



March 19, 2001

Our 35th birthday this year!

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12. ACTION SUMMARY

#	Issue	Contact	"Message!" or Action
1	Arctic Wildlife Refuge	US Senators and Rep.	"Oppose drilling! Co-sponsor wilderness bill!"
2A	Jim Creek tract (Pickett)	The Nature Conservancy	Send contribution for purchase of the land
3C	Cane Fork dam	US Senators and Rep.	"Support funding for a water needs/supply study!"
3D	Lower Clinch River watershed	Meeting	Come to the water-quality meeting, April 17
5B,C	Chip-mill study bills	State legisl. (esp. McNally)	"Support HB260/SB265 and SB583/HB1311"
5E	State Environmental Policy Act	State legislators	"Support SB442/HB778!"
6A	White's Creek Small Wild Area	TCWP	Come out for hike/work trip, May 12
6C	Tellico Reservoir Land protection	Prof. Ed Clebsch	Assist in getting TRDA "sunset"
7A	Shelby Hwy 321, N. of Smokies	Comm.chairs; Justin Wilson	"Stop this extremely harmful project!"
8	Oak Ridge Reservation	Legislators; DOE; City	"Support comprehensive plan and EIS for Reservation!"
9A	Land & Water Conservation Fund	Pres. Bush; US Rep. & Sens.	"Thanks for full funding request. Please see it through!"

Senator John Doe
United States Senate
Washington, DC 20510

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

Pres. George W. Bush
The White House
Washington, DC 20500
202-456-1111; Fax 456-2461
president@whitehouse.gov

Governor Don Sundquist
State Capitol
Nashville, TN 37243-9872
615-741-2001; Fax 532-9711

Dear Senator Doe
Sincerely yours,

Dear Congressman Doe
Sincerely yours,

Dear Mr. President
Respectfully yours,

Dear Gov. Sundquist
Respectfully yours,

Sen. Bill Frist
Ph: 202-224-3344; FAX: 202-228-1264
e-mail: senator_frist@frist.senate.gov
Local: 865-602-7977

Sen. Fred Thompson
Ph: 202-224-4944; FAX: 202-228-3679
e-mail: senator_thompson@thompson.senate.gov
Local: 865-545-4253

Rep. Zach Wamp
Phone: 202-225-3271
FAX: 202-225-3494
Local: 865-483-3366

To call any Rep or Senator, dial Congressional switchboard. 202-224-3121. To find out about the status of bills, call 202-225-1772
URLs: <http://www.house.gov/lastname/> and <http://lastname.senate.gov/> General contact info: <http://www.tcv.org>

WHAT IS TCWP?

TCWP (Tennessee Citizens for Wilderness Planning) is dedicated to achieving and perpetuating protection of natural lands and waters by means of public ownership, legislation, or cooperation of the private sector. While our first focus is on the Cumberland and Appalachian regions of East Tennessee, our efforts may extend to the rest of the state and the nation. TCWP's strength lies in researching information pertinent to an issue, informing and educating our membership and the public, interacting with groups having similar objectives, and working through the legislative, administrative, and judicial branches of government on the federal, state, and local levels.

TCWP, 130 Tabor Rd., Oak Ridge, TN 37830.

President: Jimmy Groton, 865-483-5799 (evening).

Exec. Director: Marcy Reed, 865-691-8807 or 481-0286; MarcyRReed@aol.com

Membership Development Directors:

Sandra Goss, 865-522-3809; SKGoss@espar.com and Marcy Reed, 865-691-8807; MarcyRReed@aol.com

Newsletter editor: Loe Russell, 865-482-2153.

e-mail: TCWP@kornet.org

Internet: <http://www.kornet.org/tcwp/>

1. PROTECT THE ARCTIC REFUGE: IT'S SOMETHING WE MUST DO

Both shoes have now dropped on the Arctic National Wildlife Refuge (ANWR) issue: Congress's and the Administration's. Neither action came as a surprise, but both have hit with lightning speed.

In the Congress, Sen. Murkowski (R-AK), with 12 cosponsors, introduced the National Energy Security Act (S.388 and S.389), of which ANWR oil exploration is an integral component; and Rep. Don Young (R-AK), with 60 cosponsors, had earlier introduced the Arctic drilling bill, HR.39. These bills may come up in June or July, and the California energy crisis is being exploited to garner support for them.

Pres. Bush followed up on his campaign position (in favor of opening up the Refuge) by including in his Budget proposal a projected revenue item of \$1.2 billion from oil & gas leases in the ANWR Coastal Plain. To rub salt into the wounds, research funds for the development of solar and wind power, instead of being separately budgeted, would derive from these ANWR drilling revenues. Bush's Energy Policy task force is headed by Vice President Cheney and has been described as "an oil industry dream team."

But not everyone in the Congress will roll over dead on this issue (especially if they hear from you – see Action box, below). Any attempt to open ANWR will be filibustered in the Senate. On February 28, with considerable publicity and press coverage, bills were introduced in both the House and Senate to achieve permanent protection for the 1.5-million-acre ANWR Coastal Plain by giving it Wilderness designation. The House bill, HR.770, introduced by Reps. Ed Markey (D-MA) and Nancy Johnson (R-CT), had 120 cosponsors when last we heard; and the Senate bill, S.411, by Joe Lieberman (D-CT), had 23. There were a few Republicans among these various cosponsors for the wilderness bills, but not a single Tennessean. REP AMERICA, "the environmental conscience of the GOP," has called Bush's ANWR proposal "bad politics and bad policy," which will "force conservation-minded Republicans to work and vote against you."

For the full text of any of these bills log on to <http://thomas.loc.gov>.

Wemust get our views – and the facts – to Congress before the now-so-powerful oil-industry lobby bulldozes its way to victory. Right now, this should be one of our highest-priority issues, and we urge you to read the suggestions in our Action box, below. Here are some of the facts.

- The ANWR Coastal Plain represents only 5% of Alaska's North Slope. The remaining 95% are open to oil & gas exploration and leasing. If fuel is needed, why not tap the huge reserves in these 95% prior to even thinking about ANWR?
- The mean estimate for the amount of oil that could be recovered from ANWR amounts to less than a 6-month supply for America (USGS estimate).
- It would take at least 10 years for the exploration, construction, and drilling necessary to get this oil to U.S. markets.
- There is no way in which "sophisticated" drilling technologies cited by the Bush/Cheney Administration would safeguard the ANWR Coastal Plain. In a land where permafrost lies just inches below the surface, even in the summer-time, every tire track would remain visible for centuries. One need only to look at the 1,000 square mile oil field centered at neighboring Prudhoe Bay: an industrial sprawl with hundreds of miles of roads and pipelines, fresh-water and gravel extraction, and noisy pump stations. The Prudhoe Bay development averages 400 oil spills per year and emits more air pollution than does many a major city.
- The Coastal Plain is the biological heart of ANWR. In addition to the huge herd of caribou that migrate across it twice a year and calve on it, large mammals include musk oxen, grizzly and polar bears, wolves, and Arctic foxes. And there are literally millions and millions of migratory birds that nest in the tundra (you can hardly take a step without spying a nest) – including species from Tennessee. Above all, this is a vast open area untouched by the sights and sounds of Western civilization. It is a national treasure that should no more be invaded by power extraction than should Yellowstone or the Grand Canyon.
- We don't need any ANWR oil to free us from the need for oil imports. Even a 3 mile-per-gallon increase in auto fuel-efficiency standards (so-called CAFOs) would save the U.S. 1 million barrels of oil per day – more oil than could be supplied by ANWR. And there are numerous other easy ways to increase energy efficiency and reduce energy consumption; but

the Administration conveniently ignores these when pushing for the desecration of ANWR.

WHAT YOU CAN DO: (1) Write a short personal letter to your senators and representative (addresses on p.2), perhaps using some of the facts above. Any one argument will do, but your strong feeling against opening ANWR should show through. Urge them to cosponsor the ANWR Wilderness bills, S.411 and H.R.770. (2) Send a similar letter to the editor of your local newspaper. (3) Phone your legislators (information on p.2). (4) Look for ANWR events (rallies, slide shows, etc.) that may be held in your area.

2. PURCHASES and DONATIONS ARE PROTECTING VALUABLE LANDS IN THE CUMBERLANDS and NEARBY

A. Protection of Pickett margins: good news - with your help

Those of us who are in awe of the beauty and wildness of the lands surrounding Pickett have long worried about potential threats to these unprotected areas. About a decade ago, TCWP's Jenny Freeman waged a campaign that resulted in the purchase by the Conservation Fund (and subsequent donation to the State) of about 8,000 acres generally west of, and contiguous with, the then existing Pickett State Park and Forest. More recently our fears were reawakened when a large land-and-timber company (Southern Pine Plantations, Inc.) purchased and began to sell off about 11,500 acres (NL237 ¶2C), including tracts that adjoin the land added to Pickett in 1992. Most of the Pickett lands in that area occupy the upper elevations, and these timber-company tracts consist mainly of the steep wooded valleys and bottoms that protrude into these uplands like the fingers of a hand, and that constitute Pickett's viewshed.

Now, The Nature Conservancy (TNC), a private nonprofit organization devoted to preserving ecologically valuable natural communities, has undertaken to purchase the most significant of these tracts. It is the valley formed by Jim Creek, an intact watershed of a type becoming increasingly rare. The 1,541-acre parcel is spectacular, rimmed by high bluffs underneath overlooks and containing the beautiful mixed deciduous forests that are now disappearing fast from the Cumberland. Two large caves shelter popu-

lations of the endangered Indiana bat. But, most important, this tract helps to round out (instead of fragmenting) what could become a significant block of protected public land at a time when Cumberland's ecosystems are being rapidly lost to clear-cutting, mining, and other deleterious developments. A large individually-owned, tract contiguous with Pickett has already been donated to TNC, and another individually-owned tract will be acquired by TNC with the help of a huge individual donation.

Unfortunately, the TNC has an extremely short time limit in which to raise the \$1.1 million needed for purchase of the Jim Creek tract. All of this money will have to be raised from private donors in a matter of weeks. We have earlier mailed a special appeal concerning this project, and we also publicized the issue through a letter-to-the-editor of the *Oak Ridger*. It is our sincere hope that many TCWP members will care enough to help.

WHAT YOU CAN DO: Tax-deductible contributions, earmarked for the Jim Creek Tract acquisition, should be sent to TNC, Tennessee Chapter, 2021 21st Avenue South, Suite C400, Nashville, TN 37212. This money is needed very soon. To find out more, call 615-383-9909, or e-mail Gina Hancock at ghancock@tnc.org.

B. Smith Bend purchase assisted by Conservation Fund

The 2,400-acre tract in a big bend of the Tennessee River (just downstream from Watts Bar Dam) is home to dozens of species of water fowl and shorebirds, and is used by a growing flock of sandhill cranes as a lengthy stopover during their annual migrations. The Foothills Conservancy has for some time been assisting TWRA (the Tennessee Wildlife Resources Agency) in raising money toward the \$6.9 million asking price by the Mead Corporation (NL236 ¶2E). Recently, the Conservation Fund provided money to complete the purchase. A few years ago, the Fund had bought 750 acres adjacent to the nearby Hiwassee Wildlife Management Area and transferred it to TWRA to expand the crane habitat.

Next year, an attempt will be made to reintroduce migratory whooping cranes to the East by "training" a flock to follow an ultralight aircraft. A trial run was performed last fall with a group of sandhill cranes and appears to have been successful (pending the cranes' unaided return north in the spring).

The Smith Bend tract will be named the Yuchi Refuge, in honor of the Indian tribe that once lived in the area. It appears that TWRA will allow hunting for small game, deer, and turkey on portions of Smith Bend.

C. Activities at Bridgestone/Firestone Centennial Wilderness

[Contribute by Chuck Estes]

In this area of Scott's Gulf (a gift to the State from the Bridgestone/Firestone Co., NL233 ¶4A), trail construction is now under way. The trails, currently totaling 17 miles, vary from flat ones on the plateau to moderately steep ones that go down to the river. By the time the segment along the Caney Fork River is completed, the trail system will be over 26 miles long. The trails have been constructed with the assistance and hard work of TWRA personnel and of many volunteers from the Friends of Scott's Gulf. Carl Cude of TWRA has developed a web site for the area. It has photos, trail maps, and access information. Check it out at www.centennialwilderness.com.

Area and would impound a 60-acre lake to promote a residential development. The spectacular Greeter Falls, a well-known and much-visited feature of Savage Gulf, is formed by Firescald Creek. Its tributary, Boardtree Creek, on which the dam is proposed, enters barely downstream from this waterfall.

The developer has now informally asked for an unspecified amount of additional time before the Water Pollution Control Division makes a decision on his permit application. In the absence of a formal request from him for extension, it is unlikely that a long delay will be granted before the Division hands down a decision.

C. Threat of Caney Fork dam

[Contribute by Chuck Estes]

The City of Crossville is continuing to develop a feasibility study for the construction of a dam on the Caney Fork River, approximately 3 miles upstream of the Bridgestone-Firestone Centennial Wilderness Area. They have budgeted \$350,000 to pay for engineering design, attorney fees, and other costs connected with the permitting process (NL236 ¶2A). The dam would create a 1,200-acre lake in western Cumberland County to provide drinking water for the Crossville area. TCWP has expressed strong opposition to the dam (NL237 ¶2B) and requested that other options be evaluated further.

In February, Cumberland County Executive Brock Hill met with the Crossville City Council and asked them to reconsider joining the Cumberland Plateau Regional Water Authority that was created 18 months ago. The Authority, which consists of five rural water utility districts in the county (all districts except Crossville), has obtained a \$125,000 grant from the Appalachian Regional Commission to conduct a needs assessment for a regional water supply project. In mid-February, the State announced that the grant would support an analysis by the Tennessee Department of Environment & Conservation (TDEC).

Also in mid-February, Sen. Frist announced that he had requested \$1 million funding for a state-federal study on water supply problems at the whole-state level.

WHAT YOU CAN DO: Contact your legislators (addresses on p.2), and urge them to support Sen. Frist's funding request for a water needs/supply study.

3. PLATEAU DAM PROPOSALS, WATER SUPPLY, and OTHER WATER ISSUES

A. Cove Branch Dam in Obed watershed -- waiting

The comment period for the Cove Branch Dam (Fairfield Glade) proposal (NL236 ¶1A) closed on January 21, and a decision by the state was expected to follow soon thereafter. However, the developer requested and received a stay of decision until March 15 to address issues raised during the public participation process (see NL237 ¶1A for a report of the overwhelming opposition expressed at the January 11 hearing).

Cove Branch enters Daddy's Creek just a couple of miles upstream of the Obed National Wild & Scenic River boundary. This dam proposal therefore has special significance because the outcome could become a precedent for how the State handles the ONRW (Outstanding National Resource Water) designation of the Obed National Wild & Scenic River (NL229 ¶1A).

B. Dam at Savage Gulf boundary

This proposed dam on a tributary of Firescald Creek would be located just barely outside the boundary of the Savage Gulf Natural

D. Water Quality in the Lower Clinch River Watershed: come to meeting

[Contributed by Marcy Reed]

As apartof the State's Watershed Planning Process, the Tennessee Dept. of Environment and Conservation (TDEC) will hold a meeting about the Lower Clinch River watershed on April 17 in Oak Ridge. This watershed includes the Clinch River, East Fork Poplar Creek, and the Melton Hill Reservoir.

TDEC uses a 5-year watershed-management approach to assess rivers and streams in each watershed. The assessment is used to produce a 303(d) list every two years. This list is a compilation of water bodies in Tennessee that are "water quality limited" and need additional pollution controls. Melton Hill Reservoir and East Fork Poplar Creek are on the list because of industrial point-source discharges and contaminated sediments. At the end of the five years, TDEC will publish a plan that will outline the management strategy for this watershed.

The Lower Clinch is in the third year of the 5-year cycle. At the April 17 meeting, the year-2000 water-quality assessment will be discussed. This is your chance to see the most recent water-quality data, let the state know what priorities you advocate for cleaning up this watershed, and be a part of the watershed-management process.

WHAT YOU CAN DO: Come to the meeting, which will be held on April 17, 2001, at 7 p.m. at the DOE Oversight Building, 761 Emory Valley Road, Oak Ridge. If you have any questions, please contact Marcy Reed at 691-8807 or David Duhl at 615-532-0438 (dduhl@mail.state.tn.us)

4. OBED CAPSULES

- On February 21, the National Park Service (NPS) convened a focus group to discuss issues that will enter into the Climbing Management Plan for the Obied Wild & Scenic River. Representatives from climbing groups, the Nature Conservancy, TCWP, NPCA, and TSRA were present. NPS is now drafting Alternatives for the Plan, based on the substance of the focus-group discussions.
- The Obied Paddle Fest will be held April 6-8, based at Wartburg. TCWP is again among the sponsors of this event, the conservation aspects

of which are being chaired by President Jimmy Grotton. In addition to the various paddling events, the Fest will feature hiking, bird walks, mountain biking in surrounding areas, water sampling by schools, and other activities. TCWP will have a booth, featuring our new display board and some handouts. Money raised at the event will be used for school-based education on conservation and water quality.

- TCWP will assist the National Park Service in placing signs for the 1.5 mile trail that connects Lilly Bluff Overlook and the point at the confluence of Obied and Clear Creek. Tentative date is May 5. See enclosed flyer, and contact Sandra Goss for further information (865-522-3809, sgross@espet.com).
- October 12 will be the 25th anniversary of the passage of the bill that created the Obied National Wild & Scenic River. The National Park Service is planning a small event to commemorate the occasion.

5. STATE LEGISLATURE: SCENIC RIVERS, CHIP MILLS, etc.

GENERAL INFORMATION

If you have Internet access, you can find the full text of each of the bills summarized below as follows: go to web site www.legislature.state.tn.us/, look under "bills", then do "bill search" and key in the bill number.

For additional information about a bill and its current status, contact TCV (Tennessee Conservation Voters) lobbyist Bill Fischbein at tcvlobby@earthlink.net.

You can reach any legislator by calling 1-800-449-8366. TCWP's Political Guide, which contains individual numbers and additional contact information, will be mailed shortly.

A. Scenic Rivers Act amendment (SB1651/HB1374)

An amendment to Tennessee's venerable State Scenic Rivers Act of 1968 (the first in the Nation) has been crafted by the Sundquist Administration with a great deal of attention to making it acceptable to all constituencies (including the Farm Bureau). The original Act met with so much suspicion (based on misinformation) from riverside landowners that several rivers were removed by amend-

ments in the first few years, and the state barely implemented the ones that remained.

The Administration bill (SB1651/HB1374) that has now been introduced into the current session of the legislature is essentially a pilot "program of cooperative effort with landowners." It affects only one river segment: about 37 miles of the Duck River, a Class-II Pastoral River Area. [A Caney Fork River segment has just been removed because of opposition from Crossville.] The Commissioner of Environment and Conservation, after engaging in a "program of outreach and education" in the local areas, shall "establish a perpetual boundary of the ... area associated with the ... river segment. If the proposed boundary ... includes private property, the State shall obtain the notarized consent of the private landowner before establishing the boundary." By July 1, 2005, the Commissioner will report to the Legislature on these activities and on the river areas for which boundaries were established, and will recommend for or against expanding the program to all scenic rivers.

The bill passed the Senate Environment Committee but was held back due to possible opposition from politicians representing Cumberland County. Now, with the Caney Fork removed, it should have smooth sailing.

B. Forest Resources Conservation Act (HB260/SB265)

This bill would require permits for chip mills. The recent dramatic increase in clear-cutting on the Cumberland Plateau is being driven by an increase in chip mills that cut up our beautiful hardwood forests into chips used for production of pulp, paper, and particle board. Not only are ecosystems destroyed, but the soil is denuded, leading to major erosion and sedimentation of our Cumberland streams.

In addition to these environmental damages, there are economic ones. Value-added wood-products industries such as cabinetry and flooring (Tennessee ranks #1), contribute significantly to employment in our state, and a sustainable supply of hardwood saw timber is the basis of thousands of jobs. But chip mills continue to proliferate despite the clear evidence of over-cutting and impending wood shortages.

The SOCM-supported Forest Conservation bill, HB260 (Odom)/SB265 (Fowler) was intro-

duced in early February. The bill requires that new chipmills or similar facilities, or expansions of existing ones, must apply for permits. (It applies to facilities that have a capacity for processing at least 80,000 tons of pulpwood per year.) The permit application must specify the counties affected and the number of acres to be clear-cut. TDEC (Dept. of Environment and Conservation) then performs a forest-resources review to determine whether there is sufficient timber in the area to supply the proposed facilities. Based on this evaluation and on an assessment of what the environmental and economic impact of an additional chip mill would be, TDEC will grant or deny the permit. For status of the bill, call SOCM at 865-426-9455, or e-mail dana@socm.org.

WHAT YOU CAN DO: To support this bill, contact your State legislators by calling 1-800-449-8366. One of them, Sen. Randy McNally, is a member of the Senate Environment Committee, which has jurisdiction over this bill.

C. SB583/HB1311: Impact studies for proposed chip mills

This bill, sponsored by Sen. Kyle and Representatives Arriola and Sorrells, would preclude any economic assistance being given to chip mills by Tennessee agencies unless a Dept. of Agriculture study can demonstrate that the chip-mill operation would not have an adverse effect on the long-term viability of forest resources.

WHAT YOU CAN DO: To support this bill, contact your State legislators by calling 1-800-449-8366.

D. HB1308 (White)/SB1888 (Eissa) creates and enlarges Natural Areas, including Fall Creek Falls

[Contributed by Lori Bean]

This bill designates two new small Natural Areas, and considerably enlarges the size of four existing ones. It also increases the fine for damaging natural areas from \$100 per day to \$10,000 per day. The bill passed the full Senate 29-0 on March 13, and is on the House Calendar & Rules Committee calendar for 3/20/01. No difficulties expected.

The newly designated natural-scientific areas (the more restrictive of two Natural Areas classifications) are (a) 8 acres where Owen Spring Branch issues from the mouth of Sequatchie Cave in Marion County; and (b) Langford Branch, an area of 23 acres in Lewis County.

The legislation would enact significant increases in four existing natural-scientific areas. (a) Fall Creek Falls State Park. Presently 9,280 acres of the 16,030-acre park are designated as a natural-scientific area. This bill would increase the park acreage to 21,020 and would increase the acreage designated as natural-scientific to 14,270. (b) Couchville Cedar Glade in Davidson County: area increased from 72 acres to 79 acres; (c) North Chickamauga Creek Gorge in Hamilton County: increased from 3,700 acres to 3,852 acres; and (d) Flat Rock Cedar Glades and Barrens in Rutherford County: increased from 576 acres to 846 acres.

E. Tennessee Environmental Policy Act, SB442/HB778

This bill, sponsored by Sen. Crutchfield and Rep. Briley, is modeled on the federal National Environmental Policy Act (NEPA). It requires preparation of a report similar to a federal EIS prior to any state action that is likely to have significant adverse impacts on the environment. The important need for legislation of this type is underscored by numerous Dept. of Transportation (TDOT) projects, which run roughshod over environmental concerns. The most recent of these is the projected Hwy 321 construction that traces the northern boundary of the Gt. Smoky Mountains NP (NL237 ¶4A). We need a law which ensures that environmental impacts of major state projects be considered, and that citizens be given a voice in decisions on such projects.

WHAT YOU CAN DO: Contact your State legislators (1-800-449-8366) to let them know how necessary it is to enact SB442/HB778.

F. Citizen help is needed to Implement logging/water quality law

The "Bad Actor" bill passed last year makes any logger who damages water quality subject to a Stop Work Order. Citizen participation is required to make this law work. If you see run-off or stream impacts from a logging operation, you are urged to record several facts (and, if possible, to take a picture). Facts to record are location (name of creek, name of mountain, nearest road, etc.), land owner's name (if known), an estimate of how old the cut was, what type of logging was done (clear-cut, selective cut, etc.), any erosion? any siltation? You can call the SOCM Forestry Hotline (1-877-431-7626) with this information.

6. TVA SMALL WILD AREA and OTHER MATTERS

A. Whites Creek Small Wild Area: worries about the neighborhood

In response to suggestions from TCWP, TVA designated the Whites Creek Small Wild Area in 1983. Situated in the Whites Creek Embayment of Watts Bar Reservoir, the SWA encompasses forest-covered ridges, hollows, and secluded coves, and provides views over deeply indented bays and relatively undeveloped lakeshores. An attractive and varied trail through the SWA has been maintained by TCWP ever since the area's designation.

Surrounding the Whites Creek SWA is a large tract owned by Bowater Paper Co., most of which has been in use as a pine plantation. All along, the company has been very accommodating in allowing the Whites Creek Trail to traverse some of their land. Bowater's Clarence Streetman, who, many years ago, was one of the chief advocates for the designation of Bowater's Pocket Wildernesses (Honey Creek, etc.) welcomed our trail and, in fact, suggested its route through a portion of the company's land so as to make it possible to reach the prime viewpoint top of a high knoll.

Unfortunately, we have just learned that Bowater's has decided to sell its land, and our big worry is that it will be bought by a developer. TVA's Small Wild Area would feel not nearly as "wild" if surrounded by houses and roads. TCWP hopes to meet with Bowater's representatives and discuss ways in which the company might be willing to help protect the trail corridor and adjacent critical portions of land. In the meantime, we are planning a springtime hike (and work trip) on the trail to acquaint folks with what we are talking about.

WHAT YOU CAN DO: Come join us for this hike, and bring family and friends. For details see ¶10A of this NL.

B. Final EIS on Duck River water-supply alternatives

TVA's Final Programmatic Environmental Impact Statement on "Future Water Supply Needs in the Upper Duck River Basin" was released February 20. Much of the content is very similar to the Draft EIS of last summer (NL235 ¶4A) on which TCWP had commented (NL236 ¶5B). The surprise is that no single preferred alternative has been identified.

Ed Clebsch, 5737 Fisher Lane, Greenback, TN
37742, 865-3350.

Instead, TVA's preferred alternative in the programmatic EIS is that "one or more action alternatives should be pursued ..." — i.e., the only one of the five alternatives that is rejected is failure to develop a new source of water. TVA is not proposing to construct any of the facilities identified in the other four alternatives; the agency offers only to assist in evaluating available alternatives and to encourage cooperation among affected communities. The decisions are left to local utilities, appropriate government agencies, and other interested parties. Presumably this implies that funding, also, would have to be obtained by these groups.

At the same time, the EIS does evaluate the four alternatives with regard to the extent of their potential environmental effects. The least such effects would be caused by the Downstream Water Intake alternative (C) or a Tims Ford Pipeline (E). Substantially more adverse environmental effects would be caused by constructing the 3,600-acre Fountain Creek Reservoir (B) or raising the Normandy Pool Level (D). In our comments on the Draft EIS (NL236 ¶5B), we had strongly opposed the latter two, and had expressed a preference for Cover E, because C would supply more water, require a shorter pipeline, and be less costly.

C. Tellico Reservoir Development Agency

For each reservoir created by TVA over the past several decades, a development agency was set up and empowered by an Act of the legislature. These agencies were meant to have finite charters, and to "sunset" after a given number of years, but their political strength has been so great that many of them have been almost automatically renewed. In 2002, the charter of the Tellico Reservoir Development Agency (TRDA) is scheduled to come up for renewal. Critical observers believe that TRDA has done too extensive a job of residential and industrial development, and, additionally, has reserved for these purposes tracts offland whose intrinsic values as wild lands greatly exceed their development potential. Legislators representing the three counties in which TRDA operates (Blount, Loudon, and Monroe) need to be informed of the situation prior to next year.

WHAT YOU CAN DO: If you are interested in protecting some of the remaining natural lands surrounding Tellico Reservoir, get in touch with

D. TVA receives award for public lands activities

TVA was one of 9 federal land-management agencies to receive Vice President Al Gore's Hammer Award for its role in developing National Public Lands Day. That Day in September each year brings together federal, state, and local volunteers to help clean up or improve the nation's public lands and to foster environmental awareness. Last year, TVA helped coordinate the efforts of 948 volunteers who contributed 3,189 hours of labor. TCWP has participated in Public Lands Day activities for the past several years, and plans to do so again on September 29.

7. SMOKIES AND CHEROKEE NF

A. Highway 321 threat to the Smokies

(Contributed by Marcy Reed)

As we reported in NL237 ¶4A, the Tennessee Dept. of Transportation (TDOt) is embarking on a project to convert the northern edge of the Great Smoky Mountains National Park into a five-lane highway. Between Gatlinburg and Cosby, Hwy 321, currently a two-lane road designated "Scenic Route," would be widened to five lanes, with about 70% of the projected 16-mile route touching the Park's boundary.

Construction has now started on Phase 1, Highway-321 expansion from Gatlinburg toward I-40. The permits for this project have not been issued, including the NPDES permit required for storm-water runoff. TCWP is teaming with several other organizations in taking the following actions.

- raise money to hire a lawyer and file a suit to stop this project;
- campaign to get legislative hearings held on TDOt's mismanagement of this and other road projects.

Wendy Smith of the World Wildlife Fund has arranged a meeting with Justin Wilson, Special Advisor to Governor Sundquist, for March 30th to discuss this issue. TCWP plans to have a representative at the meeting. This direct contact with Justin Wilson has special importance because, to date, all e-mails, calls, and letters addressed to the Governor have been rerouted to the head of TDOt.

The Cherokee Nation, also, is in opposition to the Hwy 321 project, and especially to Phase

2, which traverses an area rich in Native American artifacts. There is hope that the Cherokees may become part of our efforts to stop the later phases.

The National Park Service and the Army Corps of Engineers each have received over 7000 comments on the Hwy 321 project, most of them requesting that an Environmental Impact Statement be done. Both agencies decided to consider all similar comments as a single comment, thereby diminishing the pressure for an EIS, which they have declined to do.

WHAT YOU CAN DO:

- (1) Write to the heads of the Transportation Committees, requesting a legislative hearing. They are Sen. Tommy Hahn, Legislative Plaza, Nashville, TN 37243-0201, and Rep. Don Ridgeway, Legislative Plaza, Nashville, TN 37243-0175.
- (2) Call or write Justin Wilson, Special Assistant to the Governor, at Governor's Policy Office, State Capitol-G10, Nashville, TN 37243-0001 phone 615-532-0438. Talking points can be found in NL237 #4A; or contact Marcy Reed at 865-691-8807 and she will e-mail you some information. Also let her know if you are interested in helping out with this campaign.

B. Bald Mountain Roadless Area

The Bald Mountain Roadless Area, which straddles the Tennessee-North Carolina line in National Forest lands is eligible for wilderness study. TCWP has signed on to a letter requesting that the area, despite being split by the state line and thus assigned to two separate National Forest jurisdictions, be studied as one unit.

8. OAK RIDGE AREA

[Contributed by Dev Joslin]

A. Oak Ridge Reservation Planning

A number of conservation groups (including TCWP, Advocates for the Oak Ridge Reservation [AFORR], the Tennessee Conservation League [TCL], the Tennessee chapter of the Nature Conservancy [TNC], and the Foundation for Global Sustainability [FGS]) have for months been urging DOE to prepare an Environmental Impact Statement (EIS) that includes a long-term, comprehensive plan for the entire Oak Ridge Reservation (ORR). Such a plan naturally would be required to include public input from numerous stakeholders and the general public. It also must take into account the abundant scientific information

available on the rare plants and animals of the reservation, declining migratory song birds, and unique habitats. Finally, a comprehensive plan is required to consider all the potential uses of the ORR: from research and education, to recreation and tourism, to public safety, and economic development in areas where it is appropriate.

Months of discussion have taken place since last summer between the above groups and DOE over this need for planning. After a trip to Washington, DC, to obtain the approval of her superiors, DOE Oak Ridge Operations Manager Leah Dever finally announced on February 7 that she was planning to do an EIS on future use of federal land in Oak Ridge, much to the joy of the groups that had been working so hard for this move. Hopes were crushed within two hours, however, when Dever was forced to retract her statement. U. S. Representative Zach Wamp had apparently intervened to stop the plan in order to allow "elected leaders of our area to be given a briefing and have an opportunity to be heard." In the subsequent five weeks, nothing further has been heard from DOE or Congressman Wamp about the plan.

In the interim, representatives of TCL and AFORR have met with DOE officials, city officials, state representatives, and the staffs of Senator Frist and Representative Wamp to continue to urge that this process be initiated. At this hour, it remains to be seen whether DOE will proceed with the planned EIS and/or a comprehensive plan for the entire reservation. If a reasonable solution cannot be reached, TCL and AFORR, with the assistance of the Southern Environmental Law Center (SELC), are prepared to take DOE to federal court for violations of the National Environmental Policy Act (NEPA) with regard to past and present land leases and transfers for industrial and residential developments on federal land. Such a lawsuit would insist that an EIS be generated.

WHAT YOU CAN DO: Write Congressman Wamp, Senators Frist and Thompson, DOE officials, and your local public official expressing your support for an EIS and a comprehensive plan for the entire Oak Ridge Reservation. Letters to the editors of local newspapers would also be very effective. Obviously one-to-one conversations with any of these public officials or with friends, neighbors, and colleagues are always productive.

Addresses: for members of Congress, see p.2; for members of City Council, c/o City Clerk, Municip-

pal Building, 200 S. Tulane Ave., Oak Ridge, TN 37830; for DOE Manager, USDOE-Oak Ridge Operation, P.O.Box 2001, Oak Ridge, TN 37831-2001.

B. DOE sells 182 acres of Clinch River floodplain and wetlands to developer for \$54 an acre

On February 6, the Department of Energy Oak Ridge Operations (DOE-ORO) sold 182 acres of riverfront property on the Clinch River to Oak Ridge Land Company for the unbelievably low price of \$54 an acre. This move was designed to please developers, the Boeing Corp., Oak Ridge City officials, and the Chamber of Commerce, all of whom advocate a large (1100 homes) housing development with possible access to the Clinch River.

One-third of the area included in the deal consists of wetlands. The 182 acres contain three species of plants designated as threatened or endangered by the state of Tennessee, and the land had previously been designated by The Nature Conservancy to be of "very high conservation value." TVA had recommended that the area not be subjected to any kind of development, and had twice offered to take over jurisdiction of this land -- which, until a month ago, belonged to all the citizens of the United States -- to protect its conservation values; but DOE refused TVA's offer. Now that the land has passed into private hands (as a virtual gift), TVA can protect only the vegetation that is within 50 feet of the shoreline and dictate where docks and marinas can and cannot be built. The wetlands are protected from major activities such as dredging, but not from the clearing of vegetation, building of walkways, decks, etc.

TCL, AFORR, other groups and private citizens are continuing to try to find some mechanism to provide permanent protection for the Boeing floodplain strip, its wetlands, and its rare plants. Again, AFORR, TCL and the SELC are prepared to take legal action if a satisfactory solution cannot be reached.

WHAT YOU CAN DO: Write Congressman Wamp, Senators Frist and Thompson, DOE officials, and your local public officials (especially in Oak Ridge) expressing your feelings about the DOE "give-away" of wetlands and your opposition to further development prior to completion of a comprehensive plan for the entire Oak Ridge Reservation. Letters to the editors of local newspapers would also be very effective.

C. The January 30 public meeting on ORR land-use planning

Although DOE had announced that their big meeting on January 30 would be an opportunity for the public to express their views on the future of the Oak Ridge Reservation lands, citizens were put at a distinct disadvantage for doing so. For the first hour and a half, DOE officials made their presentations, and representatives of various pro-development agencies and organizations were called up from a prearranged list and given time at the lectern to read their lengthy prepared speeches. By the time the floor was finally opened to the public at large, many people had left the meeting, some in disgust. Furthermore, the facilitator asked the public "in the interest of time" to speak from their seats (instead of the lectern) and to make only short remarks. Many did go to the lectern, and most of those remaining stayed another two hours to express their views in favor of preserving the remainder of the ORR for its many values. Many thanks to those who stuck out the meeting and expressed their views!

D. Parcel ED-3

Early in the 1/30/01 meeting, DOE-ORO Manager Leah Dever announced that she was proceeding with the sale of the Boeing floodplain property (see ¶88, above). At the same time, she announced that she was postponing plans for the development of Parcel ED-3, pending studies of overall land use (see ¶8A, above). Parcel ED-3 consists of 450 acres across the Oak Ridge Turnpike from ETPP (the former K-25 site) and along Blair Road, north of the Turnpike. Some of this land includes the Wheat Community Historic District, some extensive forested land adjacent to Pine Ridge, and small areas of wetlands.

Since the time of Ms. Dever's announcement, there has been considerable pressure from pro-development forces, including some Oak Ridge City officials, to proceed with the ED-3 development. On the other side, those in favor of holding off on further bulldozing of land have pointed out that there is already plenty of space for industrial development in the immediate area, including ED-1 which has 450 acres capable of holding at least 25 tenants, but has so far recruited only. Other potential "brownfield sites" where industry could locate include areas within ETPP, the developing industrial park just across the Clinch River known as the Macedonia Industrial Park, land on the Boeing property design-

nated for industrial development, and land along Gallaher Road between Oak Ridge and I-40.

Meanwhile, meetings continue with DOE, local and state officials, and congressmen to get tabling decisions on ED-3, at least until a comprehensive plan is completed that considers impacts on the value of the entire Reservation through an EIS process.

9. NATIONAL ISSUES (except ANWR)

A. Budget will include full LWCF

The White House budget "proposes full funding of the Land & Water Conservation Fund at \$900 million starting in FY 2002 (\$356 million over 2001), including \$450 million for state and local conservation grants." The LWCF is principally supported through receipts from oil & gas drilling on the Outer Continental Shelf and is used mainly for land acquisition for natural resource protection. The budget recommendation will be released to the Congress on April 6.

WHAT YOU CAN DO:

- (1) Write to President Bush thanking him for fully funding the LWCF at \$900 million, and letting him know that acquisition of natural-resource lands is important to you and to the country. Urge him to keep this budget item intact and unraided throughout the appropriations process.
- (2) Urge your Representative and Senator to give active support to this LWCF item during the lengthy Congressional budget and appropriations process. (All addresses are on p.2).

B. Outlook for CARA

Rep. Don Young (R-AK) has reintroduced CARA (the Conservation and Reinvestment Act) with the same bill number (HR701) it had in the last Congress. Last year it came close to passage, but failed for lack of active backing by Senate Majority Leader Trent Lott (NL236 ¶7A). The bill may have a similar fate this time since support from the Bush Administration is said to be lackluster at best.

CARA directs \$3.1 billion per year from offshore oil and gas receipts to a variety of programs, including full funding for the Land & Water Conservation Fund (LWCF) at \$900 million annually (half for federal land purchases and half for matching grants to states). A most important feature of CARA is that the LWCF would be permanent instead of being subject to annual appropriations. There is also money for urban parks and recreation, wildlife conservation, his-

toric preservation, and a little bit (only 1/3 as much as last time) for endangered and threatened species recovery. The Administration has so far failed to voice support for CARA, though it has pledged to support a \$900 million LWCF (¶9A, above). It is unlikely that the bill will come up in the Congress for some time, so Action suggestions would be premature.

C. The dismantling efforts are starting with national forests

In our last issue (NL237 ¶6) we summarized some of the land-protection legacies of the Clinton/Gore Administration and asked "WILL BUSH LET US KEEP THEM?" Within the first week following the inauguration, the new Administration froze all proposed and final regulations and executive order, *including those already published in the Federal Register*, supposedly for the purpose of "reviewing" them, but, as the *New York Times* wrote, "to give the Administration more time to devise a strategy for killing or weakening rules it does not like."

On February 5, the ban on road building and logging in national forest roadless areas was delayed by 2 months (from 3/13/01 to 5/12/01). Because the roadless-area rules were published in the Federal Register before Bush took office, he cannot block or alter them without going through a new rule-making process. For the rule-making that resulted in the published roadless-area rules, the Forest Service had held ~600 hearings and received 1.7 million comments. It may be noted that the timber potential of the roadless areas is very small.

Rep. Jim Hansen (R-UT), chairman of the House Resources Committee, wrote a private letter to George W. Bush (*Washington Post*, 1/4/01) proposing to dismantle a wide variety of Clinton Administration environmental initiatives, and calling the logging ban "one of the most egregious abuses by the Clinton administration." The letter indicated that Hansen and Vice President Cheney had already discussed strategies for addressing the dismantling. Some opponents of the logging ban are considering using a never-invoked 1996 law that allows Congress to rescind a regulation within 60 legislative days of it being published in the Federal Register.

D. Supreme Court upholds important air pollution rules

Two very important rules promulgated by EPA under the Clean Air Act were upheld in recent Supreme Court decisions.

- On February 27, the Court unanimously rejected industry arguments that the EPA must consider financial costs as well as health benefits in setting standards. The Court also disagreed that EPA had taken too much power from Congress when it set tougher standards for ozone and soot in 1997. (However, EPA was ordered to come up with a more "reasonable" interpretation of the law.)
- On March 5, the Court unanimously let stand a lower-court ruling that had rejected a challenge to EPA's ruling concerning the drifting of air pollution between states. In 1998, EPA had cited 22 states (including Tennessee) for creating interstate pollution, and had ordered these states to reduce smog-causing NO_x emissions. Several states and utilities challenged this EPA rule in federal court, but the court decided for EPA in March 2000. It is that federal-court ruling that has now been upheld by the Supreme Court.

E. The Norton nomination

Gail Norton's anti-environmental record and the reasons for opposing her nomination as Interior Secretary were covered at some length in NL237 ¶7B. While she ended up being confirmed (partly because so many other cabinet nominations had to be opposed at the same time), the size of the vote against her was the largest ever for any Interior Secretary nominee (the previous record, 18, was held by James Clark, who succeeded James Watt). The League of Conservation Voters (LCV) lists several benefits that derived from the effort to oppose Norton's nomination.

- Widespread media coverage of polls showing public support for environmental causes.
- Strengthening of the environmental movement's capacity for coordinated action.
- Forcing Norton to publicly state many less extreme positions, thus creating a record of specific commitments to which she can in the future be held accountable by members of Congress and environmental groups. For example, she claimed to be "fully committed" to enforcing the Endangered Species Act as written.

10. TCWP NEWS

A. Report on recent activities

Two public meetings sponsored by TCWP drew excellent crowds. Our January 25 Quarterly Meeting on air quality in the Smokies (co-sponsored by the Sierra Club) was attended by almost 60 people who were spellbound by the wealth of data

NPS's Jim Renfro graphically presented and which documented the recent rapid acceleration of air-quality deterioration in the mountains. NPCA's Danielle Droitsch then showed what people could do to try to remedy the situation. The March 6 workshop we co-sponsored with TVA on planting seedlings in riparian areas (for land stabilization) drew 67 registrants and an estimated total of 97! TCWP volunteers had helped in prepackaging the seedling, all of which were taken (in addition to 40 packets of special grass mix).

B. Cumberland Trail events, March 31

This double event constitutes our next Quarterly Meeting. At 10 a.m. (Eastern Time), at the Morgan County Courthouse in Wartburg, Rob Weber, Executive Director of the Cumberland Trail Conference, will present information about the Trail, which is our newest state park. For about half an hour preceding his talk, we'll serve a light breakfast. After Rob's presentation, we'll carpool to the trailhead for two guided hikes on the Obed portion of the CT: a relatively easy one (to Alley Ford) led by Rob, and a moderately difficult one (to Overlook Bluff) led by Gary Grametbauer. For more information, call or e-mail Sandra K. Goss, 865-522-3809 or skgoss@esger.com.

C. North Ridge Trail wildflower walk, April 22

Larry Pounds will lead another one of his great wildflower walks, this one on the Delaware Trail portion of the North Ridge Trail. This is an interesting, roughly 2-mile, circular trail with some ups and downs. The hike starts at 1:30 p.m. from the pump house on Outer Drive opposite the top of Delaware Avenue. For more info, call Larry at 865-483-8635.

D. Whites Creek Small Wild Area, hike and work trip, May 12

For more about our involvement in this lovely area, see ¶6A, this NL. The trail (ca 3 miles round trip) goes through varied wooded terrain of coves and ridges and provides scenic views of a relatively undeveloped part of Watts Bar Lake. Bring a lunch and a drink. If you want to help on the trail, bring a plastic bag for trash and loppers if you have any. But if you just want to walk and enjoy, that's great, too.

For carpooling meet at 8 a.m. at the NW corner of the Food City parking lot on S. Illinois Avenue (near corner with the Oak Ridge Turnpike). To reach the trailhead on your own (at 3:30

a.m.) proceed as follows: Go through Rockwood, heading south on US27, and check your odometer at the point US70 turns off to the right. About 4.2 miles beyond that, US27 crosses Whites Creek on a new bridge. Two miles beyond the bridge, at Roddy, turn left and proceed 1 mile to the lake-shore parking area where you'll see the trailhead sign.

E. TCWP booth at Mayfest, May 18-20

TCWP ambassadors are needed to work a two-hour shift at our booth at MayFest, Oak Ridge Civic Center. Call Sandra K. Goss for more information.

F. TCWP tee shirts and Obed prints still available

TCWP tee shirts in a lovely teal color can be had for a donation of \$15 (+ \$4 S&H). The original shirts on an ecru background are still available for \$12 (+ \$4 S&H). The 16 x 20" B&W Obed-gorge poster, signed by photographer Bill Russell, can be ordered for a donation of \$12 (+ \$4 S&H). To order any of these items, call Sandra K. Goss at 865-522-3909, or e-mail her at skgoss@esper.com. Only one S&H charge for multiple posters mailed to the same address. Ditto for tee shirts.

11. JOB OPENINGS; CALENDAR; RESOURCES

Job opening. The Tennessee Environmental Council (TEC), Nashville, seeks an Office Director. Experience in office management required. For more information, e-mail Gwen Griffith, ggriffith@tngreen.com.

Job opening. The Kentucky Department of Fish and Wildlife Resources seeks a Streams (Watershed) Biologist. Must have M.S. degree in fishery biology/management or an equivalent degree and 1 year professional experience with warm water streams. Closing date April 2, 2001. For more information, e-mail Berjy Kinman, berjy.kinman@mail.state.kv.us.

Events and deadlines calendar. (For details, check the referenced NL item; or contact Sandra K. Goss, 865-522-3809, skgoss@esper.com; or Marcy Reed, 865-691-8807, marcyreed@aol.com).

- March 31, Oak Ridge, Cleanup along shoreline of Haw Ridge Canoe Trail. Meet 9 a.m. at the Life Development Center, Old Edgemoor Road (contact Boyd Evans, 482-0557, or evans-boyd@netscape.net).
- April 6-8, Wartburg, Tennessee Paddle 2001 (¶14).
- April 17, Oak Ridge, Lower Clinch watershed meeting (¶3D).
- April 21, Knoxville, Earthfest Celebration, 11 a.m. - 7 p.m., Concord Cove Park off Northshore Drive. If you can volunteer to help, contact Ulla Reeves at 865-637-6055 or Terri Kanoa at 865-521-6957.
- April 22, 1:30 p.m., Oak Ridge, Delaware Trail wildflower walk (¶10C).
- May 12, White's Creek Small Wild Area hike and worktrip (¶10D).
- May 21-23, Knoxville, 10th Annual Southeastern Lakes Management Conference. The theme will be "Sustainable Watersheds - Balancing Multiple Needs." (Call TVA's Sue Robertson, 423-751-3747).

Publications

- *The Wild East: a Biography of the Great Smoky Mountains*, by Margaret L. Brown, explores the social, political, and environmental changes in the Great Smoky Mountains during the 19th and 20th centuries and concludes that this park is actually a re-created wilderness. (University Press of Florida, 504pp, 68b & w photos, \$24.95, paper).
- *The Status of Water Quality in Tennessee: Year 2000 305(b) Report*, identifies surface waters impacted by pollution that do not fully support the designated uses assigned to them by the Tennessee Water Quality Control Board. To request a copy, call 615-532-0699, or e-mail gdenton@mail.state.tn.us.

Resources

- *EnviroList* is a listserv on current postings of new jobs, grants, scholarships, fellowships, RFPs, etc. <http://www.enviroone.com/cnvsearch/EnviroList.asp?LA>
- The Sequatchie Valley Institute is a non-profit environmental learning center located near Whitwell, with the mission of bringing research and education in sustainable living to Southeast Tennessee. For information, call 423-949-5922.

- March 31, Wartburg, TCWP Quarterly meeting on the Cumberland Trail: morning talk, afternoon hikes (¶10B).