

TENNESSEE CITIZENS for WILDERNESS PLANNING

Newsletter No160

December 16, 1987

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13. ACTION SUMMARY

No	Issue	Contact	"Message!" or Action
1	O.R. Cedar Barren	Council members	"Rezone to Greenbelt"
2	Smokies	Sens. Sasser, Gore, Sanford	"Push your bill; include safeguards!"
3	Pigeon River	EPA	Testify 1/21/88 or send comments
4	Natural Areas	Gov. McWherter	"Let DoC proceed with acquisitions!"
5B	N. Chickamauga Cr.	Sen. Gore	"Thanks for urging re-study!"
6D	Nickajack Plan	TVA	Send or phone comments
7A	Cherokee N.F. Plans	Ocoee District	Transmit any concerns re 5 areas
8A	Arctic Refuge	U.S. Rep Reps Cooper, Ford U.S. Sens	"Support HR39; oppose HR1082!" "Thanks for co-sponsoring HR39!" "Support S1804; oppose S1217"
8B	Endangered Species	U.S. Rep & Sens	"Urge committee members to approve bill without weakening amendments!"
9D	No Dams in Parks	U.S. Sens	"Support companion to HR1173!"

Senator Joe Doe
United States Senate
Washington, DC 20510

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

Governor Ned McWherter
State Capitol
Nashville, TN 37219

Dear Senator Doe
Sincerely yours,

Dear Congressman/woman Doe
Sincerely yours,

Dear Gov. McWherter
Respectfully yours,

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

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

1. ACTION CALL: PREVENT CEDAR BARRENS DEVELOPMENT!

Summary of the problem and needed action: Crown American Corp. has offered the City of Oak Ridge a large sum of money to purchase the Cedar Barrens for development. This valuable prairie-remnant, nominated for State Natural Area status, is thus in great jeopardy. Council will act on the offer January 4. All Oak Ridge TCWP members--and all the friends they can muster--should call one or more Council members as soon as possible and should, if possible, attend the Jan. 4 Council meeting. Call us if you can help. **MAKE THIS A PRIORITY ISSUE!**

The history

A little over a year ago, the Dept. of Conservation nominated the Oak Ridge Cedar Barrens, located behind Jefferson Junior High School, as a potential State Natural Area. Its particular value is as an uncommon remnant of the tall-grass prairie which 5000 years ago covered a good part of our state. The Barrens also contains a very rare plant, Solidago ptarmicoides, known from only 2 other locations in the State.

Within days of the Barrens' nomination, it became threatened when the area of which it is a part was offered for sales by the City to a developer (Kesler) who planned to build a residential subdivision on it. Despite extremely short notice, so many people turned up at the Council meeting to speak for the Barrens' preservation that--even though Council voted 10:1 to sell it--Mr. Kesler excluded 7 acres of the tract from his offer and gave his blessing to having it as a natural area next to his subdivision (NL154 ¶8A). It was planned to have Council initiate Greenbelt zoning for the Barrens in June; but, in the meantime, Kesler pulled out of his entire deal with the City, and Council was reluctant to make zoning changes in the area while it was trying to line up another developer. In July, TCWP members met with City staff and Dept. of Conservation representatives (NL157 ¶8A) to draft mutually acceptable wording for Natural Areas registration and for an agreement for maintenance of the Barrens.

A resolution authorizing this maintenance agreement was on the City Council agenda for Oct. 5, preceded by a proposed ordinance to rezone the Barrens to Greenbelt. No hitches were anticipated, especially since the new developer, Crown American, had stated that he did not wish to infringe upon the Barrens. But, unexpectedly, a few Council members raised questions about the lack of specificity in the maintenance plan and referred it back to staff by a 10:2 vote (NL159 ¶7). TCWP members subsequently contacted each Council member to get his/her ideas on specific features of the agreement. TCWP also wrote to Council informing it that issues were being discussed by us with the City staff, and that we proposed to submit a formal plan to the Council. On December 6, we met with a Dept. of Conservation representative to get final advice on our draft management plan.

Unfortunately, the very next evening, we had a rude shock. Though nothing concerning the Barrens was on the Council meeting agenda (and most of us did not attend), Council was presented with a letter just received, in which Crown American, the developer, expressed his wish to purchase the Barrens at \$32,500 per acre (i.e., a total of close to a quarter-million dollars). Council will consider this request on January 4.

Arguments you can use: (a) Oak Ridgers should be proud to have a State-recognized Natural Area right in our City. (b) The Barrens has been, and could continue to be, a nature study area and living laboratory for Jefferson Junior High School. School children in other cities have to travel miles for such an opportunity. (c) Since Oak Ridge is known as a city of scientists, it cannot in good conscience allow a scientifically valuable area to be destroyed. (d) The Barrens would be a buffer between JJHS and the proposed mall. (e) TCWP has in good faith expended a good deal of effort in researching and developing a management plan, and has expressed its willingness to clean up the Barrens and keep it clean and attractive, for all citizens to enjoy by way of a trail. (TCWP has a good track record in developing and maintaining the North Ridge Trail.)

DON'T DELAY: CALL YOUR COUNCIL MEMBER TODAY.

<u>NAME</u>	<u>Home</u>	<u>Work</u>	<u>Name</u>	<u>Home</u>	<u>Work</u>
Don Bordinger	483-4210		Wilson Pitt	483-1885	574-6779
Walter Brown	482-4534	574-3333	Roy Pruett (Mayor)	483-0462	574-6049
John Bryant	483-0902	482-1013	Pat Rush	482-1822	
Diane Dickens	483-0289	574-3678	Elaine Trauger	483-1006	
Jeff Ginsburg	483-0518	483-5455	E. H. Upton	483-6674	
John Jones	483-7808	574-0358	Ernest Willoughy	483-0914	

2. LET'S BREAK THE SMOKIES IMPASSE

Sad to say, 1987 will go by without a Senate Smokies Wilderness bill, so our efforts must bear fruit in 1988 if we don't want to start from scratch in a new Congress. Despite various concessions that were made in the House bill (which passed Sept. 29), and which are being offered for the companion Senate bill (see below), Sen. Helms (R, NC) has not budged

from his rival bill. Helms would designate only 400,000 acres as wilderness (instead of the 465,000 in the Sasser/Gore/Sanford bill), would authorize construction of a road north of Fontana Reservoirs, and would not consider the payment to Swain County to be in exchange for releasing the Park Service from its earlier commitment to build a road. Sen Sanford (D-N), on the other hand, has offered to make various concessions to wilderness opponents. He would exempt cemeteries and certain other North Shore landmarks, as well as the trails leading to them, from wilderness. He would also delay all wilderness designation until such a time as Swain County had actually received the authorized \$9.5 million. Both of these provisions are already in the House bill (NL159 ¶1). In addition, in order to defuse rumors spread by wilderness opponents, Sen. Sanford has agreed to add a clause expressly forbidding the creation of buffer zones (outside the park) surrounding wilderness.

* **WHAT YOU CAN DO:**

We must break the impasse caused by the existence of two rival Senate bills. Write to Senators Sasser, Gore, and Sanford to thank them for their commitment to wilderness in the Smokies (address on p.2). Ask them to work with the Senate leadership and the Senate Energy Committee to push their bill through without further delay. As to the bill's content, stress these points:

- Wilderness designation should include the entire 465,000 acres designated by the House bill.
- No new road construction in the park should be permitted.
- Bill language should guarantee that any transportation corridors to the north shore cemeteries which are excluded from the wilderness boundary will be used for CEMETERY ACCESS ONLY.

3. HELP BRING THE PIGEON BACK TO LIFE!

A clear mountain stream flowing from North Carolina into Tennessee has been turned into a brown, foamy, smelly mess. That stream is the Pigeon River, and its murderer is a paper mill at Canton, NC, operated by the Champion International Corp. For almost 80 years, the state of N.C. has done virtually nothing to force Champion into pollution abatement. A year ago, EPA won the right in court to issue a strong water-quality permit (Champion had sued EPA for exceeding its authority). Hearings on the draft permit were scheduled for May of this year. They were cancelled at the last minute because of threats of violence in Canton, where the paper company had spread stories that the mill would be closed due to financial hardship produced by the company having to submit to regulation. It should be noted however, that the corporation is said to be the second largest private landowner in the USA and the fourth largest forest-products company.

* Hearings have now been rescheduled for January 14, 1988 in Asheville, NC, and January 21 in Knoxville (1-10p.m., Civic Coliseum). The Dead Pigeon River Council (803 Prospect Ave, Newport, TN 37821; 615, 623-7201) urges you to attend one of these hearings and/or to submit a brief written statement to Suzanne D. Potter, USEPA Region IV, 345 Courtland St. NE, Atlanta, GA 30365 (deadline, Feb. 22). Refer to Public Notice #87NC0001B, NPDES #NC0000272. In general, the Council supports the draft permit, especially as regards limits on color discharges. However, the permit allows too much discharge of Total Suspended Solids. We must also urge EPA to test discharges for dioxin, since this highly toxic chemical has been found in the sludge of other mills that use the same Kraft bleaching process employed at Canton. Any personal reasons you might have for wanting to see the Pigeon River cleaned up are also appropriate for your testimony (which can be quite brief). Remember, EPA is up against strong pressures from a powerful and wealthy polluter.

4. NATURAL AREAS ACQUISITION AT A STANDSTILL: A BROKEN CAMPAIGN PROMISE?

During the gubernatorial campaign, candidate McWherter promised to support natural areas acquisition. Yet, consider what happened after the election was over: (a) no appropriation under the Natural & Cultural Areas Acquisition Fund was requested by the administration this year (NL156 ¶2A), and there was even talk of diverting moneys that were left in the Fund to general revenues (by contrast, \$2 million were appropriated during each of the last 3 years of the Alexander administration); (b) it looks as if no acquisition money will be requested in the 1988/89 budget; and (c) specific acquisition requests by DoC have been ignored, despite the presence of \$3 million in the Fund.

The last of these items is probably most indicative of the McWherter Administration's negative attitude. DoC submitted a list of 14 proposed 1987/88 Natural/Cultural Areas Acquisitions. It included such items as a 320-acre addition to Frozen Head Natural Area, 30 acres with water falls to be added to Savage Gulf Natural Area, a 375-acre addition of wetlands to the Sunk Lake Natural Area, 550 acres around the famous Short Springs in Coffee County, 14 acres at Radnor Lake, etc. The entire package was referred to the Governor's office in May, and there has been no feedback. Are we to assume that the Governor is inefficient? or that he wishes to kill the Natural Areas program?

* **WHAT YOU CAN DO:**

Write to Gov. Ned McWherter (address on p.2) and ask him why he is reneging on his campaign promise and not even allowing already appropriated funds to be used for natural areas acquisition, leave alone new ones to be appropriated.

5. AROUND THE STATE

A. Department of Conservation reorganization

DoC is the second state agency to be scrutinized under McWherter's budget-cutting and reorganization plan. The recommendations, rather than being generated within DoC, were the product of an external Administrative Team. They call for elimination of 29 DoC positions (13.5% of the present staff) at a projected saving of \$700,000 per year. Responsibility for operation of revenue-producing facilities in state parks will shift from park managers to a marketing administrator in Nashville. The number of Park Districts and of Forestry District offices will be reduced.

Some substantive changes in command have been made. Tom Ripley has become Deputy Commissioner (replacing Paul Schrag). The head of the Forestry Division, Roy Ashley, has moved up into the position of Assistant Commissioner for Natural Resources. Under him are 4 Divisions: Forestry (still headed by Ashley, until a replacement is found), Ecological Services (headed by Dan Eagar), Geology, and Abandoned Mine Lands. The Assistant Commissioner for Recreation and Parks, Gerald McKinney, has absorbed responsibilities formerly held by the Asst. Commissioner for Cultural Resources.

B. Sen. Gore protests denial of N. Chickamauga Creek "522" petition

On September 1, the Office of Surface Mining (OSM) denied the petition to designate the North Chickamauga Creek watershed unsuitable for surface mining--despite the fact that OSM's own study found numerous adverse effects of such mining (NL158 ¶5A). Sen. Al Gore, Jr., has now written a strong letter to Interior Secretary Hodel in which he expresses his concern "that the merits of the petition have not been given adequate weight," and asks for "either a reversal of this finding or a directive to the Knoxville office to restudy the issue." Sen. Gore has also asked the Council on Environmental Quality to review OSM's Petition Evaluation Document. Senator Gore deserves our gratitude (see p.2 for his address).

C. Wetlands Planning Committee is recommended

The Dept. of Conservation, with input by many other agencies, has released draft of a report entitled "Wetlands, Addendum to the 1984 Tenn. State Outdoor Recreation Planning Report, Oct. 1987." The document describes the many reasons for maintaining wetlands, and also points out the many wetland losses that have already occurred in our state, mostly as a result of bottomland hardwood clearing, planting of crops, and various developments. There are now a number of state and federal laws [including the Federal Emergency Wetlands Act of 1986 and the Tennessee Wetland Acquisition Act of 1986 (NL148 ¶4A)] and several executive orders that deal with wetlands. Because of this complexity, the report recommends that a multi-agency wetlands planning committee be established. For a copy of the report, write DoC, Recreational Services Div., 701 Broadway, Nashville, TN 37219-5237.

D. Regulation of oil-and-gas drilling

A bill signed into law on May 7 of this year requires drillers to submit plans (which have to meet certain specifications) for approval by the State's Oil and Gas Supervisor (NL156 ¶2C). A \$1500 bond for each well site is also mandated. Detailed regulations under the new law, and largely following the language of the law, have been proposed by the DoC's Division of Geology. At hearings held at the end of August, the State Oil and Gas Board adopted the regs virtually as proposed. Some changes (both strengthening and weakening) that were suggested during the hearings may be discussed at a future meeting of the Board.

E. Black bears for the Big South Fork?

The Tennessee Bear and Boar Association, with a strong endorsement by the BSF Development Association, is proposing that a black bear population be re-established in the BSF National River & Recreation Area. Neither the Tennessee Wildlife Resources Agency nor the National Park Service has taken a stand on this proposal. One question is whether both the quantity and the quality of the habitat are suitable.

F. ORNL'S Ecological Study Center serves area students

The Oak Ridge National Environmental Research Park (NERP) is a 12,400-acre protected area for environmental research and education, managed by the Oak Ridge National Lab for DOE. For the past 4 years, the O.R. NERP has sponsored an Ecological Study Center. This fall, the Center is offering 7 field-study units to some 1,500 area students. Included among the subjects are predator awareness, stream ecology, water-quality monitoring, small-mammal niches, and others. For further information, contact NERP manager Pat Parr at 576-8123.

G. Group formed to fight "visual pollution"

Tennesseans for Scenic Beauty was recently formed to fight such "visual pollution" as giant billboards, roadside trash, unscreened junkyards, etc. The group proposes to work on several levels to assist the layperson's understanding of visual pollution and how it can be corrected. TSB's address is 1719 West End Ave., Suite 227, Nashville, TN 37203.

6. TVA PEOPLE AND INITIATIVES

A. The Runyon nomination hearings: questions finally to be answered?

For some months now, Marvin T. Runyon, in making appearances around the Tennessee Valley, has referred to his TVA Board nomination and to his expectation that he will take office as TVA Chairman on January 1. His official nomination did not, however, come until December 2, and confirmation hearings were set with precipitous haste for December 8. All along, Mr. Runyon has refused to be interviewed by, or to answer any questions from, the TVA Board Appointment Coalition (TVABAC), which represents 42 broadly based citizens groups throughout the Valley (including TCWP). He is the first nominee ever to do so. (Fourteen candidates and/or nominees have been interviewed by TVABAC in the past 4 years.) The confirmation hearings have been postponed until December 15, due to an accident of the Committee chairman. In the meantime, TVABAC representatives who had gone to Washington to testify at the hearings, were meeting with individual members of the Senate Environment and Public Works Committee, urging them to ask Mr. Runyon the questions that he had been unwilling to answer when ordinary citizens were posing them.

B. We learn more about the new director of TVA's Environmental Quality Staff

The October 2 appointment of Ralph H. Brooks as a replacement for Martin Rivers came as a surprise to representatives of the environmental community, who had hoped that the selection process would be more open to public participation and input (NL159 ¶4A). Since taking office, Dr. Brooks has, however, been very forthcoming in meeting with environmentalists, including TCWP's Jenny Freeman Johnson. Ralph Brooks, who holds an M.S. and a Ph.D. in environmental engineering from the U. of Florida, joined TVA in 1975 and later became head of the Water Quality & Ecology Branch. For the past 5 years, he was Asst. Director of the Division of Air & Water Resources. In his new job, Brooks has said that TVA needs to work more closely with the environmental community "not only to be aware of and responsive to their concerns but especially from the standpoint of enlisting their understanding of TVA-- what we're doing, what we can do, and what we can't do."

C. TVA and water quality

Partly in response to an outcry about the deterioration of water quality in the reservoir system (NL158 ¶6D), TVA in November issued a short report entitled "TVA Initiatives in Water Quality Improvement." Items discussed are point-source pollution (municipal/industrial), dissolved oxygen depletion, minimum flow below dams, erosion from agricultural lands and abandoned mines, and others. You can request a copy of this 7-page report by calling TVA's Citizen Action Line, 1-800-362-9250.

D. Nickajack planning process: strong support for preserving natural state

The September information workshops on the Nickajack Plan revealed overwhelming support for preserving the natural state of the lands surrounding the reservoir. The value assigned by participants to this attribute of the area was quantitated at 112 priority points, with wildlife habitat protection a close runner-up (103 points). By comparison, economic growth received 71 points, and tourism/commercial/resort development a mere 44 points. There was consensus on the need to protect the Tennessee River Gorge (TRG), and the Natural Areas Trust formed for this purpose (NL159 ¶3B) submitted a formal request that TVA transfer certain lands to the TRGNAT in fee simple. The workshops, as well as subsequent written testimony, brought out a major disagreement concerning the Little Cedar Mountain tract (north of the reservoir and south of TN28, just upstream of the dam). The Tenn. Wildlife Resources Agency, supported by the Dept. of Conservation, has proposed to maintain this tract as a wildlife management area. On the other hand, Marion County wants to develop residences, businesses, and offices on the tract.



TVA will continue to receive comments for a limited period. Phone the Citizen Action Line (1-800-362-9250; or 1-800-251-9242 if you live outside TN); or write to Wm S. Ambrose, TVA, Norris, TN 37828.

E. TVA approves final concept plan for Development of Land Between the Lakes

The final LBL Development Plan, adopted in mid-September, contains the main features of the two-pronged approach set forth in the draft plan (NL158 ¶6B): (a) development of several major visitor attractions, and (b) expansion of visitor services (sale of ice, snacks, firewood) within LBL. In response to public comments, the final plan provides more detail. Thus, certain types of development (hotels, motels, resorts) are specifically excluded, as are certain types of services (gasoline sales, rentals of gas-powered boats); services will be restricted to existing facilities and to major new visitor attractions. All in all, only 0.3% of the 170,000-acre peninsula (or, 500 acres) will be intensively developed, and only 2% (or 3,400 acres) will undergo passive development.

F. Planning review of TVA's reservoir system operation

An extensive review process now underway on how best to operate the TVA system was prompted by a growing debate about such items as deteriorating water quality (see ¶6C, this NL) and reduced hydroelectric output. The broad question being asked is whether TVA's original primary purposes (navigation, flood control, and power

production) are still adequate for today's needs. Should the 1933 Act be amended? More than 30 possible concerns have been identified by various TVA staff. Ten public information sessions are being held throughout the Valley. TCWP's executive director attended the one in Knoxville and was impressed by the receptivity of TVA personnel. TVA has also issued an interesting 8-page background paper, "TVA Reservoir System Operation and Planning Review," which may be requested by calling 1-800-362-9250 (or 1-800-251-9242 if you live outside Tennessee).

7. FOREST SERVICE WANTS INPUTS

A. Ocoee Ranger District invites input on compartment plans

All compartments of the Cherokee National Forest are examined at least every 10 years with respect to which timber stands are to be harvested, where timber roads are to be built, whether these roads are subsequently to be opened to the public, etc. In the present fiscal year, the Ocoee Ranger District has selected 5 areas for analysis and invites us to transmit any concerns we may have about these areas. Their locations: (a) W. side of Hooper Mtn and along Clear Cr., (b) around Chilhowee Campground and Slick Rock Branch, (c) W. of upper Goforth Creek, (d) on upper Rogers Branch near Deep Gap, and (e) E. of Sylco Cr. on Little Falls Branch and Falls Branch. Any TCWP member interested in these areas may call Asst. Ranger Wally Crane (615, 338-5201), or write Cherokee N.F., Ocoee Ranger Distr., Rt. 1, Box 348-D, Benton, Tn 37307.

B. Forest Service invites cooperative botanical programs

To expand the Forest Service's very limited program on plant conservation, some agency staff has suggested cooperative programs with plant-oriented citizens groups. Some of these might qualify under the "challenge grant" program. Interested persons or groups should contact the local USFS' endangered species biologist (botanist, where one is available).

C. Protection of Grassy Ridge in the Roan Highlands: are we getting closer?

Over a year ago, there was considerable consternation when a road was found to have been bulldozed up the side of Grassy Ridge, one of the most beautiful spots in the Highlands of the Roan (NL150 ¶2). The bulldozing was done by the heirs of a man whose greatest wish had always been to preserve the area. For over a decade prior to the incident, the USFS (Forest Service) had been negotiating with the Peake heirs to buy a 59-acre tract along the Appalachian Trail, and had finally condemned the tract because the price asked was exorbitant. After the bulldozing occurred, many groups and individuals urged the USFS to acquire the entire 200-acre Peake property. Last month, the condemnation case on the original 59 acres was heard by a federal jury, which awarded the Peake heirs \$4,000/acre--halfway between what they were asking (\$5,700/acre) and the value appraised by the USFS (\$2,200/acre, which is twice what land in the Highlands has been selling for). Now the USFS must decide whether to accept the jury award, and whether to offer to buy the remaining 141 acres (which, according to testimony presented at the trial, are valued at \$850-1,100 per acre).

8. NATIONAL ISSUES

A. Threat to the Arctic National Wildlife Refuge: status of legislation

The Interior Department in April recommended oil and gas development in the coastal plain of Alaska's Arctic National Wildlife Refuge (ANWR) (NL156 ¶7A, NL158 ¶8A). Unless this recommendation is followed by specific legislative authorization for such activity, the coastal plain remains undisturbed. Oil and gas interests are therefore trying to push through a leasing bill before the Reagan administration leaves office, realizing that probably any other administration would be less sympathetic to their objectives. They may have a difficult time accomplishing this because, of the four congressional committees (2 in each House) that have jurisdiction over ANWR, only one is getting close to reporting a leasing bill, while the other three still have hearings scheduled, some for 1988. The Senate Energy Committee is working on S 1217, sponsored by Sen. Murkowski (R-Alaska), which would open the coastal plain to drilling; but Sen. Timothy Wirth (D-Colo.) and others are offering amendments that would delay a Congressional decision until the Interior Dept. has completed further studies and analyses (both, on need for the oil and on impact of the drilling).

In the meantime, bills to add the ANWR's coastal plain to the Wilderness System have been introduced in both Houses. They are HR39, sponsored by Udall (D-AZ) and Green (R-NY), and S1804, sponsored by Roth (R-DE), Bradley (D-NJ), and Chafee (R-RI). These bills would give positive protection to our country's most remarkable wildlife area (it has been called America's Serengeti). The Interior Department's own Fish & Wildlife Service has projected irreparable damage to this habitat. Oil & gas activity has been estimated to result in a loss of 50% of the musk-ox population, 50% of the snow-goose population, 40% of the Porcupine caribou herd, and sharp declines in such key species as grizzlies, wolves, and polar bears. And for what? There is only a 19% probability that economically recoverable oil will be found, and even if it is, the amount would be equivalent only to that consumed by the U.S. in 7 months.

* WHAT YOU CAN DO:

Write to your Representative and urge him to support Udall's HR39 and to oppose Young's HR1082. (Reps Cooper and Ford are co-sponsors of HR39 and should be commended.) Write also to both of your Senators, urging them to support the Roth-Bradley-Chafee Wilderness bill, S1804, and to oppose Murkowski's S1217. Addresses are on p.2.

* B. Endangered Species bill finally moving

The appropriate subcommittees in both Houses of Congress have marked up 5-year extensions of the ESA. Both S675, marked up Oct. 22, and HR1467, marked up Nov. 4, contain a number of strengthening amendments sought by environmentalists: requirements that "candidate" species be monitored and promptly listed if new threats imperil their survival; increased protection for plant species (against destruction, theft, exportation); increased funding for state cooperative programs. Some problems are expected when the bills go before the respective full committee. In the House, Representatives from Gulf States object to the requirement that shrimp nets be equipped with a turtle-excluder device; and in the Senate, delaying tactics are expected from Sen. Simpson. No Tennesseans are on either committee, but they can contact committee members and urge them to approve the bill without weakening amendments. Ask your Representative and Senators to do so. (Addresses on p.2). When writing to Sens. Sasser and Gore, thank them for co-sponsoring S675.

C. Land and Water Conservation Fund

The LWCF is supported mainly by federal offshore oil & gas revenues and is used to fund federal park, wildlife-refuge, and forest-land purchases, as well as to provide matching funds to states for land acquisition. Although up to \$900 million annually may be appropriated under the LWCF, the Reagan administration has sought to eliminate all land acquisition, and actual appropriations by Congress have lately been in the order of only \$160 million annually. The Fund was created in 1965 and expires in 1989. In April, the House passed HR1320 which would simply extend the existing LWCF through the year 2015. A similar bill has been reported by the Senate Energy Committee.

Congress is also considering various proposals to overhaul the LWCF; most of these incorporate the idea of making expenditures automatic, rather than subject to appropriation. Early in 1987, the President's Commission on Americans Outdoors recommended that the LWCF be replaced by a permanent appropriation of \$1 billion annually. This idea is incorporated in Chafee's S1338. Chafee's fund would be supported by offshore oil & gas revenues, by a federal tax on real-estate transfers of \$5 million or more, and by the sale of new "conservation bonds." This bill is in the Senate Finance Committee.

D. Park entrance fees

A House bill passed in April (HR1320) would make permanent the current temporary increases in National Park System entrance fees (NL153 ¶9C). The Senate Energy Committee reported the House bill in June, making some changes, mainly with regard to where entrance fees could be charged. Under both bills, allocation of the fee revenues would be done by the NPS, with the largest share going to the units where fees are collected. Both bills specify that entrance fee revenues could be used only for the National Park System, and only for resource protection, research, and interpretation activities. Both bills have been incorporated in the "reconciliation" (i.e., deficit-reduction) bill.

E. Remarks by the National Park Service director

NPS director William Penn Mott, Jr., speaking at the Annual Natural Areas Conference in mid-October, stressed the need to protect small remnants (some under 10 acres) of biotic community types that were once widespread. On the need for scientific guidance, he says that we must have a "a balance between more long-term research, and using available but less-than-adequate data because of the urgency of our present situation." We can no longer view national parks and nature reserves as islands: we must have buffer zones and regional planning. For holistic land use planning, we must look beyond park or nature reserve boundaries, "not just to set aside more of the small remnant examples of the vast diversity of our country's natural landscape, but to preserve in perpetuity all the biota in the national parks and nature reserves we have already worked so hard to establish."

F. El Malpais National Monument

On June 1, the House passed a bill to establish the 114,000-acre El Malpais National Monument in north-central New Mexico. The Monument will protect ancient lava flows, volcanic craters, and ice caves. The bill also creates the 263,000-acre Grants National Conservation Area in the land surrounding the new National Monument; 83,000 acres within the Conservation area are designated wilderness. All lands in both the Monument and Conservation Area will be withdrawn from mining (subject to existing claims). Grazing will continue in the Conservation Area, but will be phased out over a 10-year period in the Monument. In the Senate, the bill had been stalled over water-rights language but was expected to pass in November.

G. Change in command at EPA Region IV (ours)

Jack Ravan, who had been our EPA Regional Administrator in recent years and, for a period, during the 1970s, retired from federal service in August. Lee A. DeHihns III, who was deputy under Mr. Ravan, has been named Acting Regional Administrator. Prior to August 1986, Mr. DeHihns was associate general counsel for the Grants, Contracts, and General Law Division of EPA at Washington.

H. Rainforest notes

(abstracted from Not Man Apart, Sept./Oct. issue)

- In August, Burger King agreed to stop serving beef bought from rainforest ranches. Cattle ranching is a major contributor to forest clearing.
- Ollie North's operatives used Iran arms-for-hostages money to clear tropical forest in Costa Rica for a mile-long airstrip intended to supply the Contras. The valley containing this airstrip is now being added to Santa Rosa Park, the largest protected tropical dry forest in Central America. School children will replant Ollie's airstrip with tree seedlings.
- The San Juan River watershed, a huge tract of virgin forest along Nicaragua's southern border with Costa Rica, had been signed over to a private logging firm. But Nicaragua's Assn. of Biologists and Ecologists publicized the threat, and Pres. Daniel Ortega stopped the logging. The area is the site of a proposed biosphere reserve.

9. PROGRESS ON RIVER PROTECTION IN THE NATION

A. How many rivers are protected?

The following figures might give us some perspective on river-protection efforts.

No. of river miles in USA	3,500,000
No. of miles in 1982 Nationwide Rivers Inventory	61,700 (1.8%)
No. of miles protected under National W&SR Act	7,363 (0.2%)

The Nationwide Rivers Inventory identifies rivers that might be eligible for protection. If someone ever accuses you of wanting to "lock up" every river in the nation, the above are good percentages to remember for your rebuttal.

American Rivers (formerly, the American Rivers Conservation Council) has recently reported progress on several fronts affecting rivers on public lands. We summarize these briefly in the following paragraphs.

B. Rivers in National Forests

In July, American Rivers (assisted by the Sierra Club Legal Defense Fund) signed a binding agreement with the U.S. Forest Service (USFS) and the Forest Products Industry to protect 112 river segments, totalling 1000 miles, along with 301,000 stream-side acres, for a period of 5-10 years, while they are being studied for eligibility for protection under the National Wild & Scenic Rivers Act. The agreement grew out of a challenge by environmentalists of the USFS planning process, which failed to give interim protection to rivers listed in the 1982 Nationwide Rivers Inventory. Affected by this first agreement are 15 national forests in the Eastern Region of the USFS, which covers 11 states (IL, IN, OH, MI, MN, MO, NH, PA, VT, WV, and WI).

Then, in November, a second agreement was forged by the same parties for Region 8 of the USFS. This affects 7 National Forests in 3 southern states: NC, VA, and AR. Altogether, 35 river segments totaling 305 miles, together with 98,000 acres of federally-owned riverside land, will be protected by the USFS under this second agreement, pending studies of these rivers for National W&S River status. In turn, the environmental groups drop their challenge of the adequacy of river management in recently issued plans for these National Forests.

C. Rivers on Bureau of Land Management (BLM) lands

Not only National Forests, but BLM lands as well contain rivers listed on the Nationwide Rivers Inventory. An American Rivers survey revealed 70 such rivers, totalling 1,200 miles. Challenged by environmental groups, the BLM director is now circulating a set of draft guidelines for wild and scenic river evaluation. Comments are being sought from BLM state directors (all in Western states) and from the public.

D. No-dams-in-Parks bill is partway there

Over one-third of our 49 national parks contain dams, 108 altogether. That dam building remains a problem is illustrated by recent modifications in the Hetch Hetchy system (made in response to pressure from San Francisco) which diverted flows from the Tuolumne River within Yosemite National Park. The House of Representatives has

* again, this year, passed a bill (HR 1173) to prevent any new dams from being built in national parks. Again, the Senate has lagged. Urge your Senators to support a companion bill to HR1173!

E. Hydropower developments to be watched

The Federal Energy Regulatory Commission (FERC) has paid little heed to ecological considerations in licensing and re-licensing hydro projects. While only 5% of the nation's river stretches are deemed to be of national or statewide significance--those listed in the Nationwide Rivers Inventory, in state river assessments, or in state natural heritage programs--with 95% thus unrestricted, FERC nevertheless seems to have a knack for impacting the 5% that should be considered off-limits. Recent changes in hydropower laws will increase the already large number of hydro-licenses issued (hundreds per year): thus, the federal government actually subsidizes hydro development, and projects get special treatment under tax laws. Hydro developers, further, are accorded rights of eminent domain over private, riverside landowners. To deal with some of these problems, American Rivers has established the National Center for Hydropower Policy (202, 547-6900).

10. LEGISLATORS AND CANDIDATES: THEIR PERFORMANCE ON ENVIRONMENTAL ISSUES

A. League of Conservation Voters score for the Tennessee delegation

LCV scores for 1985/86 votes on energy and the environment were recently compiled for the entire Congress. For the Tennessee delegation the scores are as follows (with past scores listed for comparison):

<u>House</u>	<u>'85/86</u>	<u>'85</u>	<u>'84</u>	<u>'83</u>		<u>'85/86</u>	<u>'85</u>	<u>'84</u>	<u>'83</u>
Quillen (R)	10	17	11	6	Boner	51	50	56	61
Duncan (R)	11	8	25	21	Gordon	43	42	-	-
Lloyd (D)	22	26	21	33	Sundquist	26	42	25	30
Cooper (D)	69	75	73	91	Jones	29	42	59	52
					Ford	72	75	81	57
<u>Senate</u>	<u>'85/86</u>	<u>'83/84</u>	<u>'82</u>						
Sasser (D)	50	50	49						
Gore (D)	67	-	-						

Among state averages, Tennessee ties for 22nd place from the top in Senate votes, but is 14th from the bottom in House votes.

B. Role of the Tennessee delegation in pending national legislation

- Sen. Gore is a co-sponsor of S570 which would reduce atmospheric ozone.
- Reps. Cooper and Ford are co-sponsors of HR 39 which would designate the coastal plain of the Arctic Natl Wildlife Refuge as wilderness.
- Sens. Gore and Sasser are co-sponsors of S675 the Endangered Species Act.
- Rep. Llyod unsuccessfully attempted to cut authorization for DOE's solar programs.

C. Presidential and Senatorial candidates

League of Conservation Voters 1985/86 scores are available for only 5 of the Presidential contenders (the others not being in the Congress):

<u>Republicans</u>		<u>Democrats</u>	
Dole	35	Gore	67
Kemp	3	Gephardt	74
		Simon	83

In the Senate, 33 seats will be contested in 1988. Of these, 18 are presently held by Democrats, 15 by Republicans.

	<u>Republicans</u>	<u>Democrats</u>
Average Score	55.4	68.3
Scoring 50 and above	57.1%	94.4%
Highest scorer	Stafford, 100	Proxmire, 100
Lowest scorers	Wallop, 8 Hecht, 8	Stennis, 0

New Hampshire environmental groups recently sponsored a debate of presidential candidates on environmental issues. Five of the six Democrats showed up (all but Gephardt), but none of the six Republicans. There was considerable agreement among the 5 discussants on such issues as acid rain, ground-water pollution, population

growth, energy policy, and toxic waste. According to a Washington Post article (11/2/87), "judging by the audience's reaction, Gore may have had a slight advantage in terms of impact, but none of the candidates hurt himself."

11. TCWP NEWS: WHAT KEPT US BUSY IN 1987?

A. Thank You's

- Holly Gwin, now working in Washington, is sending us invaluable newsletter-type publications about Congressional activities. Thanks also for a sizable donation to TCWP!
- Dick Ambrose conceived of the idea of having TCWP send Holiday greetings to its members, and arranged for the printing of the cards (which feature a photo by Bill Russell).
- The following worked to assemble and mail NL 159: Dick Ambrose, Dave Cox, Mr. and Mrs. Frank Hensley, Charles Klabunde, Flossie Starling, and Lynn Wright.
- The following worked to assemble and mail our appeal for contributions, as well as our Holiday greeting: Dick Ambrose, Henri and Betty Levy, Alice Runtsch, Lee Russell, Ed Sonder, Flossie Starling, and Fred Sweeton.

B. Honorable mention

- For the 10th anniversary of signing of the Surface Mining and Reclamation Act, the Environmental Policy Institute prepared "A Coalfield Honor Roll" which recognizes and honors individuals and organizations "for their commitment and efforts to promote and uphold the rights of the land and people of the coalfields and the law protecting them." TCWP is among 82 local, state, and federal organizations on the Honor Roll (and Bill and Lee Russells are among the individuals listed).
- Two prominent TCWP members have recently retired from the Oak Ridge Environmental Quality Advisory Board (EQAB). Coutant (a Director of TCWP) was cited by City Council for his "superb service." Spore (whose wife, Margo, was TCWP secretary some years ago), left EQAB to devote more time to the Cedar Hill Neighborhood Assoc. he founded.

C. What kept us busy in 1987?

Here is a listing of just a few of the things TCWP worked on this past year. You'll find details in recent NEWSLETTERS.

- Gt. Smoky Mtns National Park: worked for passage of good wilderness bill, which passed House in September but is still pending in Senate.
- Cherokee National Forest: participated in appeal of Land Resource Management Plan (there is now progress in the negotiations).
- Big South Fork NRR: continued to agitate for acquisition of deferred areas (now held up by cost-sharing requirements) and against proposals to open more roads into the gorge.
- Obed Wild & Scenic River: continued to agitate for completion of land acquisition (it is now over 50% complete).
- State legislation: successfully worked for law to regulate oil and gas activities and provide reclamation.
- TVA: supported increase in non-power budget; opposed Hendon nomination to TVA Board; had input in the LBL Plan; worked with TVA Board Appointment Coalition.
- State Natural Areas: supported additional funding and additional acquisitions with existing funds (unsuccessfully); supported House Mtn acquisition (successfully); supported registration of Oak Ridge Cedar Barrens (pending).
- Stripmining: supported N. Chickamauga Creek "522" petition; supported Surface Owners Relief Bill.
- Supported recommendations of the Governor's Commission on Tennesseans Outdoors.

- Trail development and maintenance for Whites Creek Small Wild Area and for Oak Ridge's Northridge Trail. The former was officially dedicated by TVA this year.
- Anderson County Park: played role in preventing harmful developments.
- National issues: contacted Sens. and Reps. on Endangered Species Act, Land & Water Conservation Fund extension, Arctic National Wildlife Range, World Bank and Tropical forests, and many other issues.
- Updated Political Guide (an extra big job, this year, with new administration in Nashville).
- Organized a fine annual meeting; and continued to publish our NEWSLETTER.

12. PUBLICATIONS AND OTHER PRODUCTS

- The Earth Care Paper Co. (325 Beech Lane, Harbor Springs, MI 49740; 616/526-7003) sells recycled paper and paper products of good quality at reasonable prices, according to the Keystone Trails Assn. Free catalog.
- "A Citizen's Guide on Water Quality Standards" explains the Clean Water Act and discusses opportunities and tactics for citizen involvement. \$4 from National Resources Defense Council (Suite 300, 1350 New York Ave. NW, Wash. DC 20005).
- "Biodiversity," edited by Harvard's E.O. Wilson, is a lively, largely non-technical, presentation of many complex issues. The authors are leaders in their fields, and the 550-page book is beautifully illustrated. Available Feb. 1988. (\$19.50 paperbound, \$32.50 hardbound. National Academy Press, 2101 Constitution Ave, Wash. DC 20418).
- "Biodiversity--The Videotape" films a lively teleconference held during the recent Forum on Biodiversity. 45 minutes, VHS, \$24.50. Save 15% by ordering both the book and the videotape (see above).
- "A Matter of Degrees" addresses the global warning trend from the "greenhouse" effect." Using computer models, this report analyzes different courses of action. \$10 from World Resources Inst. Publications (Box 620, Holmes, PA).
- The "Audubon Wildlife Report" is published annually by the Natl. Audubon Soc. about federal and state wildlife programs: in 1987, BLM is featured; in 1986, the U.S. Forest Service; in 1985, the U.S. Fish & Wildlife Service. The 700-page 1987 report also covers numerous other programs, e.g., the endangered species program, marine mammal protection, etc., etc. All 3 reports are available for \$39.95 each from Academic Press (Call 1-800-321-5068).
- "Grassroots" is a new magazine that is intended to help people enjoy and preserve the cultural and natural resources of the Southern Midwest. Contributed articles about conservation projects are invited. A year's subscription costs \$10 (Grassroots Inst., 209 East D Street, Belleville, IL 62220).
- "Water Quality at Reelfoot Lake 1976-1986" is a 1987 report by the Off. of Water Mngt., TN Dept. of Health and Environment (150 Ninth Ave. N., Nashville 37219-5404). Free copies may be requested.
- "Restoring the Earth," by John J. Berger, tells the story of individuals and groups working to renew damaged environments. \$9.95 from Doubleday (501 Franklin Ave., Garden City, NY 11530)