition of groups has proposed an alternative budget that would reduce the deficit by $8.5 billion by increasing revenues $9.1 billion and outlays only $600 million. The increase would be accomplished through improved oil and gas royalty collection, increase in grazing fees, ocean-dumping fees, heavy-truck highway user fees; and tax-break revisions affecting expensing of oil and gas drilling costs, capital gains treatment of timber, etc. Highway spending would be cut, and mass-transit assistance increased. Additional outlays would include an extra $330 million for the LWCF, money for a youth conservation employment program, etc. Budget authority would be added for energy conservation and for solar and renewable energy R & D.

9. ADMINISTRATION WANTS TO HELP BALANCE THE BUDGET BY SELLING FEDERAL LANDS

There is an existing acceptable procedure for selling surplus federal lands: they are first offered free to other federal agencies, then offered to state or local governments for open-space use (e.g., parks), and only then put up for public sale. Any proceeds from such sales are added to the Land & Water Conservation Fund (LWCF), which is used for parklands acquisition. The Reagan Administration, and a couple of resolutions pending in the Congress, would change all this. Everyone would have to pay fair market value, which means that most of the land would go to private interests rather than to governmental bodies for open-space use. Further, 95% of the proceeds would not go to the LWCF but would be used to reduce the federal debt. (The Administration is hoping to bring in $4 billion annually be such means.) Finally, about 500 million acres presently controlled by the U.S. Forest Service (USFS) or the Bureau of Land Management (BLM) would, for the first time, be up for grabs too, in addition to the usual offerings such as no-longer-needed Dept. of Defense or GSA properties. Such USFS or BLM lands could include potential wildernesses. The Administration's plan is to dispose of lands that are no longer "needed," cannot be efficiently managed, would have a "significantly higher value" in private than public use, or are "hindering local economic development." This is obviously the Sagebrush Rebellion's dream come true, and is in keeping with the Administration's emphasis on short-term, rather than long-term values of natural resources. Conservationists point out that revenues could be raised on a continuing basis merely by charging more realistic fees for the current uses of BLM and USFS lands, such as grazing, timbering, and mineral leasing.

✶ WHAT YOU CAN DO: Ask your Senators to oppose S. Res. 231 (Percy), and your Rep. to oppose H. Res. 265 (Winn). (Senate Office Bldg, DC 20510, and House Office Bldg, DC 20515).

10. EPA: ADMINISTRATION MAKES POLICY VIA BUDGET AND VIA APPOINTMENTS

Some figures will tell part of this story

	FY 1981*	Reagan FY 82 budget*	Change
Research and development	251	109	-57%
Abatement, control, compliance	535	312	-42%
Selected program areas (included in above)			
Air quality	245	184	-25%
Water quality	334	186	-44%
Hazardous waste	151	103	-32%
Toxic substances	103	69	-33%
Noise	13	0	-100%

*in millions of $$

Another part of the story is in the staff changes -- above and beyond those due to budget cuts. Since Pres. Reagan took office, 80% of EPA's headquarters staff has been fired, downgraded, transferred, or has quit. The growing workload mandated by existing laws is being handled by inexperienced people (newly hired or transferred). In addition to the inexperienced, there are (a) those whose morale has hit rock-bottom, and (b) those brought in by Mrs. Gorsuch in a fox-in-the-chickencoop capacity.

A prime example of the latter type is the nomination of Rita Lavelle to a key superfund position (toxic dump cleanup). Lavelle was public-relations officer for Aerojet-General, the owner of TNS, Inc, of Jonesboro, TN, which has one of the worst hazardous-waste track records in the country. TNS workers struck to protest health and safety conditions, and this situation became the subject of a Congressional hearing by Rep. Al Gore and of a CBS "60 Minutes" program.

✶ WHAT YOU CAN DO: Write to your U.S. Rep. (House Office Bldg, Wash. DC 20515) and both Senators (Senate Office Bldg., DC 20510) to remind them that the shaping of EPA's future role must not take precedence over the agency's responsibility under existing federal laws.

11. WHY ARE OUR LEGISLATORS NOT HEARING FROM YOU? UNLESS THEY DO, CLEAN AIR WILL BE ONLY THE FIRST OF MANY LOSSES

A. It's simple !

Over 80% of the public, and some very capable organizations, are opposed to any weakening of the Clean Air Act; but the Act is well on its way to being weakened, because Congress is hearing so little from the people, and so much from the unholy alliance of Administration forces and polluting industries. Part of the problem is that the legislation is very complex, and people are afraid they know too little about it to comment; also, until recently, there were only bad bills pending and no good ones to support. The situation changed in late February, and your message can now be very simple:

✶ "I want a strong Clean Air Act: one that protects clean air where we have it, and that cleans up areas of dirty air. Please support the Waxman Clean Air Bill (HR 5555) and oppose the Dingell-Luken Dirty Air Bill (HR 5252)"

Mail letters or postcards today. Get your friends to do likewise (House or Senate Office Bldg., Wash. DC, 20515 or 20510, respectively). Sen. Baker is particularly important, as are Reps. Gore and Boner, who are getting much industry pressure. It would be very effective if you could go see your legislators when they're home for the Easter recess, 4/2-4/13 (House) and 4/7-4/19 (Senate).

You needn't read on unless you want more details.

B. Content of the bills

Here are the main features of the Waxman bill, HR 5555: (1) protection of existing clean-air resources; (2) measures for cleaning up the many areas of dirty air; (3) finetuning to streamline the existing law without sacrificing enforcement; (4) retention of strong emission standard for new autos; (5) addressing of problems not covered under the current law, such as acid rain, fine particulates, and toxic pollutants. (The Dingell-Luken bill, by contrast, has bad provisions or none at all on each point ennumerated.) While the Waxman bill retains strong protection it also tries to meet some of the objections to the present law. Thus, it would allow extensions of 1982 attainment deadlines on a case-by-case basis without altering goals; and it would streamline enforcement, reduce delays, cut red tape, and reduce the burden on small businesses (concentrating on the large polluters instead).

One feature of our existing law which is of particular concern to those of us who care about parks, wilderness areas, etc., is the Prevention of Significant Deterioration (PSD) program. PSD establishes fixed pollution limits. Class-I, which has the tightest pollution budget, was assigned to the large national parks and wildernesses. Wildlife refuges, smaller parks, and national monuments got a moderate Class-II budget, and are ineligible for re-classification to the (dirtier) Class III. However, the Dingell-Luken bill would allow these Class-II areas to be downgraded to Class III. Further, it would quintuple the pollution allowed in Class-I national parks and wilderness areas.

C. Who supports the dirty-air bill, HR 5252?

In a recent speech, EPA Administrator, Anne Gorsuch, said, "We, as an administration, are delighted with the introduction of the bill." She promised

that both she and V. P. George Bush would actively lobby for it. Among other supporters are the auto, steel, and chemical industries, the Natl. Assoc. of Manufacturers, and the U.S. Chamber of Commerce. Contrary to some reports, organized labor is not supporting HR 5252. The Industrial Union Dept. of the AFL-CIO has urged Congress to "reject radical revisions of the [present] Act based on industry claims that weakening it is needed to boost the economy".

D. Status of bills in the Congress. In the House Energy's health subcommittee, Luken succeeded in getting HR 5252 used as the mark-up document, instead of HR 5555. The dirty-air forces have, so far, succeeded in keeping HR 5252 intact, as a result of an alliance of 4 Democrats (Dingell, Luken, Gramm, Shelby) with the Republicans. In the Senate, the Environment Committee has no comprehensive bill before it. Chairman Stafford favors legislation similar to Waxman's HR 5555, and has spoken out strongly against HR 5252. Last week, Sen. Hart introduced PSD amendments which Clean-Air forces consider to be weaker than current provisions. Sens. Baker and Stafford have been meeting privately, and there are rumors that Baker is trying to push the White House position (see C, above).

E. Miscellaneous. A recent comprehensive study has shown that ozone pollution annually causes $3.1 billion damage to corn, wheat, soybeans, and peanuts, amounting to 10% of the total value of these four crops, which jointly account for almost 2/3 of the U.S. land harvested. -- An EPA top aide has halted public distribution of an agency publication on acid rain, entitled "A Growing Environmental Problem." -- A Reagan Administration argument against curbing acid rain is that we don't know enough about its cause. Yet, EPA research budgets have been drastically slashed (see ¶10).

12. ENDANGERED SPECIES MUST BE SAVED

"... loss of genetic and species diversity by the destruction of natural habitats ... is the folly our descendants are least likely to forgive us." (E. O. Wilson, Harvard)

A. Prospects for legislation

The Reagan Administration speaks with two tongues relative to its stand on the Endangered Species Act (ESA), which expires 9/30/82. Two federal Departments administer the Act: USDI through its Fish & Wildlife Service (FWS), and USDC (Commerce) through its National Marine Fisheries Service. USDI (Watt) -- without OMB's stamp of approval -- favors a one-year reauthorization without "extensive" changes. USDC is supporting a two-year extension without amendments. The environmental coalition favors the latter position, although it would prefer a longer reauthorization and passage of strengthening amendments, e.g., some that would protect plants. The next-best thing would be to fight the battle in this election year; and the Watt proposal is seen as an Administration stratagem for avoiding the election-year responsiveness of legislators to their electrorate. Among the "minor" changes Watt has proposed is an amendment that would make it easier to exempt species from protective provisions. He also plans to solve some ESA "problems" by regulatory or administrative procedures rather than by amending the law (and we know from the stripmine experience that he is a genius at doing this type of thing).

B. Who are ESA's foes, and what do they propose?

Some industry groups have gone to great lengths and expense in attacking the ESA. The most vocal are the National Forest Products Assoc. (representing >2500 timber companies), the American Mining Congress, and the Western Regional Council (50 corporations, including Kennecott Mineral Co and AMOCO Prod. Co.). Industry groups want to gut Sec. 7 of the ESA, which prohibits federal agencies from carrying out public projects or from issuing permits or licenses for private projects that would jeopardize listed species, or harm their critical habitat. Foes of the ESA also want to limit the kinds of species that may be listed (e.g., they would remove plants and invertebrates from the ESA), they propose limiting listings to full species only (which would eliminate ESA protection for the California sea otter, and for the bald eagle and grizzly bear in the lower 48 states), and they would complicate and lengthen the efforts to list species. They would also limit the "taking" prohibitions (which currently include harrassment, harm, etc., in addition to killing) to cases in which one would have to demonstrate

"intent" of a person to "remove or possess" an individual animal (e.g., it would be OK to chop down a tree carrying a bald eagle nest).

C. Who are ESA's friends, and how can you help?

Some 25 national and international organizations have jointly created the ESA Reauthorization Coordinating Committee, chaired by Ken Berlin (P. O. Box 50771, Wash. DC 20004). They put out a very informative monthly bulletin that provides facts and action suggestions. We suggest you get on their mailing list. In Tennessee, you can get information on endangered or threatened species from Paul Somers or Dan Eagar, Heritage Program (Tenn. Dept. of Conservation, 2611 West End Ave, Nashville 37203, Ph. 615, 741-3852). A 7-page Special Report on the ESA may be obtained by sending a stamped (20¢), self-addressed envelope to TEC (P. O. Box 1422, Nashville 37202). Also, look up TCWP NL 117 ¶8, which provided background on the ESA and listed some reasons for protecting the diversity of life. -- Even though industry groups are greatly outspending environmentalists on lobbying and campaign contributions, remember that our elected representatives rely heavily on the views of constituents, particularly in an election year. ✳ They need to hear from you (House or Senate Office Bldg, Wash. DC 20515 or 20510, respectively). A key contact should be Sen. Baker, a member of the Committee on Environment and Public Works through which the ESA reauthorization has to pass.

13. OTHER NATIONAL ITEMS

A. Proposed revisions in regs jeopardize national forests

The National Forest Management Act regulations, originally published in Sept. 1979, are being revised to "streamline the land management planning process." According to the Wilderness Society, however, the proposed changes would weaken protection for fish and wildlife, further reduce study of the impact of mineral development on federal lands, contribute to the subsidization of timber sales, and allow overcutting of the remaining old-growth timber. Further, substantial reductions in animal populations would be allowed, so long as the populations remained "viable." Comments on the proposed revisions in the regs are due by April 23, and should be ✳ sent to C. R. Hartgraves, Director, Land Mngt Planning, U.S. Forest Service, P. O. Box 2417, Wash. DC 20013. You can get a copy of the regs from the same address, or from TCWP.

B. Wetlands protection in jeopardy

Wetlands are crucial to the survival of fish and wildlife, maintenance of water quality, and flood control; but nearly half of the nation's original 150 million acres of wetlands have already been destroyed. Sec. 404 of the Clean Water Act of 1972 is a powerful tool for wetlands protection, but now that the Clean Water Act is up for reauthorization (by 10/1/82), Sec. 404 has become particularly vulnerable. The Administration, through the very agencies charged with wetlands protection (the Corps and EPA) is attacking Sec. 404, as are certain forces in the Congress. The push comes from developers, oil and gas companies, and certain timber and agricultural interests. Among several proposed amendments, the most devastating ones would restrict federal jurisdiction to traditionally navigable waters up to the high-water mark. This would leave unprotected about half the coastal wetlands, virtually all bottomland hardwoods, and "prairie potholes."

✳ WHAT YOU CAN DO: If you are willing to contact your U.S. Rep and Senators, send your name to EDF Wetlands Project, 1525-18th St, NW, Wash. DC 20036, or call 202, 833-1484. You will be contacted just before key legislative votes.

C. Watt watch

- Late in 1981, Sec Watt ordered an internal study to find out how much money various USDI agencies might be using in grants to any of the conservation organizations, and which USDI employees "support" these organizations by paying membership dues to them.
- According to a Congressional publication, Sec. Watt has refused to permit informal contacts between his staff and Congressional staff.
- Even Watt's native West is not so crazy about him anymore. A recent survey revealed that, overall, 56% felt unfavorably about him (in Colorado, Montana, and Nevada, negative opinions exceeded 60%). Only 28% favored relaxing environmental standards.

- A court recently ruled that Watt violated 2 federal statutes when he reassigned administration of oil exploration in Alaska's Wm. O. Douglas National Wildlife Refuge from the USFWS to the U.S. Geological Survey. The USGS was expected to require less stringent environmental safeguards than the USFWS.
- A Watt proposal to be published in the 3/15/82 Fed. Register calls for 200,000,000-acre blocks of federal lands to be opened for oil and gas leasing each year for the next 5 years.
- California Congressmen have accused Watt of deliberately stalling in order to prevent a land acquisition for which money was already available. The Trust for Public Land had made it possible for the Natl. Park Service to acquire an authorized 1100-acre addition to the Golden Gate NRA at less than half its appraised commercial value; and Congress had specifically appropriated the money. However a lengthy reappraisal was ordered by NPS, and the deadline for the low price was allowed to lapse. In the process, Mr. Watt managed to irritate even powerful Republicans, such as Sen. Hayakawa and Rep. McClosky.
- For other items relating to Pres. Reagan's favorite cabinet member see ¶1, 8A, 9, and 12.

D. The Council on Environmental Quality has been without power during the Reagan presidency, partly because of the virtual elimination of funding (Council + total staff = only 15 people) and partly because of the appointments made. Well over a year after this Administration took office, the 3rd slot remained unfilled. Reagan has now nominated Bobbie Greene Kilberg, an attorney, who most recently served as project director of the Aspen Inst. for Humanistic Studies. She has been active in Republican politics and in women's activities.

E. Regulations can save money. V.P. Bush's Task Force on Regulatory Relief has said a lot about the costs of regulation. However, nobody is doing anything to compare these costs to benefits. NWF Conservation Director Louis Clapper cites studies showing that the attainment of Clean Air Act goals would save 125,000 lives per year and provide a $53.8 billion annual benefit. Reducing water pollution could save $12.3 billion by 1985.

F. Farmland losses in the U.S., the world's leading food producer are enormous. Annually 3,000,000 acres of agricultural land, including 1,000,000 acres prime farmland, are lost to concrete or its equivalent. Another 3,000,000 acres annually are adversely affected by salinity, erosion, and overgrazing. What with major farmland losses elsewhere as well, by the year 2000, over 1/3 of the world's population will be seriously malnourished.

14. STRIPMINE NEWS

A. Bills in the State legislature

HB 1010 (Murphy)/SB 438 (White) to raise minimum bond. As we reported last time (NL 117 ¶7B), a recent State Comptroller's report shows that the average cost for State-contracted reclamation (after operators defaulted) has been $3800/acre, while the Dept. of Conservation hardly ever demands more than the minimum bond of $1500/acre when awarding a permit. This practice has cost the State over $300,000 in the past 5 years. HB 1010/SB 438 would set minimum bond at $5000/ ✶ acre. The bill needs our support -- contact your state legislators without delay.

HB 1502 (Sir)/SB ? (White) would require certain disclosure information to be filed by companies extracting coal from Tennessee. This bill, also, is worthy of support.

✶ SB 1666 (Bill Davis)/HB 1507 (Dills), which merits our opposition, would exempt West Tennessee lignite from the State severance tax on coal. Severance taxes provide county school and road revenues, and a portion contributes to the DSM enforcement budget.

B. State regs finally submitted

On February 3 (the absolute deadline), the Tenn. Division of Surface Mining (DSM) finally submitted its proposed regulations to the federal OSM. The strained time relations that are resulting in State and federal approval processes proceeding simultaneously were described in our last NL (NL 117 ¶7A). At a hearing on the regs held March 11 in Knoxville, Ingrid Canright testified for TCWP. She and others pointed out inadequacies in the State program. There is, however, little doubt that the State will be granted primacy by Watt's USDI. When this happens, Tennessee will receive half of the reclamation fee for the Abandoned Mine Reclamation Program;

the staff of DSM will grow from 73 to 90-100 (see budget item, ¶5G); and the present OSM Asst. Regional Director, Bruce Boyens, will become OSM State Director for Tennessee.

The close relation between the regulators and the mining industry was again illustrated at a recent meeting of FACT (the Tenn. stripmine lobby). Not only the Asst. Commissioner of Conservation, Austin Gaines, but Steve Griles, the Deputy Director of OSM (from Washington), went to discuss the proposed regs with the coal operators. Also appearing was Rep. Robin Beard, candidate for the U.S. Senate.

C. The wrecking of OSM regulations continues

Hardly a week goes by without a change in OSM regulations. A recent one allows portions of highwalls to be left standing when a previously mined area is being re-mined. (The Act's requirement to restore approximate original contour has always been a sore point with the industry.) -- Another change in the OSM regs allows some stripping operations to escape provisions of the law concerning restoration of prime farmlands. This amendment has been challenged in court in a suit brought by the National Wildlife Federation against James Watt.

15. SYNFUEL DEVELOPMENTS

Not long after you receive this NL, the U.S. Synthetic Fuels Corp (SFC) will meet to determine the relative strengths of 11 candidates for federal loan and price guarantees to develop synthetic fuel plants. The list, which has already been pared down from an original 62 applicants will be further reduced. Two of the present 11 candidates propose plants in Tennessee -- one at Memphis, the other at Oak Ridge. The latter plant may have lost points in the upcoming judging as a result of the pullout on March 6 of one of the two partners, Tulsa-based Cities Service Co. The remaining partner, Koppers Co., claims it is still confident of receiving the $1.3 billion from the SFC, and says it would rather drop projects in other states than the one at Oak Ridge.

Critics of the Oak Ridge plant have pointed out that the plant is, both, environmentally damaging and economically inviable. Among the environmental impacts mentioned are: tons of toxic air pollutants, acid rain in the Smokies, denuding of a very large plant site, problems of disposal of hazardous slag, removal of 9000 gal/day from the Clinch and return of 2000 gal/day waste water, consumption of 10 million tons of coal per year. The coal use alone is a huge item: to put it in perspective, it is equivalent to the present coal production of the entire state of Tenn. Koppers' 200,000-acre stripmine site in Campbell Cy. could probably supply this amount. If you are interested in more information, contact Dr. Frances Pleasonton, 111 Pleasan Rd., Oak Ridge.

16. PUBLICATIONS AND COURSES

- "Minerals and the Public Lands," a 105-page pocket-sized book compiled by 7 national conservation organizations, provides answers to those who charge that public lands are a "lockup of resources." (Free, from Alison Horton, Natl. Audubon Soc., 645 Pennsylvania Ave SE, Wash. DC 20003).
- "Tennessee Hiking Guide," edited by Robert S. Brandt and compiled by the Tenn. Chapt. of the Sierra Club. Just published. (Send $1.95 to U.T. Press, 293 Communications Bldg, Knoxville 37996-0325.) The guide describes 40 hiking areas throughout the state (arranged geographically noting their natural features and the length and difficulty of their trails. Info is also included on how to reach trailheads, any trail-use restrictions, and addresses of agencies that can furnish maps, etc.
- "Endangered means there's still time," 1981, is a 33-page booklet about the Endangered Species Act; beautiful photos ($2.50 from Govt. Printing Off., Wash. DC 20402. Request No. 024-010-005-26-2)
- "Endangered Species: the road to recovery," 1981. Useful description of the ESA and photos (Free from Publ. Unit, U.S. Fish & Wildlife Service, USDI, Wash. DC 20240)
- "The Year in Review - Policy Changes and Implementation, 1/1/81-1/1/82" is a 39-page report by the TN Dept. of Conservation. There are 2-3 pages on each of the Divisions and Services, but more on surface mining. (Free from DoC, 2611 West End Ave, Nashville 37203)

- "Desertification of the United States" is a 1980 CEQ study that is being withheld by the Reagan Administration but available from NRDC (25 Kearny St., San Francisco, CA 94108; send $1.50). Analyzes causes such as destruction of native vegetation, declining water tables, erosion.
- "Contamination of Groundwater" is also a 1980 CEQ study presently being withheld but available from NRDC (122 E 42 St, New York, NY 10168; send $1.50). This study examines the scope and severity of contamination by toxic chemicals.
- Courses on backpacking and wilderness survival and on whitewater rafting are offered by the U.T. Division of Continuing Education. For info, call Knoxville 974-6688 or 974-6801.

17. CALENDAR

March 30	TCWP Letter-Writing Social*
April 2-4	Seventh Annual Conference on Rivers (Damfighters Conference), Wash. DC. Cheap housing available (Call 202, 547-0010 or 547-5330)
April 24	TCWP wildflower hike, Frozen Head State Park*
May 5	TCWP program on air quality, with film "Acid from Heaven"*
May 22	TCWP hike in the Cherokee National Forest*
June 5	Duck River float*
June 18-19	TCWP campout and hike, Highlands of the Roan*
July ?	TCWP Obed swim and picnic*
October 29-31	TCWP Annual Meeting, Pickett State Park*

*See TCWP Activities sheet for details

18. ACTION SUMMARY

¶ No.	Issue	Contact	"Message" or Action
1	Watt's anti-wilderness bill	US Rep and Sens.	"Oppose HR5603. Withdraw wilderness system from mineral activity!"
2	Park protection	US Rep and Sens.	"Support Seiberling's HR5552!"
3	Hunting in Frozen Head	Comm. Howell, with copies to 2 others	"Hunting is incompatible with highest use of the park!"
4	Big S Fork	Sen. Baker	"No oil leasing in already acquired areas!"
5C-G	Good bills in State Legislature	State Sen. & Reps.	"Support 'superfund', container deposits, septic tank bill, public transport!"
6C	Ocoee	Rep. Duncan	"Introduce bill to prevent user fees!"
7D	River studies	Director, NPS	"Continue studies for adding rivers to Natl. W & S Rivers System!"
8A	Land & Water Fund	US Rep and Sens.	"Appropriate sufficient $$!"
9	Sale of federal lands	US Rep and Sens.	"Oppose S. Res.231 and H. Res.265!"
10	Subversion of EPA	US Rep and Sens.	"Do not permit!"
11	Clean Air	US Rep and Sens.	"Support HR5555; oppose HR5252!"
12	Endangered Species	Sen. Baker and others	"Extend ESA and do not weaken!"
13B	Wetland protection	EDF Wetlands Proj.	"I will help"
14A	Stripmining	State Sen and Rep	"Support HB 1010/SB 438!"

* Turn the page for ACTIVITIES SHEET *

If a dues statement is enclosed, please pay!

TCWP ACTIVITIES SHEET

These are our currently planned activities -- mark your calendar. Others will be added as the year progresses, so watch future NEWSLETTERS and announcements in the papers. Our outings are planned for "issues" areas. They are suitable for people of all ages; bring friends too, by all means.

March 20, hike on Walden Ridge. This ridge-top path, rich in views, is part of the Cumberland Trail, a State Scenic Trail. Natural resource areas (such as this) need our strong support. Owen Hoffman was trip leader.

March 30, Letter-Writing Social, 7:30 p.m. at the Hoffmans, 121 Westwood Lane, Hartland Estates (off Poplar Creek Rd), Oliver Springs. Spend an hour writing much-needed letters to legislators, etc. (Advice will be available.) Then have a party (refreshments) with old and new friends. Call 435-6293 or 576-2118 if you need info on how to get there. Bring friends.

April 24, wildflower hike in Frozen Head. Meet 10 a.m. EDT at the HQ building just inside the park entrance. (To reach park, turn off TN62 south of Wartburg and drive about 4 miles.) Don Todd will be our leader. The beautiful mountains, valleys, and streams of Frozen Head have been besieged by many threats, most recently a demand for large-scale hunting (¶3, this NL).

May 5, program on air quality: movie "Acid from Heaven." With the Clean Air Act reauthorization being debated in the Congress (see ¶11), this is a timely topic. The film, produced by the National Film Board of Canada, is described as "accurate, up-to-date, and scientifically vetted." Following showing of the film, we shall have a discussion of air-quality problems as they affect parks, wilderness areas, and rivers. The meeting will be held in Oak Ridge, exact location to be announced.

May 22, hike in the Cherokee National Forest, probably Slickrock-Joyce Kilmer wilderness (details later). Some of the Cherokee's wildernesses are threatened by oil and gas leasing (see NL 117 ¶1).

June 5, float on the Duck River, which is threatened by Columbia Dam (¶7, this NL). This easy 8-mile float is for paddlers of all ability levels, even novices (bring kids, guests). If you don't have your own equipment, you can rent the works (canoe, paddles, life jackets) for $11. Bring lunch in water-proof container. Camping and rooms available at Henry Horton State Park. Meet 9:30 a.m. CDT at River Rat Canoe HQ, Intersection of Highways 431 and 99, ca. 40 mi S. of Nashville. For info, call 615, 896-4154, 896-4384, 256-8465, or 896-4069.

June 18-19, hike the Highlands of the Roan, a magnificent area which the Southern Appalachian Highlands Conservancy is attempting to preserve through land acquisition (NL 117 ¶5C). We shall camp at Roan Mtn. State Park on June 18, and hike on June 19, hopefully at the height of the blooming season. Details later.

July (date to be announced), Obed swim and picnic. We shall go down into the deep gorge and enjoy one of the many swimming holes, sunbathe atop the huge boulders on the shore. The Obed will need our continuous support in these days of uncertain federal funding until we achieve full implementation of the protective Wild & Scenic River status.

October 29-31, TCWP Annual Meeting, Pickett State Park group camp. The fall colors should be at their peak, and we will combine an interesting program of speakers and discussions with some hikes and good times. (If you can help with meals, get in touch with Miriam Guthrie 482-2111.)

Stay at the scenic River-Bend Farm on the Obed -- and help TCWP

Do you know of anyone coming to visit Expo who wants a beautiful (and reasonable)) place to stay? Do you and your family want to get out into the country for a weekend? Jack and Mary Ann Gibbons are renting their farm this season to members of conservation groups, and will turn over part of any profit as a contribution to TCWP. Accommodations include screened cabins with bunk beds (bring own bedding), a bathhouse, outdoor firepits, and a central dining and social hall where breakfast will be served. Mail inquiries to TCWP, 130 Tabor Road, Oak Ridge, Tennessee 37830.