

Newsletter No. 83, November 2, 1977*

Oak Ridge, Ph. 483-7867

Spend an hour writing needed letters, then enjoy your TCWP friends over refreshments. Call your hosts ahead of time, if possible, but this is not essential. Non-members welcome also, so bring your friends. Resource materials and expert help will be available. If you've never been to a letter-writing social before, try this one!

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1. OBED: WATER QUALITY THREATENED BY STRIPMINING

The National Park Service (NPS) is presently in process of reviewing the draft Obed General Development Plan and is working on boundary maps and stream classification. If you want to make sure that developments be kept to an absolute minimum to preserve the wild character of the river gorges, write to Joe Brown, Regional Director, NPS, 1895 Phoenix Blvd, Atlanta, GA 30349.

While river-protective efforts are continuing in one sphere, river-destructive activities are speeding up in another: almost every other week there is a new application for a permit to stripmine coal in the watershed, particularly on the Clear Creek and its tributaries. These are relatively small operations, but as Tennessee's Chief Geologist, E. T. Luther, stated, "Great care would have to be taken if siltation and acid mine drainage were to be prevented from damaging the streams." There is no indication that the State of Tennessee is taking such care, leave alone denying these permits on the grounds that a resource much greater than a bit of coal would be lost. [Strong protests from citizen groups connected with Camp Ozone recently led to denial of a permit to strip an area that could have disturbed the quality of the Ozone water supply. Obviously, therefore, the State has these broad discretionary powers of denial. Ironically the Ozone victory, if sustained (the operator is appealing) might endanger the Obed, since the coal company involved may just move to the other side of the mountain, which drains into Daddys Creek.]

What you can do: Write to John W. Saucier, Dir., Division of Water Quality Control, Tenn. Dept. of Public Health, 621 Cordell Hull Bldg., Nashville 37219, and ask that applications for water discharges in connection with stripmining in the Obed watershed be given extra special scrutiny, and that measures be taken to prevent any discharge; or, if this is not possible, to deny the permits altogether. Send a copy to the NPS (see address above) and ask them to exert whatever pressure on the State may be required to keep the water quality of the designated National Wild River from deteriorating seriously.

The recent rash of stripmine permit applications again demonstrates the need for including in the National System the critical upstream portions of the rivers that were excluded from the 1976 bill. TCWP is coordinating efforts with TSRA to bring about such an addition. To diminish landowner opposition on certain stretches of the river system, scenic easements (in lieu of fee simple land acquisition) will be sought for these stretches, so that current farming will be able to go on undisturbed. What you can do: write to the Hon. Albert Gore, Jr. (House Office Bldg., Washington, DC 20515) and point out the great need for including the upstream stretches of the Obed and tributaries in the National Wild & Scenic Rivers System. Urge him to sponsor legislation to this effect.

2. BIG SOUTH FORK: LAND ACQUISITION BECOMES EVER MORE URGENT

Some of the continuing degradation of this beautiful area became very apparent to some of us who made a brief visit on our way back from the TCWP Annual Meeting at Pickett: the old jeep trail that parallels the BSF downstream from Leatherwood Ford had been marked out as a major portion of a multi-state off-road-vehicle race, the "Cumberland Catastrophe" sponsored by the Scott County Chamber of Commerce! Although we did not become aware of the nature of the event until a week later (after the race had been held), our visit was replete with depressing sights (the trail torn up and eroding into the river, tributary creeks churned up and running to mud), sounds (practicing motor-cycles roaring by; jeeps laboring along), and smells! We also passed the sites of recent mining, where coal-laden spoil piles come down to the river. And, as we understand it, the clear-cutting on Stern's Co. land is continuing. It all adds up to more and more compelling reasons for starting land acquisition.

The urgent need is for a land acquisition item in the Carter Administration budget for Fiscal Year 1979 (note: that would be 5 years after the BSF Area was authorized). The good news is that Senator Sasser has recently written a fine letter to Pres. Carter, urging him "to see that funding for this project is included in the 1979 budget recommendation, at a level equal to the Corps of Engineers' capability for the project." Senator Baker has, of course, been in support for quite some time. What you should do: (a) Sen. Sasser deserves our sincere thanks (Senate Office Bldg., DC 20510). (b) Write to Pres. Carter (The White House, DC 20500; attention Kathy Fletcher, Domestic Council) telling him of the need for including such a budget item. This is precisely the kind of project that takes the Corps "out of the dam building business," as Pres. Carter has advocated. (c) Send a copy of your letter to Tom Berry, Office of Management and Budget, Exec. Office Bldg, Pennsylvania Ave., DC 20503. (d) Urge your Congressman (House Office Bldg, DC 20515) to follow Senator Sasser's lead. TCWP members in Kentucky should contact Senators Ford and Huddleston, whose support is critical.

In the meantime, the Corps is continuing with their planning process. Col. Robert Tener, the new District Engineer in Nashville, together with the Chief of the Regional Division office in Cincinnati, two weeks ago canoed on the BSF and flew over it. Col. Tener is enchanted with the area, and is very eager to implement the Act speedily. He writes: "It's a privilege for me to join in this venture with you who have supported it for so long." He has already shown a set of BSF slides (by Bill Russell) to several influential gatherings. Although he cannot say whether the Corps is expressing an acquisition "capability" for the FY 1979 budget (since such a decision is made at HQ in Washington), there are indications from other sources that this may be the case (the figure we've heard is \$20 million).

Jim Spear, of the Nashville office of the Corps reported in his talk at the TCWP Annual Meeting that the Corps is presently soliciting bids for a contract to write a Master Plan (apparently this could differ from the earlier General Design Memo, GDM, on which TCWP spent quite a bit of time). In addition, the following studies have been or are being done. (a) A recreation-demand study is finished and was incorporated into the GDM. (b) A lodge feasibility study (lodges are not mandated by the Act). (c) A feasibility study on the O&W railbed. (An earlier study recommended making it into a bicycle trail, but there seems to be some push toward restoring rail service, including freight. Do we want this type of development, which includes the rebuilding of several bridges?) (d) An archeological reconnaissance (done by NPS), especially for projected construction sites. (e) A wildlife habitat plan (including, particularly, a survey of what presently "open" areas should be prevented from going to climax). -- Land acquisition pre-planning is essentially finished, except for appraisals (which must be done just before price-setting). So all we need now are acquisition funds!

3. OTHER TENNESSEE RIVERS

- A. A new concerted attack on the Endangered Species Act threatens Little T and Duck River
"The Fund to Amend the Endangered Species Act" has set up shop in Washington and is going great guns. It is "a project of the National Association of Property Owners" (which formerly fought land-use planning legislation) and is being run by Dan Kuykendall, former Congressman from Shelby County, Tennessee. The "Fund" is sending out widespread mailings that contain a prewritten letter to Dear Congressman _____, which the recipient need merely sign and mail. The letter starts: "I understand the Endangered Species Act (ESA) has the power to virtually stop all new energy development projects," and goes on to urge the Congressman to support three amendments that would "force the Dept. of Interior to state the economic consequences of making [sic!] an animal or plant 'endangered.'"

In August, a Senate committee was very favorably impressed with the excellent testimony (including TCWP's) against weakening the ESA, and by the Administration's (sec. Andrus') strong opposition to any change in the law. However, the new pressure tactics by developers

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will probably force House hearings in the spring. In the Senate Public Works Committee, Sen. Baker is a major advocate of weakening the ESA. For this reason, Tennesseans are in a position of particular responsibility for maintaining the integrity of the Act.

There have been about 4500 cases where federal projects *involved* critical endangered-species habitats, yet solutions could be found in all but 3 of these without stopping the project or going to court. Obviously the ESA is not a project stopper. Tellico, one of the 3 cases that was stopped, has all sorts of problems with it, in addition to the snail darter. In fact, the General Accounting Office study concludes that "the Congress should prohibit the TVA from further work on the project." In addition, a recent study by the Environmental Policy Institute (see Publications, ¶12) indicates that the Tellico projects almost certainly violates the Historic Preservation Act of 1966.

* What you can do: Write to your Congressperson and to both of your Senators (and particularly to Sen. Howard H. Baker, Jr.), and urge them not to tamper with the Act. You may wish to illustrate your point with some of the facts cited above.

B. Columbia Dam

TVA has doubled its work force and concrete-pouring activities. Apparently, all the money Pres. Carter was unsuccessful in stopping this year is going into construction, rather than land acquisition. (Of ca. \$25 million spent altogether to date, only \$9 million have been for land.) In an interesting twist on the usual land-owner complaint, one man is upset that TVA was not buying his 84 acres and that he could find no other buyers in view of the fact that the land would be flooded. (However, it turned out he had been aware of that when he had bought the land.) TVA Chairman Wagner stated that TVA was not purchasing land because of the probable lawsuit under the Endangered Species Act. The question is: why, then, are they building the dam? (Unfortunately we know the answer: a nearly-finished dam is politically much harder to fight.)

C. Administration's Water Policy under attack by pro-dam forces

* As we reported earlier (NL 82, ¶7A), the President charged the Water Resources Council with the development of a new water policy. The Administration's "option papers" for this study, which were released this summer for public comment (TCWP sent testimony), and which contained proposals for some long-needed basic revisions (changes in the process of calculating benefit/cost ratios ; increased cost-sharing by non-Federal entities, etc.), have been attacked by Congress, particularly by Western Senators who do not wish to see any diminution of the states' role in deciding water uses and rights. The Senate passed a resolution urging that the new policy not be implemented for 6 months after its publication (probably Feb. 28), to allow time for state comments, regional meetings, and Congressional hearings -- all presumably designed for the business-as-usual forces to bring pressures. We too must be heard from. What you can do: (a) There is still time to send comments for the Water Policy Study (the deadline has been extended to Nov. 20). Send testimony to Water Resources Council, 2120 L Street, NW., Washington, DC 20037. You may wish to focus on specific boondoggles, like the Duck River Dams or Tellico; or comment in more general terms. (b) Offer your help for future efforts to the Tennessee Coalition for Water Project Review. This coalition, initiated by TCWP, has the following organizational members: TCWP, The Tenn. Conservation League, the Tenn. Outdoor Writers Assn., Sierra Club, Smoky Mtns. Hiking Club, Tenn. Environmental Council, Little-T River Alliance, and the Tenn. Endangered Species Committee (TSRA declined our invitation to join).

D. Nolichucky: further study should be requested

* We want to remind our 1st District members and others who know the Nolichucky to express their support for further study of this river for possible inclusion in the National system (see NL 82, ¶6D). Letters should go to Sen. Howard H. Baker (attn. Jim Range, Senate Office Bldg, DC 20510) and the Hon. James Quillen (House Office Bldg, DC 20515). Congressman Quillen, who worked for the first Nolichucky study (which turned out negative due to excessively restrictive criteria), feels let down by what he *thinks* was lack of support for protecting the Nolichucky. Let's show him that there is such support!

E. Tenn-Tom

* We have a considerable package of materials documenting what an environmental and economic monster the \$1.8 billion Tennessee-Tombigbee Waterway is. Anybody interested in looking at this and perhaps writing testimony for a new set of hearings (deadline, Nov. 21) should call Bill Chandler, Knoxville 579-5084 (evenings), 974-4251 (day); or Oak Ridge 483-8411, ext. 258 (Tuesdays and Thursdays, daytime).

4. RARE-II MAY LEAD TO MORE FOREST SERVICE WILDERNESS

Under the RARE II (Roadless Area Review and Evaluation) process, initiated by the Carter Administration, the U.S. Forest Service is, as a first step, inventorying all areas that may potentially qualify as wilderness. Whether or not wilderness designation would actually be recommended will be decided later. The USFS inventories were to be based on a set of excellent guidelines and were presented for citizen input at state workshops during the summer. In Tennessee, where the July 29 workshop on the Cherokee National Forest was attended by TCWP representatives, the guidelines were, however, not made clear, nor were they followed by the USFS in making its recommendations. Thus, Supervisor Lusk proposed only 6 areas totalling 50,294 acres for inclusion in the inventory. A coalition of 5 environmental groups (including TCWP), led by the Sierra Club, reviewed the USFS list; and after spending a lot of time in field and office studies, wrote to Supervisor Lusk recommending the addition to the inventory of 27 areas, comprising 210,000 acres. The coalition efforts have now been partially rewarded: the list forwarded by Supervisor Lusk to the regional office contains 17 areas totalling 100,220 acres, i.e., approximately double his initial recommendation. About 16% of the Cherokee National Forest is thus included in the inventory. If you are interested in specific areas, write to Will Skelton, 8029 Sabre Drive, Knoxville 37919.

* The next step will be a determination by the USFS on which of the inventoried areas to recommend to Congress for wilderness designation. Opposition is already developing from the timber and mining industries, ORV users, some hunters (see "Tennessee out-of-doors", the TCL publication, of Nov. 1977, pp. 5 and 12), and some commercial interests. Your letters to Congresspersons and Senators, expressing support for the RARE-II inventory and for subsequent wilderness designation of all qualified USFS areas, will pave the way for more eastern wilderness.

* The October issue of the "Sierra Club Bulletin" has an article by Dr. M. Rupert Cutler, Assistant Secretary of Agriculture (responsible for the USFS), entitled "RARE II: The Administration's View." -- The Wilderness Society's "Wilderness Report" for October tells a hair-raising story of industry efforts to scuttle the RARE-II process, particularly during the workshop phase. In the West, busloads of wilderness opponents were taken to the hearings, armed with the misinformation contained in full-page industry-sponsored newspaper ads. One workshop was buzzed by a logging company helicopter. Wilderness supporters were intimidated and even threatened. A timber-industry-produced slick booklet claims that the inventory process would lead to a 350-million-acre wilderness system (actually, the current system is 14 million acres, and RARE II has inventoried -- not designated -- another 67 million acres), and would close 36 western lumber mills (actually, the great majority of roadless areas inventoried lack commercially exploitable timber). This anti-wilderness campaign has led to a crisis atmosphere in which industry has been demanding that roadless lands be released for development even faster than RARE II can evaluate them. You may wish to write to Bob Bergland, Secretary, U.S. Dept. of Agriculture, DC 20250 urging fair evaluation of roadless areas in lieu of hasty action.

5. STATE NEWSA. Tennessee Environmental Action Fund

* The EAF, of which TCWP is a member (see NL 77, 17), is going back to work again in preparation for the 1978 session of the State legislature. Frank Fly has been retained as

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lobbyist for another year. The Fund is supported by member-organization dues, by the Citizen Action Fund (started by Robert Redford), and a CAF film-show benefit. Member organizations of EAF are currently formulating their state legislative priorities. Resolutions will be submitted by Nov. 10 and voted on at the 1977 Intergroup Conference to be held in Nashville Dec. 10 (see Calendar). Hopefully several TCWP members can accompany TCWP's designated representative to this meeting. The Intergroup resolutions will form the basis for EAF's platform formulation, which will be held immediately following the Intergroup Conference (see Calendar). -- The EAF Executive Committee meets several times during the year. Our representative is Bill Chandler, with Brad Neff, alternate.

B. Natural Areas and such

* Late in August, two private citizens filed a lawsuit against the Commissioner of Conservation and the acting Director of TWRA to restrain the issuance of hunting permits for the Savage Gulf Natural Area. The Natural Areas Act prohibits the removal of plants, animals, or geological specimens from Class-II areas, such as Savage, without permission of the Commissioner. In order to try to avoid any threat to the continued integrity of the Natural Areas Act, which might come about through hunters who now feel that their rights are restricted by the legislation, the Sierra Club has set up a committee of interested individuals to work out a compromise, and perhaps to reach consensus on a list of factors that the Commissioner of Conservation should consider in determining where, and under what circumstances, hunting should be allowed in the Natural Areas System. David Gray, chairman of the committee, has set a meeting for interested persons and group-representatives for Wednesday, Nov. 16, noon, at Holiday Inn Vanderbilt in Nashville (West End Ave.). If you need more info (regardless of whether you can attend), get in touch with him (1133 Stahlman Bldg, Nashville 37201).-- About 12,000 acres have been identified for eventual acquisition for the Savage Gulf State Natural Area. TVA recently formalized an agreement to reimburse the State of Tenn. for up to 50% of land acquisition costs in that area.

The Kimberly-Clark Co. (Kleenex) on Sept. 30 donated the 4000-acre Bumpass Cove property (ca. 15 miles SW of Johnson City, near Erwin) to the Nature Conservancy. The tract, site of a wildlife management area (to reestablish wild turkeys) will be transferred to the State of Tennessee and managed by the Wildlife Resources Agency. The property, which ranges in elevation from 1800 to 3800 ft, is ecologically similar to the Smokies and contains a great diversity of plant and animal species.

The Nature Conservancy has appointed Tim McCall as its Tennessee state director, and will open a field office in Nashville in 1978. Many of you will remember Tim as the Dept. of Conservation's Natural Areas administrator. He now returns to the state after working two years at the Nature Conservancy's Atlanta office. The Nashville field office will attempt to identify unique natural areas across the state and to find ways to protect them.

Earlier, the Tennessee Heritage Program was set up by the Nature Conservancy in cooperation with the Tenn. Dept. of Conservation to establish a natural areas inventory. Monty Halcom, director of the Heritage Program, resigned on Oct. 31 to take a job with the U.S. Fish & Wildlife Service.

C. Will Frozen Head State Park fall victim to Regional Prison?

The regional prison that nobody else wanted will probably go to Morgan County, where the County Court recently passed a resolution welcoming such a location. For some time, the site mentioned has been the Honor Farm, which lies at the entrance to the beautiful valley leading into Frozen Head State Park. But a few days ago, a newscaster announced that the prison would be in the Park. Hopefully, this statement was in error. The Dept. of Corrections owns enough land in connection with the Honor Farm not to have to violate the lovely Park itself. If the prison has to be in that general vicinity, it

should be as far away as possible from the back of the valley (where it narrows) and from the Park's access road. It should also be virtually invisible from the Park. In its site planning, the Dept. of Corrections might well work with Donald Todd, Chairman of the Morgan County Court's Committee on Recreation and Tourism.

What you can do: Write to C. Murray Henderson, Commissioner, Tennessee Dept. of Corrections, Nashville, TN 37202, and express your views on the integrity of the Park.

* Send a copy of your letter to your local newspaper and to your state senator and representative.

D. Push needed to get hike-bike trail on old railbed

Everything seemed squared away for the state to acquire the railbed of the defunct Harri- man & Northeastern RR and turn it into a fine hike-bike trail between Harriman and Petros. At the last moment, however, the State Building Commission is refusing to release necessary funds.

* What you can do: Write to your own state senator and representative and ask him/her to request the State Building Commission to release the funds. Senator Ray Baird and Rep.

Keith Bissell should, in addition, be asked to enlist the help of, respectively, Lieutenant Governor Wilder and Ned McWherter.

E. Overton Park

On Sept. 30, U.S. Transportation Secretary, Brock Adams, sent a letter to Gov. Blanton stating that he had rejected "the proposal of the State of Tennessee to build I-40 through Overton Park." Eight days later, Brock Adams is reported as willing to allow a tunnel under Overton Park (probably too expensive an alternative). Sec. Adams' first letter outraged Gov. Blanton's cabinet and brought protests from the Tennessee Congressional delegation. Senator Baker, who is quoted as being "greatly disappointed" by Adams' decision, has in the past indicated that he would introduce legislation to circumvent existing federal law. Baker indicated that Tennessee Congressmen could request hearings to determine whether the state plan (to build through Overton Park), which Sec. Brock Evans rejected, is a "feasible alternative." If it is found to be such, Baker's staff believes that it would then be easier to get special legislation to circumvent Adams' ruling and existing law. -- The State has paid over \$140,000 to their special counsel on the case since 1973. Do we want our tax money spent for counsel's attempts (including possible litigation), to circumvent the law? Above all, do we want our tax money used to build a destructive and unnecessary highway through a metropolitan oasis and to set a precedent for other harmful roads? What you can do: Express your opinion to Senators

* Howard H. Baker and Jim Sasser (Senate Office Bldg, Washington, DC 20510) and to your Congressperson (House Office Bldg, DC 20515).

F. Hearings to be held on State request to administer discharge permits

The State of Tennessee has submitted a request to the EPA for approval to administer the National Pollution Discharge Elimination System (NPDES) program within the State, as authorized by an Act that passed the General Assembly this year. The program would be administered by the Division of Water Quality Control of the Dept. of Public Health. The State must now adopt regulations that show that it has adequate authority to (a) issue permits that comply with all requirements of the Federal Water Pollution Control Act; (b) abate violations of permits; and (c) ensure that various parties, including the public, are given opportunity for a public hearing before WQCD acts on each permit appli- cation. The proposed regs for the administration of the NPDES system, which are being submitted to EPA for approval, are in certain respects somewhat weaker than existing state regulations. They follow federal guidelines, except for the fact that no citizen challenge of permit conditions is permitted. -- A public hearing to consider the State's request will be held Nov. 21, 1977 (see Calendar for details). Written comments will be received until Nov. 28 by EPA, (Region IV, 345 Courtland Street, NE, Atlanta, GA 30308).

G. Rutherford County completes trail project

A letter from the County Judge's office invites us (unfortunately too late for this NL) to a Nov. 5 event which will celebrate completion of a hiking and horse trail along the Stones River. A canoe trip was also planned, and hot lunches were to be provided. Thanks for the invitation, and happy hikes on the trail!

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6. TVA: DAVID FREEMAN MEETS WITH TCWP BOARD; OTHER TVA NEWS

A. David Freeman

The TCWP Board spent a thoroughly enjoyable evening in discussions with David Freeman, only one week after he started his job as the third member of the TVA Board. We were greatly impressed by his quick intelligence, his wide-ranging knowledge, and the openness and ease with which he discussed most of the issues that have separated us from TVA in the past. Among the many topics we talked about were coal and various mining methods, stripmining and TVA's future role in federal enforcement (see also ¶7, this NL), air quality, energy conservation, new rate structures, TVA's involvement in water-resource projects, TVA's deteriorated image. Mr. Freeman has met with quite a number of environmental groups and other Valley citizens since his evening with us. The papers recently quoted him as saying that "TVA must work hard to restore its image as an agency which is sensitive to the natural environment." He himself is doing a fine job in laying the groundwork for this.

B. Air quality

On Dec. 13, TVA will present to the Tennessee Air Pollution Control Board its plan for meeting SO_x control requirements at New Johnsonville. Particulate emissions at various TVA power plants may also be discussed. Attend, if you can (see Calendar, ¶13).

C. Trails

The Tenn. Dept. of Conservation, in cooperation with TVA, this summer completed the "Fiery Gizzard Trail," a 13-mile backpacking trail from Grundy State Forest to TVA's Foster Falls public use area, east of the Forest. In addition, with the help of the Youth Conservation Corps, TVA has constructed part of a 7-mile trail at Point-19 on Norris Lake, and trails in TVA's "small Wild Areas" (see NL 81, ¶8B).

D. Energy Conservation

TVA has estimated that inadequate insulation costs consumers in the Valley more than \$20 million annually in electric heating bills, and that it wastes one billion kwh of electricity a year (that means lots of stripmined coal!). To eliminate this waste, TVA and its 160 local power distributors are offering free home energy surveys and interest-free loans for attic insulation. All homeowners or renters are eligible, regardless of the type of heating system they use. Also eligible are homes with electric air conditioners. Merely contact your local power distributor to request a free energy survey.

See also the Stripmine item, ¶7, for more TVA news.

7. STRIPMINE CAPSULES

- In TCWP's meeting with TVA's new Board member, David Freeman, we expressed concern about TVA's earlier announced intention to stop inspecting stripmine operations, now that the federal bill had passed. We pointed out that (under the small-operator compliance delay) most Appalachian stripmines will not come under the terms of the Act until early in 1979. Possibly as a consequence of our conversation, TVA is now taking steps to continue and improve its inspection program and to exhibit a leadership role in the federal enforcement effort.
- TVA, in cooperation with the Dept. of the Interior, is sponsoring 3 Young Adult Conservation Camps, one of whose projects will be reclamation of stripmined land. The Tennessee camp will be located in the Oliver Springs-Lake City area of Anderson County.
- In her October report, Congresswoman Lloyd reports on the results of a recent questionnaire she had mailed out to her District. One of 8 questions was: "Do you favor stricter regulations for reclamation of strip-mined land?" The answers were: 68% Yes, 26% No. These percentages are based on about 4000 responses.
- The Tenn. Dept. of Health's Division of Water Quality Control has drafted new regs for the management of water on mine sites and of stripmine discharges into streams. You can order a copy of the proposed regs from Elmo Lunn, WQC Division, Dept. of Public Health, 621 Cordell Hull Bldg., Nashville 37219. Hearings have been tentatively scheduled for Dec. 13, 7 p.m. CST, Legislative Plaza.

-- See ¶1 on stripmining in Obed watershed.

8. NATIONAL PARK AREAS IN TENNESSEE AND ASSORTED U.S. DEPT. OF INTERIOR MATTERS

A. Smokies Wilderness

As we informed you in NL82 ¶3, Sen. Sasser has drafted a wilderness bill for the Smokies that closely follows the recommendations of the Great Smokies Park Wilderness Advocates of which TCWP is a member. If you have not already done so, the following actions are needed: (a) Thank Senator Sasser and urge him to see the bill through to passage. (b) Ask Sen. Howard H. Baker (Senate Office Bldg, DC 20510) to co-sponsor the legislation. (c) Urge your own Congressperson -- and particularly Congr. John Duncan -- to introduce a similar bill in the House (House Office Bldg, DC 20515).

B. Cumberland Gap National Historical Park

A draft EIS for the General Management Plan proposes 14,000 acres in wilderness. TCWP members familiar with the area feel that this acreage should be enlarged. TCWP will study the plan and submit comments on the draft. Deadline, Dec. 1. If you want to have an input, contact Prof. E.E.C. Clebsch, Graduate Program in Ecology, U.T., Knoxville 37916. For a copy of the EIS write to the Park, P.O. Box 840, Middlesboro, KY 40965.

C. Appalachian Trail

Many sections of the AT are in trouble either because no rights-of-way exist (and the trail then has to follow roads) or because developments obstruct the path. Bills to remedy the situation are HR 8803 (Byron) and S.2066 (Mathias). These bills would raise the authorization level from \$5 to \$35 million so the NPS could buy the most critical areas. They would also permit the width of the trail strip to be increased from 200 to 1000 ft where necessary. House hearings were held recently, but Senate hearings are still to be scheduled.

D. Fish & Wildlife Service appointment

Secretary of the Interior, Cecil Andrus, recently announced that Lynn A. Greenwalt has been retained as Director of the U.S. Fish and Wildlife Service.

9. FOR OAK RIDGE MEMBERS: TRAIL; COAL BARGE ALERT

The TCWP-developed and -maintained Northridge Trail is listed in a brochure entitled "Selected Tennessee Trails," published by the Dept. of Conservation and containing info in tabular form on altogether 36 trails. An article on senior citizen hikes on the trail appeared in the Oak Ridger of 10/25/77.

Are you concerned about the very real possibility that the Melton Hill coal barge terminal may, after all, be built roughly across from the Marina and in a good position for polluting the Oak Ridge water intake with toxic heavy metals and other crud (to say nothing of its visual and noise impact)? If so, be sure to call Squires Everett Sharp (483-4829) and Jerry George (483-3711). These are the key people in the upcoming County Court decision on whether or not to appeal Judge Davis' ruling that the terminal placement may occur in that highly damaging position. Also, attend the next meeting of the Anderson County Court, November 21, 7:30 p.m., at the Clinton Court House, where the decision will be made on whether or not to appeal Judge Davis' ruling.

10. NATIONAL ISSUES

A. The wetlands protection (404) battle is still on

As we informed you earlier (NL 82 ¶10), a Senate-House conference is in progress to iron out the multiple differences between the two versions of the Clean Water Act. Of the many issues at stake, TCWP has chosen wetlands protection, as affected by the "404-Permit Program" as the one most closely related to our interests. The existing permit Program, as contained in the 1972 Act, is a fine vehicle for protecting streams, lakes, and wetlands against indiscriminate dumping, siltation, and dredging. (E.g., under recently issued

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regs -- which should be given a chance to work before the law is changed -- permits will not be granted for discharges into any part of the National Wild & Scenic Rivers System.) Now being debated are: (a) a House version, which would totally wreck the program; and (b) a Senate version which (thanks to Senator Baker) keeps it intact, though in somewhat weakened form. The conference committee, tied up in other parts of the bill, has not yet tackled the 404 issue, so that there is still time for you to phone or wire, urging conferees to make no change in Section 404; or at least to accept the Senate version (no compromise with the House version). Language exempting federal projects from the 404 review process must be defeated. Your calls or wires should go to Senator Baker and Sen. Jennings Randolph (U.S. Capitol Switchboard: 202, 224-3121). -- Recent testimony by the national Clean Water Campaign was endorsed by 30 national groups, and by TCWP and ETWWC.

B. New Clean Air Act gives us a chance to improve air in Parks and Wildernesses

The recently passed Clean Air Act Amendments (see NL 82, ¶11A) designated most of our park and wilderness areas as "Class I," where only very slight increases in pollution are allowed. In addition, a means for diminishing existing pollution is provided through the "visibility protection" provision of the new Act. Under this provision, the Secretary of the Interior is required to identify, from among the Class-I areas, those in which visibility is an important factor in the full enjoyment and appreciation of the experience. Visibility includes scenic vistas within the area, out of the area, and into it. Once the Secretary has determined that visibility is an important value, and the Administrator of the Environmental Protection Agency has concurred, the legal process is begun by which existing pollution must be cleaned up.

The first step has been initiated. The National Park Service has announced hearings to be conducted by a federal task force (NPS, USFS, Fish & Wildlife Service, BLM) to advise the Secretary concerning the importance of visibility protection for specific areas. The hearings for the Southeast will be held in Atlanta, Nov. 15 (see Calendar, ¶13 for time and place), with a Nov. 25 deadline for receipt of written comment (address to Director, National Park Service, U.S. Dept. of the Interior, DC 20240). Tennessee lands to be considered in the SE region hearings are the Gt. Smoky Mtns Natl. Park, and the Joyce Kilmer-Slickrock and Cohutta Wilderness Areas. But don't forget other SE areas you may be able to comment on (e.g. Everglades and Virgin Islands Natl. Parks, Linville Gorge Wilderness Area); or for that matter don't forget some of the magnificent desert and western Parks which are sorely threatened (particularly those in Utah where several coal-fired power plants are in the offing). Your testimony will be improved if you can cite specific vantage points in the areas under consideration where you feel visibility is an important factor for full enjoyment (and don't forget the night skies as part of the outdoor experience).

Incidentally, the Annual Environmental Analysis Report, prepared for ERDA by 4 research organizations, has determined that air pollution by the year 2000, from all categories considered, will be less under the President's National Energy Plan than under current trends and policies.

C. Marion Edey's CEQ confirmation held up

Marion Edey, who in May was nominated by President Carter as one of the 3-member Council on Environmental Quality (NL 80, ¶11) has run into trouble. Senators, who call her "abrasive", have indefinitely delayed action on her confirmation. Probably what is bothering them is the fact that, in her past capacity as founder and director of the League of Conservation Voters, Ms. Edey was fantastically effective in acquainting citizens with the environmental voting record of incumbents. Write to President Carter and ask him not to withdraw the nomination yet. Write to your Senators and ask them to reconsider and confirm Marion Edey.

D. Executive Order asks top priority for environmental considerations

A draft executive order now circulating among the agencies would require these agencies to make environmental considerations a top priority in their decision-making. I.e., agencies would have to pay attention to EIS's and to any recommendations of environmentally superior

alternatives for their projects. Reportedly, the draft has run into "incredible opposition." Could it be that agencies are under the influence of the industrial and business community? -- CEQ recently had to testify at House oversight hearings about efforts to improve implementation of NEPA, and, more generally, about the consideration of environmental impacts in federal decision-making.

E. The battle for protection of Alaska

Lest you get confused by the many accounts about Alaska legislation, there are four proposals: (1) the conservationist-backed Udall/Metcalf bill, HR 39/S.1500 to protect 116 million acres; (2) the Administration bill to protect only 92 million acres but containing many admirable features that the Alaska Coalition can support; (3) a compromise between the two to protect 102 million acres, which Rep. Seiberling hopes to use as the markup vehicle for his General Oversight and Alaska Lands subcommittee; and (4) Alaska Rep. Don Young's (R) 35-million acre proposal. All proposals make additions to National Parks, Wildlife Refuges, and Wild & Scenic Rivers. The mining and timber industries would prefer no bill at all, but would back Young's proposal if they had to. Conservationists are (a) writing to Pres. Carter to express thanks for the good Administration proposal, (b) urging their representative (House Office Bldg, DC 20515) to support HR 39, or, as a minimum, the Seiberling proposal, and to reject weakening amendments; and (c) asking their Senators to co-sponsor Metcalf's S.1500 and to urge committee action on it. In response to industry charges of "lock-up of resources," it should be pointed out that the Seiberling compromise allows mining in a national emergency and sets up entry corridors into the areas.

F. Redwood protection bill stalled

The presently designated Redwood Park is virtually doomed because clearcut logging right to its borders is resulting in erosional siltation and salinity which destroy the root system of the spectacular tall trees in the Park. HR 3813/S.1976 would expand the 77,000-acre park by 48,000 acres to provide a buffer zone. The redwood timber industry has told the people of the area that this would lead to massive unemployment. (But the jobs would soon be gone with or without the park: a decline in timber-industry related jobs of almost 40% over a 13-year-period occurred in the area before the Park was even designated.) The bill, therefore, provides for re-training and other benefits for the 60 to 120 workers estimated to be affected. In spite of this feature, HR 3813 has been stalled by the Speaker of the House and the Rules Committee. What you can do: (a) Write to Rep. Tip O'Neill, Speaker, and to Rep. J. J. Delany, Chairman, Rules Committee, and urge them to allow the bill to proceed on its way. (b) Write to the Senate Committee on Energy and Natural Resources (Henry Jackson, Chmn) and support S.1976.

G. Bottle bill needs to be revived

The Beverage Container Reuse and Recycling Act was originally introduced 2 years ago, but sat inactive in Rep. Rooney's Transportation & Commerce Subcommittee. It was re-introduced early in 1977 as HR 936 (Jeffords, R-Vt). The can-and-bottle lobby is working to keep this second attempt, too, from coming to anything. You may wish to write to the Hon. Fred Rooney (House Office Bldg) and urge him to hold hearings on the bill. Remember that an all-returnable beverage container system would save the energy equivalent of 81,000 barrels of oil per day. -- You may be interested in reading "The junking of an anti-litter lobby," by Peter Harnik in the Spring 1977 issue of Business and Society Review (No. 21). It tells the story of Keep America Beautiful and how environmental groups gradually found out that KAB was a bottle-industry "front."

11. RESULTS OF TCWP ELECTIONS; ORGANIZATIONAL; REPORT ON ANNUAL MEETING

A. Elections and appointments

TCWP members present at the Annual Meeting, Oct. 21-23, elected the following.

OFFICERS:

PRESIDENT: Ed Clebsch, Knoxville
VICE PRESIDENT: Kenneth Warren, Oak Ridge
SECRETARY: *Lynn Dye, Oak Ridge
TREASURER: Charles Klabunde, Oak Ridge

DIRECTORS:

*Patrick Doyle, Murfreesboro
Lee Russell, Oak Ridge
Bill Russell, Oak Ridge
Hal Smith, Oak Ridge
Don Todd, Wartburg

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NOMINATING COMMITTEE: Jim Cape (chairman), Debbie Shonka, Ruth Slusher

BYLAWS AMENDMENT (to raise certain classes of dues, see NL 82, 114B): passed.
It was also decided that any person joining TCWP between now and the end of the year will be considered paid up for 1978 as well.

EXECUTIVE DIRECTOR: Bill Chandler's contract was renewed as of Oct. 1. This action had been taken by the Board prior to the Annual Meeting and was announced to the membership by President Clebsch, who pointed out that while Bill is paid only for half-time, he works at least time-and-a-half.

B. Canoe raffle results and T-shirt sales

The canoe raffle was won by Sam Suffern (Lynn Dye had sold him his ticket). Winners of the donated door prizes were as follows: car top carriers (donated by Warren Grunst), Jim Cape; canoe paddles (donated by Blue Hole Canoe Co.), Eleanor Selle and Lee Russell; matted Obed print (donated by Bill Russell), Miriam Guthrie. After paying for the Blue Hole canoe and miscellaneous expenses (e.g., printing of tickets), the raffle cleared almost \$900. All the many members who worked hard selling tickets, and particularly Reid Gryder and Martha Ketelle, who organized it all, may be proud of their efforts!

The T-shirt sales have been doing quite well and are beginning to recoup the investment, but we have no exact figures at this time. We have many T-shirts left to sell. How about giving some to your friends as Christmas presents? Use the order blank sent with our last Newsletter, or request one from Dr. Harold Smith, 103 Walton Lane, Oak Ridge, TN 37830.

C. Membership and finances

Treasurer Klabunde compared tabulations for the first three quarters of 1977 (through Sept. 30) with the whole-year total for 1976. With one quarter still to go, our total membership is already up by 11%, our new members up by 34%. -- The finances are, however, not as cheerful. We have already spent 113% of our income for the year; and income during the last quarter is generally negligible, while expenses continue at their same rate or higher. That is, we are dipping increasingly into our reserves. While the canoe raffle has been a great success (in spite of the late start), money taken in will pay only a relatively small part of the difference between expected dues income for 1978 and our projected 1978 spending. At the Annual Meeting, TCWP members decided to set up a committee to elicit special donations from (and through) the membership, especially from those people who wish they could do more for our cause but have not had the time to involve themselves in issues. We hope you will cooperate in the work of this committee.

D. Annual meeting - general

About 65 people attended the meeting off and on during the weekend; but, what with all the coming and going, there were never that many together at one time. For the unfortunate ones who missed it, these were the highlights: The fall colors absolutely at their peak under a deep blue sky (so we met outdoors as much as possible);

The group camp, with its modern, clean, and comfortable cottages all to ourselves;
A full moon;

The wonderful meals planned, shopped for and part-prepared by Dee Jared (with much talent in biscuit making, sausage-gravy stirring, and carrot scraping being displayed by such people as Martie Ketelle, Mike Holland, and Bob Farmer);

The kids helping sort silverware for the dishwasher, and acting as raffle-ticket drawers;
The informative talks and question-answering by Brent Blackwelder, Jim Spears, and Doyle Kline;

Beautiful hikes in crisp fall weather to the Twin Arches or the Hidden Passage Trail;
Charley Klabunde's talent in teaching the rest of us clods (at least those who had some energy left after the hikes) some neat folk dances;

The letter-writing session prior to the Sunday workshops;

The cameraderie that develops from cleaning up the communal showers when it's all over.
If you missed it this year, be sure to plan for next year!

12. PUBLICATIONS OF INTEREST

- "The effect of federal water projects on cultural resources: implementation of the Historic Preservation Act of 1966 by the Army Corps of Engineers, Bureau of Reclamation and TVA," by Will Morgan, published Sept. 1977 by the Environmental Policy Institute (317 Pennsylvania Ave, SE, Washington, DC 20003. The price for non-profit organizations/individuals is \$3.) The report examines 28 projects, including many that the President's Water Project Review Force earlier this year identified as potentially unsound.
- "Is Your Drinking Water Safe?" is a 1/2-hour film, produced by Connecticut Public TV under an EPA grant, which explains the Safe Drinking Water Act of 1974 and how to make it work. Ask your local TV station to show it; or obtain it for screen showing, free, from Modern Talking Picture Services, 2323 New Hyde Park Rd, New Hyde Park, NY 10040.
- "Coal Mine Water Pollution: an Acid Problem with Murky Solutions," by J. T. Begley and (our) John Philip Williams, is published in the Kentucky Law Journal of 1975-76, vol. 64, pp. 507-547. May be borrowed from TCWP.
- "Major Steps for Water Resources Projects Requiring Specific Congressional Authorization" (Appendix A, document EP 1105-2-1, 1974, from U.S. Army Corps of Engineers, DC 20314). Lists the 18 steps the Corps follows during a construction project. Citizen groups wanting to influence decision making need to get involved early (Steps 1-6).
- "Help!" by E. P. Dolensek and J. Bell of the New York Zoological Society is a manual for the care and treatment of oil-spill-damaged birds (50¢ from N.Y. Zool. Soc., Bronx, NY 10460. Discounts for larger orders.)

13. CALENDAR

TCWP letter-writing social, see box on p. 1 this NL. Nov 22

- Nov. 15 - Hearing on special air quality protection for Smokies and other parks and wilderness areas in the SE. 3-9 p.m. EST, Natl. Park Service, 1895 Phoenix Blvd, College Park, Atlanta. See item #10B, this NL.
- Nov. 16 - Meeting of persons interested in resolving the hunting-in-Natural-Areas problem (see #5B). 12 noon, Holiday Inn Vanderbilt, Nashville.
- Nov. 20 - Deadline for urgently needed comments on proposed changes in national water policy (see #3C, this NL).
- Nov. 21 - Public hearing on the State of Tennessee's request to administer the NPDES permit system. House Hearing Room 29, Legislative Plaza Bldg, 6th Ave. and Union St., Nashville, 10 a.m. CST. See #5F
- Nov. 21 - Anderson County Court decision on coal barge terminal. 7:30 p.m. Clinton Court House. (Call Joanne Marshall, 483-0098, or Jim Azzi, 483-0394.) See #9
- Nov. 25 - Deadline for written testimony for Nov. 15 hearing (see #10B, this NL).
- Dec. 1 - Deadline for commenting on draft EIS for Cumberland Gap National Historic Park (see #8B, this NL).
- Dec. 10 - 1977 Inter-group Conference. UT-Nashville, Tenth & Charlotte, Room 314-15, 9 a.m.-noon CST. Call Bill Chandler (Knoxville 579-5084, or 974-4251; or Oak Ridge 483-8411 ext. 258) if you want to join the TCWP delegation. (See #5A, this NL).
- Dec. 10 - Tennessee Environmental Action Fund Annual Meeting, UT-Nashville, Room 314, 1:00 p.m. CST. (For info, write EAF, P. O. Box 22421, Nashville, TN 37202). See #5A
- Dec. 13 - Tennessee Air Pollution Control Board hearing on TVA compliance (see #6B, this NL). 9:30 a.m. CST, at UT-Nashville, Room 353.
- Dec. 13 - Public hearing on proposed regulations governing stream discharges from surface mining operations, 7:00 p.m. CST, Legislative Plaza, Nashville (contact Charles Higgins, Nashville 741-2275). See #7
- May 3, 1978 - Sun Day, an international celebration of solar power, alternative energy sources, on-site power systems, etc. (For info, write Sun Day, Suite 1100, 1028 Connecticut Ave. NW, DC 20036.)

