

TENNESSEE CITIZENS FOR WILDERNESS PLANNING
Newsletter No. 109, January 7, 1981*

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Star in margin means "Action needed"

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1. THE COLUMBIA DAM BATTLE IN FULL SWING

A. Water quality hearings in progress

The hearings before the State Water Quality Control Board began Dec. 15, recessed Dec. 19, and will start again on January 5, still in Phase 1. Phase 1 addresses only a single issue: will state water quality standards be violated by completion of the Columbia Dam? Should the WQCB rule that they won't, the hearing will then progress to Phase 2, in which the Board must consider water-quality degradation more broadly and look at such issues as the economics of the project, agricultural losses, social factors, etc.

Just before the start of the hearing, the WQCB received the report commissioned from special water-quality consultant, Kenneth M. Mackenthun. This recognized expert in reservoir WQ concludes that high phosphate levels in the Columbia reservoir would lead to bad eutrophication, and that the heavy algal growths would curtail, if not eliminate, the major benefits claimed for the project, namely those pertaining to recreation and water supply. In the summer, the reservoir would be choked with alga; in the winter, it would comprise 8300 acres of mudflats. Downstream water supplies would suffer from foul odor and taste. TVA's proposal to discharge water at different levels of the dam could lead to high iron and manganese concentrations downstream.

Surprisingly, some of TVA's own testimony at the hearing was not too different from the Mackenthun report. Bruce Brye, chief of TVA's WQ branch stated that the growth of algae in the lake could result in filter clogging, and in taste and odor problems in downstream water supplies, but that affected towns could then choose to modify their treatment plants to get rid of algae. A 1979 memo by TVA's Asst. General Manager was produced, which states: "Since closure of the Normandy Dam in 1976, we have seen algae-induced taste and odor problems develop to a greater extent than anticipated." New TVA studies show algal growths at all water depths of Normandy reservoir. -- It has been suggested by News-Sentinel columnist David Lyons that the WQCB hearings may be a way for TVA to extricate itself from the Columbia Dam "albatross," at a time when the agency cannot afford any more congressional castigation. (See C, below and #8, this NL).

Pledgeforms for support of legal effort

Although the Environmental Defense Fund (EDF) is bearing the brunt of the legal cost in connection with the WQCB hearing (and of the probable subsequent appeal), local lawyer Frank Fly continues to be in the red (Sierra Club pays expenses for the other local lawyer, Joe McCaleb). The TCWP treasury has, to date, contributed \$600 to the legal effort, but individual contributions are badly needed as well. Please see the pledge form, printed at the bottom of p.12 of this NL.

Congressional committee asks Corps to consider b/c ratios

TVA has consistently denied the existence of benefit/cost analyses on alternatives to Columbia Dam. However, staff of the House Government Operations Committee's Subcommittee on Environment, Energy, and Natural Resources recently discovered that TVA had, in fact, not long ago prepared such analyses for the dam and for alternatives discussed in the study (concerning endangered mussels) which was submitted to OMB in April 1979. The subcommittee report (which has now been endorsed by the full committee) publishes a table of b/c ratios worked out -- but suppressed -- by TVA, which shows that a certain "no dam" alternative, for example, would save \$53 million while providing for the area's water needs for the next 50 years (by altering the Normandy Dam operation). A small-impoundment alternative has a b/c ratio slightly above 1.0, while the ratio is clearly below 1.0 for the project as planned. Following publication of the committee report, Asst. Sec. of the Army, Michael Blumenfeld, on Dec. 3 wrote to David Freeman requesting that TVA provide b/c analyses for the various alternatives, to be considered by the Corps "in conjunction with all the other data in evaluation of public interest factors" for the "404" permit. Freeman responded on Dec. 9, saying that Congress had already made the decision of "public interest" by directing the TVA to complete the project by 1985. On seeing Freeman's reply, subcommittee chairman, Toby Moffett wrote to Blumenfeld, asking the Corps to hold the 404-permit process in

abeyance until the requested information is received from TVA. His letter makes the point that no federal agency should get away with refusing to provide "whatever information it may deem irrelevant or embarrassing."

2. CLEAN AIR SETTLEMENT WITH TVA FINALLY ACHIEVED

A lovely Christmas present was the final settlement of the consent decree between TVA, EPA, and the citizens' groups (TCWP among them). The decree was signed by Judge Wiseman on December 22, the intervenors (power distributors) having at last decided to end their obstructionist tactics. Few of you are probably aware of the tremendous amount of highly intelligent effort expended by the citizens' group attorneys, Dean Rivkin (with help from Tom Johnson) and Dick Ayres. One lovely outcome of the settlement is that at last they'll get paid! The consent decree represents an out-of-court settlement of a suit filed against TVA in the summer of 1977. Since that time, TVA, under Dave Freeman, has steadily moved toward implementation of the pending decree in order to come into compliance with The Clean Air Act. (Freeman's predecessor, Red Wagner, by contrast, had been in open defiance of this law, making TVA the most polluting utility in the country). One of the provisions of the consent decree is creation of a citizens' oversight committee. TCWP may have a representative on this committee.

3. BIG SOUTH FORK CAPSULES

- A. Stripmining within the designated boundary (but within a still privately-owned area) has been averted, thanks to the alertness and perseverance of BSNRRA Superintendant, Doyle Kline, and thanks to the regional office of OSM which clarified and applied sections of the federal stripmine law to the situation. Doyle Kline has been trying, ever since July 1, to get the state to deny the permit; but the Tenn. Division of Surface Mining was evidently unaware of the pertinent provisions of the federal law. Sec 522(e) prohibits surface coal mining within boundaries of any National Recreation Area designated by an Act of Congress, except for valid existing rights. A valid existing right means (a) property rights in existence 8/3/77 (when the federal law was passed), and (b) a permit issued on or before 8/3/77. The 1980 permit application was thus denied, and it is hoped that this precedent will put an end to further stripmine worries for lands within designated BSNRRA boundaries.
- B. The Tabard Inn proposal for the Tennessee Lodge will be discussed at public meetings, as follows: (a) January 15, 7:30 p.m., TVA Bldg, Knoxville, (b) Jan. 16, 7:30 p.m., Rugby Library, (c) Jan. 17, 2 p.m., U.S. Courthouse, Nashville. As you may recall, the authorizing legislation for the BSNRRA provides for two lodges -- one in Kentucky and one in Tennessee. A reconstruction of the historical Tabard Inn at Rugby may be an excellent location for the latter, because it would not impinge on any of the natural environments of the Area, and, at the same time, would provide an interesting facility. Any TCWP member wishing to attend one of the meetings and/or to provide comments should get in touch with the editor.
- C. Bids for road construction and bridges are being solicited by the Corps and will be opened Feb. 25. All of the present work is planned for the Leatherwood Ford Road, 18 miles of which will be upgraded. Two new bridges will be constructed, one at Leatherwood Ford and the other at Bandy Creek. The former will be a steel span, 55 feet above the Big S. Fork. The old bridge (which recently collapsed under the weight of a coal truck) will remain as a foot path.

4. SURFACE MINING: THE STATE AND THE NATION

- A. Suit seeks changes in Tennessee surface mine law
On Dec. 9, SOCM and TCWP jointly sued Secretary Andrus for his partial approval of the surface mining law which Tennessee submitted 2/28/80 and re-submitted (revised) on 6/11/80. Specifically, the organizations charge that the Tennessee program violates federal law in two respects: The Reclamation Review Board, and the procedures for public participation. Tennessee law requires that two members of the 5-person Board be representatives of the mining industry, thus denying citizens their right to an impartial Board. Plaintiffs ask that the Secretary be ordered to disapprove the Tennessee Program unless appropriate changes are made within 60 days.

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B. State is granted delay in submitting regulations

The state has had plenty of opportunity to get its regulations written in time for the Dec. 9 deadline for submission to OSM. However, the regulations were supposedly still incomplete by early December, and, in the normal course of events, this should have resulted in the state being denied primacy, with OSM taking over enforcement. But the coal operators (FACT) sued for an injunction to prevent submission of the state program by the Dec. 9 deadline, the state testified strongly on FACT's side, and Chancellor Kilcrease moved the deadline to March 4 (with another 75 days thereafter for hearings). Three other nearby states have been granted similar postponements. What's the strategy? It seems that the coal industry is hustling for delays in hopes that President-elect Reagan will somehow bring about changes in the federal law, or will restaff OSM with industry-beholden personnel.

1. First decision to declare certain Federal lands unsuitable for surface mining

In December, Secretary of Interior Andrus declared as unsuitable for mining certain Federal lands that contain portions of the Alton coal field. This action was taken in response to a petition filed 11/28/79 by the Sierra Club, Friends of the Earth, and EDF, asking that 240,300 acres of Federal lands be excluded from surface mining and surface effects of deep mining because of the proximity of these lands to Bryce Canyon National Park (only 5 miles, in some spots). Andrus' ruling only partially grants the petition in that it bans surface mining and surface effects of deep mining in about one-half of the acreage within the petition area, specifically in those portions that are visible from the Park or which could cause noise intrusions into the Park. The exclusion area contains less than 10% of the coal tonnage under Federal lease in the Alton coal field. Coal mined from the remaining 90% will go in a slurry pipeline to two powerplants (one close to Zion National Park) for electricity sold mostly in California. Even though Andrus did not approve the entire petition, his action sets an important precedent for the Section 522 process under the Federal Surface Mining Act.

2. Other stripmine capsules

- The Board of Reclamation Review recently upheld Commissioner Tuck's denial of a permit for Lonnie Hatmaker, who had been found mining illegally in Campbell Cy. This is the first positive action against wildcatting under the new Tennessee law.
- The state's Surface Mining Division was moved to Knoxville before there was any space for it, and has been scattered among several buildings. In a couple of months, they may be moving into a warehouse at 3550 Pleasant Ridge Rd, where the lease costs \$83,000 per year -- more than for equivalent space in Nashville. The Division is still without a director; applicants for C. C. McCall's replacement are being interviewed.
- The federal Office of Surface Mining (OSM) has approved a grant of \$63,446 to Tennessee. This is earmarked for developing the state's first-year plan for priority projects to reclaim abandoned mine lands.
- OSM has modified its requirements for "return to approximate original contour." If an operator can bring certain proofs, he will be allowed to retain benches in steep-slope areas, but must backfill the highwall and must limit the amount of spoil pushed off the bench to that which is necessary to achieve an approved postmining land use. To be allowed this exemption from back-to-contour, an operator must show that water-shed control would thereby be improved and that certain postmining uses would be facilitated.

5. TENNESSEE NEWS

Howell replaces Tuck as Conservation Commissioner

In early December, Ann Tuck was transferred to a lower position in the Dept. of Public Health. The official story is that Mrs. Tuck asked for the transfer; but there are rumors that the Alexander Administration was unhappy with the level of Tuck's comprehension of stripmine problems. Mrs. Tuck's replacement is Charles A. Howell III who comes from the Department of Finance and Administration, where he is rumored to have been responsible for pushing mineral leasing on state lands (NL 103 ¶2, NL 107, ¶4A). The replacing of Commissioner Tuck (and one other Commissioner) is seen by some political analysts as a sign that Gov. Alexander plans to run for a second term.

B. Tennessee Forest Resource Plan (TFRP) in the making

Two federal laws (The Forest and Rangeland Renewable Resource Planning Act of 1974, and the Cooperative Forestry Assistance Act of 1978) have prompted preparation of the TFRP. This Plan is intended to provide a framework for assessment of the forest resource and subsequent recommendations for action to meet projected demands and needs. Mike Countess, Forest Resource Planner has invited TCWP comments on a number of questions related to the state's forest resources and their management. Anyone interested in discussing these questions should get in touch with the editor.

C. Nature Conservancy purchasing natural areas in Tennessee

TNC has negotiated an option on a tract that would add 20 acres to the Taylor Hollow Preserve, an area of rare and endangered plants. The addition contains a waterfall, bluffs, and the critical source of the stream which flows through the hollow. Funds will be needed to make the purchase. TNC also has obtained an option to purchase a tract, near the Powell River in Claiborne County, which contains the only population of Showy Ladyslipper known to exist in Tennessee, as well as a stand of rare northern white cedar. Contributions to the Conservancy's Louise G. Currey Memorial Fund will be used toward purchase of these two areas (send to TNC, 301 Seventh Ave N, 114 Capitol Hill Bldg, Nashville, TN 37219).

D. Lakeshore Management Plan for Old Hickory Lake needs your support

The Nashville District of the Corps has had a Plan in effect since 1973 to preserve the remaining undeveloped public shoreline in natural condition, so the entire lakeshore will not be cleared and congested with private docks. We have a detailed map of this Plan on file. Demands by landowners to be granted special privileges has now resulted in a hearing to determine whether the Plan should be modified. If the Corps bows to a few individuals at this time, will it stick with protective provisions elsewhere? Can you testify January 20, 7 p.m., at Gallatin (Volunteer State Comm. College) or Jan. 22, 7 p.m. at Lebanon (High School)? If not, can you send a brief written comment by Feb. 21 (to District Engineer, Attn.: ORNOP-R, P. O. Box 1070, Nashville 37202)?

E. Koppers' synfuel plans proceeding

The Synthetic Fuels Corp. (SFC) is a quasi-governmental agency, set up by the 1980 Energy Security Act, that makes loan and purchase guarantees to industry involved in synfuels production. One of the SFC's first applications came from the Koppers Corp, which proposes to build a plant either in Campbell County or in Oak Ridge (SFC will not enter into the site decision). This synfuel plant would cause "the mining of huge amounts of coal," according to Gov. Alexander. Koppers has also applied to DOE for funding for a project-feasibility study. The company has stated that it can proceed with its planning even in the absence of the DOE funds, but that it would not continue with the project itself without the SFC loan guarantee.

6. RIVERS AND WATER PROJECTS

A. Caney Fork doesn't make it this time

The Wild and Scenic Rivers package, which contained Tennessee's Caney Fork as a study river (NL 107 12), though considered totally non-controversial and supported by hundreds of organizations, was held up by Sen. McClure. Efforts to get it to the floor of the Senate before the end of the session were in vain. However, in all our calls to, and correspondence with, congressional offices, we were impressed by the level of support we seem to have generated. Hopefully, therefore, there will not be any problem with this proposed legislation in the new session of Congress.

B. Tellico historical and snail-darter funds diverted for development

The Tellico Historical Foundation, based in Memphis, has approached TVA with the request that 5000 project acres (from Ft. Loudon south to Bacon Bend) be set aside for historic preservation, and not developed. The Foundation has also approached the Cherokees for support. TVA's historical preservation funds were recently cut by \$200,000 when the Tellico Area Planning Council pressured the agency to release the money for development purposes. It appears doubtful that remaining funds will be sufficient for restoration of Chota and establishment of an Indian

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village. Also shifted at the request of the Tellico Area Planning Council was \$200,000 that had been earmarked for snaildarter recovery. Other agencies must now continue this project, says TVA. Since the recent discovery of snail darters in Chicamauga Creek, UT's Dave Etnier has found the fish in 10 different locations in the Creek.

C. Tennessee water policy to be studied

A policy committee of the Tennessee General Assembly has recommended that \$25,000 be appropriated to the U.T. Water Resources Research Center. This will be added to \$100,000 of federal funds to pay for a one-year study of Tennessee's water-policy needs, specifically with regard to ground-water protection, water supply, and water law. An interagency task force, led by the Div. of Water Resources (TN Dept. of Conservation) will oversee the study.

D. Disasters averted

Several senators tried to sneak through several harmful water-project-related measures by tacking on amendments to the Continuing Appropriations Bill, which had to be passed in the closing days of the Congress. All failed, thanks to the vigilance of environmental groups in D.C. One of the worst would have been the McClure amendment pertaining to the designation of wild and scenic rivers. Under the law, as it reads now, one avenue for designation is for a state to make a recommendation to the Sec. of the Interior, who can then declare the river as part of the National Wild & Scenic River System without congressional action. The McClure amendment would have required approval by certain key members of the Congress.

7. THE CONTAINER-DEPOSIT BATTLE

In a recent letter, the Governor wrote "I would like to see bottles and cans picked up, too. I am more concerned about chemical wastes, radioactive wastes, and air and water pollution ...". The Governor needs to be reminded that the deposit law would accomplish not only litter pickup, but energy savings, resource recovery, landfill reduction, and state revenue savings. (Write to Gov. Lamar Alexander, State Capitol, Nashville, TN 37219). - Your grocer needs to be reminded that he would keep a penny from every nickel deposit collected, that he would be allowed to refuse unclean containers, and that he could limit redemption hours.

The November-15 state litter pick-up again showed that "no-deposit" bottles and cans make up 70% (by weight) of roadside litter. Had there been a 5¢ deposit, \$1,303 could have been collected by the 170 people who worked an average of 2 3/4 hours each. Only 0.001% of the litter was made up of returnable bottles. The total trash amounted to 482 pounds per mile of road. -- Why not write to your state legislators and tell them some of these facts?

A recent report by the General Accounting Office (GAO) finds that roadside litter has been reduced by at least 80% in states which have a container-deposit law. According to the GAO study these states experience a 90-95% return rate, which allows each container to be reused 10 to 20 times. The Maine law alone has spurred an increase of more than 600 jobs.

8. TVA UPHEAVALS

The replacement for Bob Clement, whose term on the TVA Board expires in May of this year, will be named by President-elect Reagan. LaMar Baker of Chattanooga has announced that he is interested in the job. You may remember that Baker, an arch-conservative, was 3rd District Congressman from 1970 to 1974. Another rumored candidate for the Clement replacement is Robert Sansom, a D.C.-based energy consultant who heads the Reagan transition team on TVA (see B below).

The Reagan transition team on TVA (Sansom; Keel Hunt, a Gov. Alexander aide; Jim Range, a Sen. Baker aide, and 3 industry- and business-related persons) has set as its No. 1 priority the "cost-effective delivery of power to the user." The team is also looking at how internal decisions are made in TVA, and is considering Sen. Baker's proposal to expand the Board or, alternatively, to establish a board of "outside directors."

Senate oversight hearings on TVA, on Sen. Baker's request, were postponed until after the Reagan inauguration. By that time, Sen. Stafford (R-Vt) will have replaced Sen. Jennings Randolph

(D-W. Va.) as chairman of the Public Works Committee. Stafford, in the past, has followed Baker's lead on TVA. Baker is considering major reorganizations in the TVA top management, such as expanding the Board from 3 to 5 or 7 and/or creating a separate administrative staff for carrying out Board policy decisions.

- D. TVA is overbuilding generating capacity, but no substantial savings would be achieved by deferring construction. That, in a nutshell, is the finding of a GAO study and the response of a Dec.-11 Senate subcommittee hearing based on the study. The General Accounting Office found that if TVA were to build (at a cost of \$31.6 billion) all 14 of the nuclear reactors it plans to have completed by the year 2000, the generating capacity would substantially exceed the projected power needs of the Tennessee Valley. According to Sen. Sasser, TVA is tacitly admitting its over-capacity by negotiating to sell power outside the Valley. However, a GAO official testified at Sasser's hearings that deferring plant construction would bring no substantial savings. Nobody seems to have said much about other probable costs to the region from this anticipated power explosion.
- E. TVA is encouraging its staff to join local Chambers of Commerce, and even paying for the cost of individual memberships (\$25-100), according to "Solar Beat," which, in turn, quotes from "Inside TVA" of 12/2/80. A recent TVA Board memo says "We feel local Chambers are strong forces for improving community life and that TVA, as a good corporate citizen, should actively support their efforts." Do you reckon TVA would pay their staff to join groups that really improve community life where it's most needed, e.g., SOCM?
- F. Overall accountability of TVA as a public agency is the major concern of the Tennessee Valley Citizen Forum (NL 107 ¶9C) which, in April, will sponsor a conference on TVA policies. Organizers are hoping that diverse groups and individuals impacted by TVA will participate in the conference. For more info contact Dick Couto, Center for Health Services, Nashville 322-4773 or Louise Gorenflo, Rt. 6, Box 526, Crossville, TN 38555, Phone 788-2736.

9. THE WATT NOMINATION FOR INTERIOR DRAWS FIRE

Political analysts agree -- and we ourselves have said it too (NL 108 ¶7A and this NL ¶14): The election results did not represent an anti-environmental mandate. Yet, President-elect Reagan acted as though they did when he nominated James G. Watt for Secretary of the Interior. "It appears that Reagan is paying off his political debts to the right wing with the environmental issue," said William Turnage, director of the Wilderness Society. Watt has more clearly demonstrated his strongly anti-environmental philosophy than almost anybody who could have been nominated for the USDI job. Since 1977, he has headed the Mountain States Legal Foundation (MSLF), a non-profit group based in Denver, whose avowed purpose is "to fight in the courts those ... no-growth advocates who challenge ... economic freedoms." With a million-dollar-per-year operating budget derived from Western corporations (Kennecott Minerals, Boise Cascade etc, ... yes, and Coors Beer!), MSLF has argued the following cases in the courts: (a) USDI and USDA do not have power to restrict public access to federally-owned lands, e.g., by giving them wilderness protection or by designating wildlife refuges; (b) USDI does not have the right to restrict grazing on what environmentalists say are overgrazed public lands in New Mexico; (c) EPA does not have the right to withhold federal aid to Colorado on the grounds that the state lacks a required inspection program for auto-emission controls; (d) Indian water rights should be done away with, etc. Watt is a strong supporter of the Sagebrush Rebellion (which demands that federal lands be turned over to the states for exploitation). Is this the philosophy we want for a man who, as Interior Secretary, will have to make decisions concerning stripmine regulations, Alaska implementation, water rights and use, and wilderness, and who will be exposed to strong pressures for mining and energy developments on Federal lands?

Watt's jobs, previous to the MSLF one, have consisted of (a) aide to Sen. Simpson (of Wyoming) for 4 years, (b) Natural-resources lobbyist for the U.S. Chamber of Commerce for 2 years, (c) Director of the Bureau of Outdoor Recreation (BOR) for 3 1/2 years in Nixon's second term, and (d) a member of the Federal Power Commission, 1975-1977. Not only is Watt's philosophy anathema to environmental hopes, but his ability to interact with people may leave something to be desired. We have heard much comment on his performance at BOR, where morale apparently sank to *over*

an all-time low during his tenure. It is said that he consulted noone in his decision making, allowed noone to question his decisions, arbitrarily demoted or fired staff, demanded daily prayer meetings, and instituted a "management-by-objective system" that led to 20-30% of staff time being spent in record keeping. During his BOR tenure, he awarded two consulting contracts to a fraternity brother; but when called to the carpet on this during his subsequent FPC confirmation hearings, he just said "when you're trying to get results, you go to people you know." WHAT YOU CAN DO: If it isn't all over by the time you read this, call or wire your senators (Sen. Baker is, of course particularly influential) and ask them to resist confirming a nomination that would put the fox in charge of the chicken coop. (Phones: Sen. Baker 202, 224-4944; Sen. Sasser 202, 224-3344; other senators 202, 224-3121; Senate Office Bldg., DC 20510).

10. THE SMOKIES ISSUE ALMOST GOT RESOLVED

Sec. of the Interior, Cecil Andrus had worked out a compromise with Swain County to settle the 1943 Agreement (and thus clear the way for wilderness designation in the Park). To that end, he had approved a \$9.5-million payment to the county in lieu of the North Shore Road. A bill to accomplish this was introduced by Rep. Lamar Gudger (D-N.C.), but the Congress ran out of time. Now we may have to start all over, with a new Administration and Congress.

11. SUPERFUND: A START TOWARD CLEANING UP TOXIC WASTE

The toxics clean-up measure passed by the lame-duck Congress, and signed by Pres. Carter Dec. 11, fell short of expectations. Nevertheless, it represents a major new environmental law, and one that can be built on. More than 60,000,000 tons of hazardous wastes are produced annually in the USA, and over 90% of these are believed to be disposed of in environmentally unsound ways. Money for the \$1.6-billion clean-up fund will come mostly (87.5%) from industry by way of excise fees levied on certain chemical processes; only 12.5% will be provided by general revenue appropriations. (The chemical industry had lobbied hard for at most a 50:50 split, so the outcome represents a victory for the taxpayer.) The fund will permit the government to act fast to end a health threat, then proceed with prosecution of offenders to recover cleanup costs. This contrasts with the current pattern, by which litigation can drag on for years before clean-up begins.

In achieving passage of the bill now (before a presumably less environmentally-inclined Congress comes into being), the following compromises were made: (a) coverage of oil spills was omitted (this may be added next year); (b) the size of the fund was set at less than the original price tag of \$4.2 billion; and (c) all mention of victim compensation was dropped. This last item is considered to be the most significant loss, since industry liability would have been a powerful incentive for the safe disposal of toxic wastes. The final compromise got overwhelming support in both Houses of Congress: 78:9 in the Senate, and 274:94 in the House (all Tennessee Reps voted "yes", except Beard who was absent).

12. CLEAN AIR: THE STAKES ARE HIGH

The Clean Air Act of 1970 comes up for re-authorization in 1981. The auto, steel, and utility industries are already telling the public and the Congress that we can no longer afford really clean air. (See #14B, this NL, for congressional committees that will deal with the subject.) Interestingly, our main foreign competitors, Japan and Germany, have prospered on world markets in spite of having air-pollution standards that are at least as stringent as ours. Actually, we can hardly afford not to have clean air. Polluted air costs America billions of \$\$ in absenteeism, permanent disability payments, hospitalization, and damage to materials and agriculture. It is not too early for you to write to your U.S. Rep (House Office Bldg, Wash. DC 20515) and both Senators (Senate Office Bldg. DC 20510), telling them that Congress has a special duty to protect the nation's health, to say nothing of saving dollars. Also, consider a contribution to the Natural Resources Defense Council (122E 42, New York, NY 10168), which has launched an all-out effort to save the Clean Air Act.

Special components of the clean-air problem, which derive from the increased (and increasing) burning of coal, are acid rain and the "greenhouse" effect. Acid rain has already killed

thousand of lakes in the northeastern U.S. and in Canada. The omnibus energy law, signed 6/30/80, includes a \$50-million, 10-year study of acid precipitation, to be carried out by the National Laboratories, which will look into causes, effects, and possible prevention of effects. The same law also includes a 3-year, \$3 million study by the National Academy of Sciences on atmospheric CO₂ and the threat of climatic changes.

13. OTHER NATIONAL NEWS

- A. Alaska Lands Act: improvements needed. As passed and signed, the Act contains two harmful provisions that Rep. Udall says he'll try to correct in the next session. (a) \$40 million per year (for an indefinite number of years) are authorized to build roads and other facilities to aid lumber companies in getting the timber out of the Tongass National Forest. (b) An amendment to the 1964 Wilderness Act, tacked on to the Alaska bill, loosens restrictions on building road access to private inholdings within wilderness areas nationwide.
- B. Three wildernesses established under the RARE-II process. Congressional action based on the U.S. Forest Service Roadless Area Review resulted in passage of three major wilderness bills in 1980. We have reported earlier (NL 107 ¶12J) on the 2.3-million-acre Idaho wilderness. During the lame-duck session, Congress completed action on designating 1.4 million acres of wilderness for Colorado and 0.6 million acres for New Mexico. An additional 500,000 and 117,000 acres in these two states, respectively, were set aside for further study. (California and Oregon bills passed one House only.)
- The Colorado and New Mexico Acts contain compromise language by which areas not designated as wilderness or for further study need not be (but can be, if desired by the USFS) managed to protect their wilderness characteristics. Theoretically, they could still be recommended for wilderness at some future time. The timber industry was pushing, instead, for language that would have permanently designated such lands as non-wilderness (see TCWP Special Mailing 80A).
- C. Other actions of the lame-duck Congress. One little-noticed achievement was passage of the Conservation Easement Act. Persons making easements as contributions for such purposes as habitat protection, preservation of open space, or education may now claim a tax deduction. -- The lame-duck Congress successfully fought back Sen. McClure's effort to move the predator-control program from the Interior to the Agriculture Dept., where it would have been more susceptible to ranchers' demands for large-scale coyote poisoning. -- Two measures that almost made it through the lame-duck session were a \$16-billion mass-transit bill, and a sound nuclear waste disposal bill; time ran out for both.
- D. Study shows huge farm-land losses in USA. A joint USDA-CEQ study reports that between 1967 and 1977, more than 34 million acres of the nation's agricultural lands -- 770,000 acres in Tennessee alone -- were lost to productive purposes. During the same period, world demand for U.S. food products tripled. Among causes of agricultural loss are urban sprawl, population shifts to non-urban areas, and energy-resource development, such as mining. All of these, and particularly the last, will take an increasing toll in the future. Since demand for agricultural products is increasing while prime farmland is being lost, secondary lands are being pressed into service; but this can only be done at a greater cost -- both in terms of production expenses and environmental effects.

14. THE NEW CONGRESS: HOW IT CAME ABOUT, AND WHAT THE FUTURE HOLDS

A. More analyses of election results

In the last newsletter (NL 108 ¶7A) we pointed out that the loss some of our most conservation-minded senators was not the result of their environmental positions, i.e., that the election did not represent an anti-environmental backlash. Support for this conclusion comes from the outcome of state and local referenda that were held on Election Day. In the great majority of referenda in which there was a direct choice between holding down taxes and spending money to protect the environment, voters opted for the latter. Similarly, about 80% of bond issues for financing environmental programs (parklands, energy conservation, etc.) were approved. It

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might also do us good to enumerate a few of the legislators with outstanding environmental records who did get re-elected: Udall, Edgar, Seiberling, Weaver, Wolpe, Ottinger, Kastenmeier, Moffett in the House; Chaffee, Cranston, Hart in the Senate. Of 26 incumbents who had signed a pledge to forgo contributions from the Filthy Five, 21 were reelected.

To look at the other side of the ledger. Certain industries (oil, mining, timber, steel, utility, and auto) gave \$25 million in campaign contributions -- twice as much as in 1978. Political Action Committees of the "Filthy Five" (FF) alone lavished about \$670,000 on over 300 candidates. Of the 210 incumbents supported by FF-PAC's, 188 were victorious. In NL 108 17B, we listed the heavy FF contributions to challengers who unseated Senators Culver, Church, Bayh, McGovern, and Durkin. Grassley and Symms, who defeated Culver and Church, respectively, are former members of the Dirty Dozen, the environment's most implacable foes. Robert Kasten, Jr., who narrowly defeated Sen. Gaylord Nelson, had been an absentee congressman from Wisconsin (he missed almost 50% of all House votes); but when Nelson pointed this out in his campaign, expensive commercials were produced showing mud being slung at Kasten's picture.-- According to Environmental Action (which did the FF research), if the Filthy Five follow their 1978 pattern they will make post-election contributions to victors to help pay off campaign debts and thus buy additional access for company lobbyists.

B. New Committee line-ups

The biggest changes will, of course occur in the Senate, where Republicans will now have committee chairmanships and majorities. Tennessee's Howard H. Baker will be Senate majority leader. Senate committees of particular concern to TCWP are the following: Environment and Public Works will be chaired by Sen. Bob Stafford of Vermont, one of the few senior Republicans who is also an environmentalist. (LCV rating, 71%). Sen. Jennings Randolph of W. Va will be ranking minority member. This committee deals with water-resource projects (dams), clean air, clean water, toxic substances. Stafford has promised to fight efforts to gut the Clean Air Act. The important subcommittee on Environmental Pollution will probably be chaired by John Chaffee (R.I.), who has an LCV rating of 87%.

Energy and Natural Resources will be chaired by James McClure of Idaho, who has opposed environmental protection measures right down the line (his 1980 LCV rating was 6%). McClure is expected to use his newly-gained power to advance the "Sagebrush Rebellion." He is also totally unreceptive to wilderness proposals, Wild & Scenic Rivers, etc. Ranking minority member will be Henry Jackson (LCV rating 33%) who was an avid, though unsuccessful, supporter of the disastrous Energy Mobilization Board. Other committee members will be Republicans Hatfield, Weicker, Domenici, Wallop, Heinz, Warner, Humphrey, Murkowski, Nickles East; and Democrats Johnston, Bumpers, Ford, Metzenbaum, Matsunaga, Melcher, Tsongas, Bradley.

Appropriations Committee will be chaired by Mark Hatfield of Oregon, considered to be a moderate on environmental issues. William Proxmire of Wisc. will be ranking minority member. Tennessee's Sasser is expected to retain his seat on this committee.

In the House, although the chairmanships stay in Democratic hands, there will be some shake-ups. Interior: Morris Udall will remain as chair, but his important allies Eckhardt, Carr, and Kostmayer were defeated.

Appropriations: Jamie Whitten, great friend of dams, and Tenn-Tom supporter, will remain as chair.

Public Works and Transportation: pork-barrel supporter Bizz Johnson (Calif) may be replaced as chairman by James Howard (N.J.) who has an LCV rating of 82%.

Commerce: John Dingell (Mich) is expected to chair this committee, which will handle the Clean Air Act reauthorization. Dingell has opposed strong auto emission standards.

. The future: outlook and needed actions

Rising energy costs, the conflicts in the Middle East, and the current mood of economic uncertainty produce a political climate conducive to scapegoating. "Eco-nuts" and their "unreasonable" environmental laws will be blamed for fuel shortages and high costs of living. Joe Fontaine, Sierra Club President, predicts that we'll soon see a full-scale clever media campaign by various industries, with this general type of message: "We're all for a healthy environment; but for a sound economy, production must come first. Environmental regulations have gone too far..." Therefore, a big task the environmental movement will have to face --

* and face with minute financial resources compared to those of industry -- is that of public education. Please consider increasing your financial support to conservation and environmental groups for this purpose, if no others.

The second front on which environmentalists must work is that of organizing the grassroots -- a technique that was so successfully used against us by the Far Right in the recent campaign. The majority of people in this country are concerned about the environment; but they don't know what to do about it, and they don't realize that they're not alone. If they can be stimulated to communicate with those who are in power now, and stimulated, also, to become politically active in supporting environmentally-concerned candidates in future elections, many battles will be won.

As far as the courts go, we may not fare too badly for a while. President Carter appointed more federal judges (who sit for life) than any President in history. Most of these judges are expected to be sympathetic to environmental concerns. While the future composition of the Supreme Court is less encouraging, it should be remembered that about 99% of all litigation is resolved in the lower courts.

15. TCWP CAPSULES

--Over 50 TCWP members have so far responded to our appeal for extra contributions, and, hopefully, the number will still grow. We want to express our sincerest thanks to all of you who have given (and we'll write individually later). The money is really needed, and we shall put it to good use.

* --It is the beginning of a new year and time to pay 1981 dues. A form for this purpose is enclosed with this Newsletter. Please pay promptly to help reduce our treasurer's book-keeping chores. And remember that this year, in a hostile political world (#14), it is particularly important to keep TCWP strong.

--Several of you knew Robert M. Keller, Oak Ridge, an avid outdoorsman interested in hiking, canoeing, and in back-pack trips around the world. On December 17, Bob fell to his death from the top of Ozone Falls, apparently while taking photographs. His family or friends requested that memorials be made to TCWP; and several memorial gifts have been received. Bob's mother (whose address is Mrs. R. Keller, 94 S. State St., Westerville, Ohio 43081) will appreciate hearing from his friends.

--Martha Ketelle, one-time TCWP Board member and officer, has been named an assistant Washington representative in TVA's D.C. office. In 1978, Martha joined Senator Sasser's staff, and, since May 1980, held the position of acting legislative director.

--On the beautiful Sunday after Thanksgiving, Owen Hoffman led a hike of interested TCWP members on the Walden Ridge portion of the Cumberland Trail. This outing was organized on short notice, so there was no Newsletter announcement, but it was announced in the Oak Ridger and about 30 people showed up.

* --Know anyone you'd like to nominate for one of the Tennessee Conservation League's Annual Conservation Awards? If so, get in touch with TCL, 1720 West End Ave, Suite 600, Nashville 37203. Deadline for submission is 1/31/81.

16. PUBLICATIONS OF INTEREST

--"Potential Savings for State and Local Governments by Bottle Bill Enactment," is an informative 3-page report published Feb. 1980 by the TN Dept. of Public Health. (Free from Div. of Solid Waste Mngt., TN Dept of Publ. Health, 326 Capitol Hill Bldg., Nashville 37219). The report estimates that the state (including local governments) could save \$4 million. Other studies estimate \$7 million.

--"Decade of the Environment," EPA Journal, Dec. 1980. 49 pages of interesting articles, interviews, a fact sheet, photo essay (Free from Office of Public Awareness, A-107, EPA, Wash. DC 20460).

--"Is the Water Getting Cleaner? A Survey of Water Quality in the Tennessee Valley," a 31-page booklet available from Div. of Water Resources, TVA, 116 Evans Bldg, Knoxville, TN 37901.

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- "Recreation Resources - 10 Year Action Plan" is a TVA brochure on reservoir recreation, community recreation, and streams, trails, and natural areas. "Citizen's Guide to TVA" briefly lists District Administrators, describes the 6 "offices," tells about TVA Board meetings, etc. Both booklets available from Citizen Action Office, TVA, 400 Commerce Ave, EPB20, Knoxville 37902.
- "Energy Future," R. Stobaugh and Daniel Yergin editors, is now available for \$2.95 as a paperback. Originally published a year ago, this Harvard Business School study shows that energy conservation and solar energy are the fastest and cheapest ways to strive toward energy independence.
- "Visitor Impact on Backcountry Campsites in the Great Smoky Mountains" by Bratton, Hickler, and Graves, 11 pp. Published 1980 by Upland Field Research Lab, Gt. Smoky Mtn. Natl. Park, Gatlinburg, TN 37730
- "Benefit-Cost Analysis in Recreation," by M. D. Bowes and J. F. Dwyer, J. of Forestry 78:26-27, 1980. Free from authors at North Central Forest Experiment Station, 5601 N. Pulaski Rd., Chicago, IL 60646
- "Visual Resources and the Public," by Rachel Kaplan, and "Perceptions and Landscapes," by Stephen Kaplan are two papers in Our National Landscape Proceedings, 1979. Free from the authors (at school of Natural Resources, Univ. of Mich., Ann Arbor, MI 48103).
- "Groundwater Protection," is a new 36-page report, published Nov. 1980, and available from the Div. of Water Planning, WH-554, EPA, Wash. DC 20460.

17. CALENDAR

- Jan. 15, 16, 17 Meetings (Knoxville, Rugby, Nashville) on the proposal to develop the Tabard Inn as the Tenn. Lodge for the Big S. Fork NRRA (see #3B for details)
- Jan. 17 Lobbying workshop, Nashville, 9 a.m.-3 p.m. (Contact League of Women Voters, Nashville, 297-7134). Snow date: Jan. 24
- Jan. 20, 22 Hearings at Gallatin and Lebanon on the Lakeshore Management Plan for Old Hickory Lake (see #5C)
- Feb. 10 Wine and cheese fundraiser sponsored by the Environmental Action Fund (for details, contact TEC, P. O. Box 1422, Nashville 37202)
- April Look for date of conference to be organized by Tenn. Valley Citizen Forum (# 8F), or call Louise Gorenflo, Crossville 788-2736

See p. 13 for Action Summary

Detach here and mail to: Friends of the Duck River, c/o Tennessee Scenic Rivers Association, P. O. Box #104, Nashville, TN 37219.

NAME

PHONE

ADDRESS

____ Yes, I pledge \$ ____ (\$10 or more) per month for 10 months to help save the Duck River.

____ Enclosed is my lump-sum contribution of \$ ____.

____ I cannot contribute now, but leave me on your mailing list.

____ Please remove my name from your mailing list.

18. ACTION SUMMARY

¶ No.	Issue	Contact	"Message" or Action
1B	Columbia Dam	see bottom of p. 12	Contribution for attorney fees
3B	BSFNRRRA Lodge	Corps	Attend meeting
5B	TN Forest Plan	TCWP	Comment on forest matters
5C	Natural areas	Nature Conservancy	Contribution for purchase
5D	Old Hickory shore	Corps	Testimony on management plan
7	Container deposit	Gov. Alexander; your grocer	"Law accomplishes more than litter pickup!"
9	Watt nomination	Both US Senators	"Do not confirm!"
12	Clean Air Act	U.S. Rep and Sens.	"Do not weaken Act!"
14, 15	Environmental education and action	Conservation groups	Financial support
15	Dues	See colored page	Please pay !

Turn the page for dues statement, please!

Please pay promptly

LETTER WRITING SOCIAL

P. 14

Tuesday, Feb. 3, 8 PM
 Chuck & Nancy Coutant
 120 Miramar Circle
 Oak Ridge 483-5976

Spend an hour writing needed letters, then
 enjoy your TCWP friends over refreshments.
 Expert help will be available.
 Non-members welcome too!

Turn the page for Action Summary

Detach here and mail with your check. Thank you!

1981 DUES

Please mail this form, together with your check to Lynn Wright, Treasurer, TCWP
 Rt. 2 Box 162B
 Kingston, TN 37763

NAME Phone: Home

ADDRESS Work

. (Zip) County (TN)
 Congressional Distr.

☐ Include me in local chapter (circle one)*: HV CH MF

The following are dues for the calendar year 1981. Make checks payable to TCWP, Inc.

☐ Student member (full-time student) \$ 3.00	☐ Sustaining member \$ 25.00 [†]
☐ Corresponding member (nonvoting) \$ 3.00	☐ Supporting member \$ 50.00 [†]
☐ Regular (individual), under 65 \$10.00	☐ Life member (new \$100.00 [†]
over 65 \$ 6.00	[†] Includes spouse if indicated ☐
☐ Family (husband, wife, children \$15.00	
under 18)	
over 65 \$10.00	

*Possible TCWP chapters are: HV, Holston Valley (Kingsport area); CH, Chattanooga area; MF, Murfreesboro area. If you have checked this item, a portion of your dues will be returned to an active chapter for local activities.

ON BACK OF FORM, PLEASE LIST NAMES AND ADDRESSES OF OTHERS WHO MAY WANT TO JOIN TCWP