

TENNESSEE CITIZENS FOR WILDERNESS PLANNING

Newsletter No. 94, May 8, 1979\*

1.	Obed: money needed for legal action on disastrous stripmines . . . . .	p.2
2.	TVA still hell-bent on building Columbia Dam. Join us in a Duck-River Alliance. . . . .	p.2
3.	Other rivers in Tennessee	
	A. Sen. Baker is <b>trying hard to exempt</b> Tellico Dam from GSA . . . . .	p.3
	B. Hiwassee Scenic River? . . . . .	p.3
	C. Cumberland River basin . . . . .	p.3
4.	New Opportunities to save rivers	
	A. HCRS Recreation River Study. . . . .	p.4
	B. Coordination of open-space with water-management programs. . . . .	p.4
	C. Bill introduced to deauthorize Tenn-Tom. . . . .	p.4
	D. President Carter's Water Policy Reform . . . . .	p.4
5.	TVA Clean-Air Settlement still languishes: public education needed . . . . .	p.4
6.	Alaska: the battle moves to the Senate . . . . .	p.5
7.	Tennessee bottle bill: get to work for next year!. . . . .	p.6
8.	The Tennessee State Scene	
	A. TORAS master plan being revised. . . . .	p.6
	B. A new chance to save Overton Park. . . . .	p.6
	C. A Cumberland National Forest for Carter Mountain?. . . . .	p.7
	D. Pickett State Forest - Flint Fork Cove . . . . .	p.7
	E. TWRA's Nongame Program . . . . .	p.7
9.	RARE II: President's proposal is no better than the USFS's . . . . .	p.7
10.	Stripmine news	
	A. Federal. . . . .	p.8
	B. State. . . . .	p.8
11.	Oak Ridge Area	
	A. Comments needed on Melton Hill Coal Barge study. . . . .	p.9
	B. Keep working against the airport threat! . . . . .	p.9
12.	National News	
	A. The Endangered Species Act in trouble again. . . . .	p.9
	B. A bill to conserve nongame wildlife is being watered down. . . . .	p.10
	C. ORV's should be taxed. . . . .	p.10
	D. Government reorganization. . . . .	p.10
	E. An income-tax bill to help non-profit organizations. . . . .	p.10
	F. Know what you're up against: corporate PAC's. . . . .	p.10
13.	People of interest to TCWP:	
	Jack Gibbons, Russell Peterson, Jimmy Carter, Ann Tidwell, Tim McCall, John Grant, Padgett Kelly, Louise Currey, Leroy Fox. . . . .	p.10
14.	TCWP Matters	
	Dues; Errata; Kudos; Friends at MTSU; Activities . . . . .	p.11
15.	Publications of interest. . . . .	p.12
16.	Calendar. . . . .	p.13

ACTION SUMMARY (See back of Activity Sheet)

ACTIVITY SHEET - see colored page

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Star in margin means "Action Needed."

## 1. OBED: MONEY NEEDED FOR LEGAL ACTION ON DISASTROUS STRIPMINES

Late in 1978, TCWP filed an objection to a permit being granted to Site Developers Co., Inc. whose proposed stripmine will, we feel sure, pollute a portion of the Obed designated as a National Wild River. In response to a recent Water Quality Control Div. (WQCD) request, we have now re-stated our complaint in more legally specific terms. The next step should be a hearing before the WQC Board.

As this case illustrates, TCWP is being forced to appeal the issuance of coal mining permits in the Obed River watershed on a piecemeal basis in order to protect the special quality of the river. Designation of the entire watershed as "unsuitable for mining" is eventually possible under Section 522 of the Federal Coal Surface Mining Control and Reclamation Act of 1977--but not until Tennessee's government is certified to administer this Federal law (see ¶10). In the meantime, we are forced to take action, at least on mines close to the river, and we need financial help for legal fees! If you love the Obed and want to help keep silt, acid, toxic elements and other banes of stripmining out of the river, please send us a check today. Mark it as being specifically for the Obed River Defense Fund.

There are two interesting sidelights to the Site Developers' case. Blanton's appointee to the WQC Board, Dr. Timanus, whose dismissal was requested in a suit filed by conservation groups (NL 93, ¶9C), was alleged by the State Attorney General to have attempted to bribe two WQCD officials to "speed up" the processing of two stripmine applications. Both mines would drain into the Obed. One was Site Developers'. The other sidelight: during the original public comment period on the Site Developers' permit application, the National Park Service (NPS) was discouraged by an official of the WQCD from filing an objection to this permit on the grounds that "no one else" had objected. Yet, we personally know of three objections that had been filed, and there may have been others.

The Obed Water Quality Task Force met, for the first time, on March 14. WQCD, NPS, TVA, TWRA (Tenn. Wildlife Resources Agency) and the Dept. of Conservation were represented. Incidentally, the NPS, despite strong efforts by their local staff, has still done nothing about obtaining a minerals appraisal, which is a prerequisite to land acquisition and thus to the protection of the resource. If this bothers you, ask your Senators and Congressperson to put some pressure on NPS (Senate or House Office Bldg., Washington, D.C. 20510 or 20515).

## 2. TVA STILL HELL-BENT ON BUILDING COLUMBIA DAM. JOIN US IN A DUCK RIVER ALLIANCE.

TVA has denied our requests to extend the comment period on their draft report on Columbia Dam alternatives. Interestingly, dam supporters were consulted by TVA in several phases of this alternatives document only after requesting it. There are indications of bias throughout the report, e.g., the statement that the free-flowing river provides no recreation benefits that are not also available elsewhere. (How about reservoir recreation, then? Is that not also available elsewhere?) The mitigation plan that has reportedly been developed by TVA to protect an endangered species of mussels is not described in such a way that it can be evaluated by biologists. The American Rivers Conservation Council has requested to see it.

We have heard two very disturbing rumors from "usually reliable sources." One is that while the published report lists only costs of alternatives, an earlier version contained benefit/cost ratios clearly favoring the free-flowing-river alternative; and that this was suppressed in favor of the cost-only version. The other rumor is that TVA is pressuring the Tenn. Water Quality Control Division to support approval of the Corps of Engineers' 404 permit for the project and to prevent a public hearing.

The Tenn. General Assembly has just voted another \$5,000 for the Upper Duck River Development

Authority--that's the vocal pro-dam group. No wonder they are so vocal, with all that money to spend on travel, communications, etc.!

Do you know of any organization which would be interested in joining a Duck River Alliance devoted to stopping this porkbarrel dam? Let us know. We'll send info. The Alliance would be modelled after the successful Little Tennessee River Alliance, LTRA.

Get to know the lovely Duck River! Join in a pastoral float June 2. No special skills required. Canoes available for rent (\$9 per unit--call 615,364-2254). Meet 9:30 a.m. CST just N of Henry Horton State Park on Highway 31A at Voyager Canoe Systems. For more info. contact Frank Fly, 2015 Cane Court, Murfreesboro 37130.

### 3. OTHER RIVERS IN TENNESSEE

#### A. Sen. Baker is trying hard to exempt Tellico Dam from ESA.

By the time you read this, you may know whether Sen. Baker succeeded in pushing through the full Senate Environment & Public Works Committee his bill to exempt Tellico Dam from the provisions of the Endangered Species Act\* The Tellico exemption will be considered on May 9. Sen. Baker is thus bypassing the subcommittee, which had taken no action on his bill. He is in effect, saying "If I can't win under the rules we all agreed to, then I'll change the rules." TCWP and several of its members contacted <sup>committee</sup> members to let them know that--quite apart from the snail darter--this dam has no economic justification. Even Charles Schultze, Chairman of the President's Council of Economic Advisors, stated so during the deliberations of the Endangered Species Committee, which Sen. Baker created and is now trying to destroy. (See ¶12A for further news on the Endangered Species Act.)

Regardless of whether or not Senator Baker succeeds in Committee, the matter may come up again on the floor of the Senate. It is important that you write to any Senator with whom you may have contact to tell him what an economic blunder Tellico Dam is. Incidentally, Sen. Baker is now saying that the Endangered Species Committee exaggerated the cost of completion of the dam. The figure is, in fact, higher than before, but this is due to the fact that extra features are now needed to have Tellico meet new dam-safety standards.

We hope you will thank the following state Representatives who had the guts to have themselves recorded as voting "no" to the General Assembly's HJR 71, which urged Congress to exempt Tellico from the ESA: Steve Cobb and Mike Murphy of Nashville, Bill Nolan of Knoxville, and John Spence of Memphis. The resolution passed by voice vote. By contrast, the Tenn. Wildlife Resources Commission earlier passed a resolution opposing exemption from the ESA and favoring a rivers alternative to the dam.

#### B. Hiwassee Scenic River?

TCL (Tenn. Conserv. League) at its annual meeting in March passed a resolution urging designation of the 13.5 miles of the Hiwassee below the U.S. 411 bridge as a State Scenic River. The upper portion of the Hiwassee is already so designated.

#### C. Cumberland River Basin

According to a study by the Ohio R. Basin Commission, the Cumberland River Basin (in Tenn. and Ky.) had 7,100 miles of streams. Of these, 880 miles have been impounded, 730 miles have been spoiled by mine drainage. Only 300 miles have potential protection: 174 as state Wild and/or Scenic Rivers (9 segments), and 126 within the Big S. Fork National River and Rec. Area. The recent HCRS study (NL 91 ¶13D) listed another 630 miles on 17 streams as having potential for National Wild/Scenic River status. Hopefully, the remaining 4,560 miles can also escape impoundment and mine pollution!

\* Late news. He lost by a vote of 3:10, Thanks <sup>over</sup> to the efforts of many of us in bringing the real facts before the committee. He still says he'll try on the floor, though

#### 4. NEW OPPORTUNITIES TO SAVE RIVERS

##### A. HCRS Recreation Rivers Study

Last year, the USDI's Heritage Conservation & Rec. Service inventoried rivers that might be considered for National Wild or Scenic designation (NL 91 113D). Now HCRS is focusing on those rivers which are significant primarily for their recreational values. These are the criteria: (1) must be at least 5 miles long; (2) should be free-flowing but may include short segments of impounded or controlled water; (3) should possess one or more recreational features (canoeing, fishing, hiking, historic or archeological sites, nature interpretation, etc.) of regional, state, or national significance. The SE Region of HCRS includes the states of AL, FL, GA, KY, MI, NC, SC, and TN. We are collecting an inventory for HCRS. Please call in your suggestions to Mike Holland, 615,482-2860 by July 10. He'll ask you some questions about the rivers so we can complete the forms.

##### B. Coordination of recreation and open space with water quality management programs

The Clean Water Act provides for the consideration of recreation and open space in all water-quality-management projects (under Sections 201 and 208) funded after 9/30/78. For example, since sewage treatment plants are frequently located next to a river, these plants can also provide access to the river; trails can be located along interceptor sewer lines; shoreline of newly cleansed water bodies can be protected. HCRS and EPA are working together on implementation of these new requirements, and the former has asked for suggestions. If you have any specific suggestions on how to implement these new requirements, write Mike Bowman, HCRS, 148 International Boulevard, Atlanta, GA 30303, or phone 404, 221-4778.

##### C. Bill introduced to deauthorize Tenn-Tom

Sen. Nelson (D-Wis.) has introduced S. 769 which would de-authorize Tenn-Tom. Hearings to be held June 14 before the Senate's Water Resources Subcommittee will focus on trumped-up benefits and suppressed costs of this \$2 billion project, and on the Corps of Engineer's proceeding with a channel much wider than that authorized by Congress. Address your comments to Sen. M. Gravel (Chairman, WR Subcommittee, U.S. Senate, Washington, D.C. 20510).

##### D. Pres. Carter's Policy Reform

Two Administration bills are in committee markup: S. 833 would set up, within the Water Resources Council, the independent panel that would review all new water projects with respect to economic and environmental standards; S. 480 would furnish grants to states for water conservation. These bills are going to the full Senate Environment & Public Works Committee, which seems only too anxious to swipe at water policy reforms. In the House, even more problems are anticipated from the Public Works Committee.

##### E. Non-Federal Dams

The Corps of Engineers has, to date, completed inspection of 1793 non-Federal dams. Of these, 354 (=20%) were found to be unsafe, with 26 of these being emergency cases.

#### 5. TVA CLEAN-AIR SETTLEMENT STILL LANGUISHES: PUBLIC EDUCATION NEEDED

The Clean Air Consent Decree (between TVA and citizens groups, EPA, 2 states) languishes in Nashville, awaiting approval by Judge Wiseman's U.S. District Court. Following a letter from Barry Bosworth (Dir. of the Council on Wage & Price Stability) to the Consolidated Aluminum Co., stating that the Decree would impose "an unnecessary burden" on power users, Judge Wiseman requested an economic impact statement (see below), by our lawyers. In the meantime, the Carter Administration has reiterated its support of the Settlement (thus disowning Bosworth's attack on it) as being "in the public interest and consistent with the President's policies." Bosworth's interference was also questioned by Congressional committees.

However, the industrial power consumers as well as the local power distributors are still on the warpath against the Settlement. We need everyone of you to bring some of the true facts of the case before the public by writing letters to the editor. Some of the information brought out in the Economic Statement prepared for Judge Wiseman and in other studies may be of use to you.

a. TVA has projected that, even without any expenditures for air-pollution control, the base cost of electricity will increase by 111% between 1979 and 1990 (from 23.4 to 49.3 mills/kwh). Compared to that, the increase in cost of electricity attributable to the Settlement is minor: at the maximum point, in 1983, it will be 9% for home consumers, after which there will be a decline. The average impact over the next 10 years will be 7%.

b. While the costs to TVA may seem great, the benefits to the public are likely to be greater. Coal-related air pollution has been clearly linked to aggravation of heart and lung diseases. The economic analysis provided by our lawyers for Judge Wiseman did not place a dollar value on decreases in mortality and morbidity. However, extrapolation from two national studies that are cited (Lave and Seskin, 1977; the National Academy of Sciences, 1975) indicates that the reductions in SO<sub>2</sub> and particulates from TVA coal-fired plants will result in health benefits worth \$706 million annually. This is about 1.5 times as great as the annual cost of operating and maintaining the pollution-control equipment, namely, \$477 million.

c. Costs of health care are growing at a rate greater than the average of other costs. Therefore, the Settlement, by decreasing health costs, is deflationary, rather than inflationary.

d. SO<sub>2</sub> emissions eventually become atmospheric sulfate and acid rain. These can cause major damages to crops and materials. (Recently, for example, TVA had to pay \$200,000 in an out-of-court settlement for crop damages.) It is obvious that, if an overall dollar value for these could be included, the benefit/cost ratio for the Settlement would become greater than 1.5.

e. Everyone, including TVA staff, agrees that it would cost TVA (and therefore the consumer) more if the case went to trial than if the Settlement were approved. Delays are costly, both in equipment and in construction costs; and, further, TVA would be subject to \$260 million in fines. It should also be noted that a substantial portion of the needed capital outlay has already been authorized by the TVA Board, regardless of what happens in Court.

\* So, please pick up your pen and write a letter to the editor of your local paper. To kill two (or four) birds with one stone, send copies to your Representative (House Office Bldg., Washington, D.C. 20515) and both Senators (Zip 20510); Sasser needs particular attention.

#### 6. ALASKA: THE BATTLE MOVES TO THE SENATE

(contributed by Andy Butler)

As this newsletter is being printed, the House of Representatives is deciding the fate of over 100 million acres of federal land in Alaska. Extreme pressure from petroleum companies, mining interests, chambers of commerce, and other development interests make it quite possible that the House will pass a bill considerably weaker than last year's H.R. 39--either the Dingell-Breaux or the Huckaby bill, which squeaked through respective committees by 2- and 1-vote margins. The Carter Administration is strongly supporting the conservationist-backed Udall-Anderson Substitute, which will be offered on the floor. The opposition is spending millions of dollars in its campaign to weaken the protection granted Alaska's lands by President Carter in December. They are playing upon National fears of oil and gas shortages in an attempt to open the sensitive Arctic National Wildlife Range to petroleum development. The vote is expected on May 8 or 9.

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\* The Senate has yet to act on the Alaska question this year. Please write Senators Sasser and Baker at once and urge them to co-sponsor S. 222, the Durkin-Nelson-Roth Alaska lands bill. Also, write Sen. Henry Jackson (chairman, Energy and Natural Resources Committee) and urge him to use S. 222 as the Committee's markup vehicle. Points you might wish to mention in your letters include: 90% of Alaska's oil potential is outside of all proposed conservation units; DOE testimony concludes that we do not need to open the Arctic Range to exploration at this time, and that other deposits in Alaska will keep oil companies busy for 20-30 years; oil from the Arctic Range would have no effect on our Nation's energy situation for at least 20 years. For more information, contact Andy Butler, 234 Highland Avenue, Oak Ridge, TN 37830 615,482-1336).

\* Preserving Alaskan lands does not come cheap or easy. The Tennessee-Alaska Coalition (of which TCWP is a member) is coordinating the effort state-wide, and needs your financial support. A painless way of donating is to purchase one or more \$1.00 chances on a new Blue Hole Canoe, to be raffled off June 22. The Raffle is sponsored by the Blue Hole Canoe Co. and by Blue Ridge Mountain Sports of Knoxville. Tickets may be purchased from Tennessee-Alaska Coalition, 112 Malvern Rd., Oak Ridge, 37830, or at Blue Ridge Mountain Sports. The winner will be notified.

#### 7. TENNESSEE BOTTLE BILL: GET TO WORK FOR NEXT YEAR!

This year: The bottle bill is dead. All bottle/litter bills, including HB 343 (Lashlee)/SB 742 (Koella) and HB 1181 (Murphy) were sent to a litter committee for study. Those who know the workings of the General Assembly express little surprise at this inaction, citing the fact that House Speaker Ned McWherter is a beer distributor. An interesting bill, supported by McWherter, passed the House 90:7 in mid-April: it provides for prison inmates to pick up litter (with a resulting reduction of prison sentences), and requires \$700,000 to be spent for buying new vehicles for this purpose!

\* Next year: A concerted public effort to pass a bottle bill is in the making. [Please note that a good bottle bill does much more than just cut down on litter: it brings about major savings in natural resources and in energy.] As a first step, the Tennessee Alliance for Container Legislation (TACL) is being formed to encompass more than just conservation groups. (TACL will disband as soon as a good Bottle Bill is passed.) This is how it affects you: (a) are you a member of, or know of, an organization (other than TCWP) that might want to join this coalition? (b) do you, as an individual, wish to contribute financially to the Bottle Bill efforts? Please send names, money, or suggestions to TACL, 1720 West End Avenue, Suite 600, Nashville, TN 37203.

#### 8. THE TENNESSEE STATE SCENE

##### A. Tennessee Outdoor Recreation Area System (TORAS) master plan being revised

TORAS includes 35 state parks; State Natural Areas; Scenic Rivers and Trails; Historical, Archaeological, and Environmental Education Areas; State Forests; Scenic Routes--all administered by the Tenn. Dept. of Conservation. The Dept.'s Planning Division and the Tenn. Environmental Council are engaged in a TORAS revision to refine the state's role, formulate priorities, and reassess type and degrees of development. The study is being done by Ken Winter, who has organized 5 workshops across Tennessee to elicit input from interested citizens. Dates are June 5, 7, 12, 14, 19. Check the calendar (#16). For details, contact Ken Winter, TN Department of Conservation, 2611 West End Avenue, Nashville, TN 37203, Phone 741-2756, ext 25.

##### B. A new chance to save Overton Park

In March, the new administration's Commissioners of Transportation and of Finance & Administration, Wm. Sansom and Lewis Donelson, met with Memphis Mayor Chandler and with representatives of Citizens to Preserve Overton Park (CPOP), the Chamber of Commerce (C of C), and Future Memphis (FM) to find ways to link up the two ends of I-40. They appeared to be

receptive to the suggestion, agreed upon last year by C of C, FM, and CPOP, that an independent planning-engineering firm be employed to seek alternatives that need not necessarily conform with Interstate standards (since 96.5% of the traffic on the Memphis portion of I-40 will be essentially local by the year 2000), and might utilize existing traffic arterials, leaving Overton Park untouched. For the first time, the State seems willing to discuss alternatives. Hopefully this will put an end to Senator Baker's efforts (fortunately abortive, so far) to get Overton Park exempted from the provisions of Sec. 4(f) of the Federal Highway Act.

C. A Cumberland Plateau National Forest for Carter Mountain?

About 50,000 acres of Carter Mountain in Tennessee, and about 20,000 acres adjoining in Alabama, part of the estate of Texas oilman Harry Lee Carter, were being protected as wildlife management areas by the two states. Now the executors have refused to renew the lease because of a conflict over inheritance taxes. The mountain is covered with a lovely mixed mesophytic forest and a rich understory flora, including several species listed as threatened or endangered. The fauna, too, includes endangered species (cave salamanders and bats). There are caves, striking geological formations, and the deep gorge of Turkey Creek. The Carter Mountain Committee (Franklin County Courthouse, Winchester, TN 37398) and the Tenn. Conserv. League would like Carter Mountain to be the core of a proposed Cumberland Plateau National Forest. A USFS team had concluded in 1975 that the area was well qualified. See calendar (#16) for a Carter Mountain hike, May 19-20.

D. Pickett State Forest-Flint Fork Cove (Contributed by Bill Chandler)

A disagreement within the Tennessee Department of Conservation has arisen over the ecological value of the 1000-acre Flint Fork Cove of Pickett State Forest, which borders the BSFNRRA. One subgroup in Conservation proposes limited tree harvesting; another advocates protection of what it perceives as a rare artifact of a Beech Climax forest. Bill Chandler, accompanied by Gene Wofford and Tom Patrick of the University of Tennessee, toured the cove in April accompanied by Division of Forestry Rangers. At this point, TCWP's position is that the situation needs more study. Volunteers skilled in forest ecology are needed. If you are interested, please contact past-president Ed Clebsch at 974-3065 about participating in the Flint Fork Study Committee, or write to Bill Chandler, 130 Tabor Road, Oak Ridge, TN 37830.

E. TWRA's Nongame Program

An operational plan for the Tenn. Wildlife Resources Agency's Nongame Program was approved by the TWR Commission on April 6. We urge you to write for it (Bob Hatcher, Nongame Coordinator, TWRA, P.O.Box 40747) and to let TWRA and TWRC know your opinion. TWRA is also trying to encourage landowners to improve food and cover conditions for wildlife by issuing information on sources of food and cover planting materials.

9. RARE II: THE PRESIDENT'S PROPOSAL IS NO BETTER THAN THE USFS'S

President Carter's RARE II recommendations to the Congress (issued in mid-April after review of the final EIS by Congress, governors, and federal agencies) are essentially the same as those of the USFS (NL 92 #2; NL 93 #8): of 46.2 million acres in 49 states, excluding Alaska (where wilderness is under separate scrutiny), he recommends that 9.9 million acres (21.4%) be added to the wilderness system, 7.6 million acres (16.5%) be set aside for further study, and 28.7 million acres (62.1%) be thrown open for development. The USFS and timber industry are pushing for quick action on the last category. Some Congressional leaders (Reps. Seiberling, Burton, and Udall, Sen. Bumpers) have asked for more time and field trips to review the non-wilderness proposals. Agriculture Sec. Bergland has responded that the USFS would consider only short delays, and only in cases where these would not unduly disrupt their program. Rep. Seiberling, Chairman of the House Interior Public Lands Subcommittee, predicts that the legislative process will evolve into a combination of wilderness bills for individual areas, some statewide and some regional.

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USFS statistics indicate that the RARE II wilderness recommendations would affect the price of housing by less than 0.09%, as follows: of the price of a new house, 41% is due to materials; of this, 17% is softwood lumber; of this 16% comes from National Forests; of these, only 5% would be in wilderness, and 3% in wilderness-study categories.

In Tennessee, as you may recall (NL 92 ¶2) the USFS recommended only a paltry 3887 acres for wilderness. [Yet our General Assembly passed a resolution (HJR 79, Fisher) to eliminate 41,900 acres (!) from the RARE II wilderness proposals.] Please continue to contact your U.S. Representative and Senators (House and Senate Office Bldgs., Washington, D.C. 20515 and 20510) and urge them to support the "Citizen's Wilderness Proposal," which would designate as wilderness 13 areas, totalling only 15% of the Cherokee N.F. Presently, only 1.3% is wilderness (or, 1.9%, if Bald River Gorge is added).

## 10. STRIPMINE NEWS

### A. Federal

--More attacks on the federal stripmine Act and on the Office of Surface Mining (OSM) are underway. Sen. Huddleston (D-Ky) is holding hearings in Kentucky and D.C. to elicit opinions on how regulations are affecting the production and use of coal, and whether OSM is overstepping legislative authority. Later, June 19 and 21, the Senate Energy Committee will hold oversight hearings on the new regulations which were approved by Sec. Andrus 3/5/79 and published in the Federal Register 3/13/79 (see NL 93 ¶7A; this NL ¶15).

--OSM has published its Annual Report to Congress. Among highlights for the first year of implementation of the 1977 Act are these: OSM distributed over \$9 million to regulatory agencies in 21 coal States; by 10/1/78, the Abandoned Mine Reclamation Fund had collected \$105 million in fees from coal production; 42 orphan sites were slated for high-priority reclamation, using the Fund; more than 31 days of hearings were held on the proposed permanent regulations.

--Among OSM's job openings: Ecologist, GS 12/13, for the Denver office; Soil Scientist, GS 13, for the Knoxville office.

--The use of coal in electric power generation produces 3 major areas of risk, according to an OTA (Office of Technology Assessment)-sponsored report by Lester Lave and Eugene Seskin (see also ¶5): adverse effects on health; climatic changes from increased amounts of CO<sub>2</sub> in the atmosphere; crop damage from acid rain. The study concludes that there is a significant risk from long-term exposure even to pollution levels permitted under the Clean Air Act. Another conclusion: the expanded coal use contemplated for the future can be accomplished without relaxing environmental standards.

### B. State

--Under a cooperative agreement with OSM, Tennessee is receiving \$128,700 to begin development of its abandoned-mine reclamation plan. If and when Tennessee has an approved program, it will be eligible for \$1.4 million.

--No bill came out of this year's General Assembly to bring Tennessee in compliance with the federal Stripmine Act. This is both good and bad news. The very good news is that a bill drafted by the stripmine lobby, FACT, which was the only compliance bill in the hopper (NL 93, ¶7C), died a natural death, being helped along by a written critique from OSM and by clearly negative signals from the Alexander administration. The bad news is that we will limp along for another year with an interim program, and with wildcatters having a field day (see below). C. C. McCall, head of the State's Div. of Surface Mining had drawn up a good draft bill (which underwent several reviews by knowledgeable people, including Bill Chandler); but Gov. Alexander and Commissioner Tuck were anxious to take "time to be sure our Administration Bill is as complete as it should be."

--The status of an anti-wildcatting bill is hanging in the balance as we go to press. HB 1271 (Nolan)/SB 794 (Ortwein), would permit the Dept. of Conservation to confiscate a wildcatter's equipment and his illegally mined coal, and to deny future permits to



operators who have a record of wildcatting. While the House Conservation Committee (which includes Rep. McNally) approved the bill, Senate amendments have rendered it virtually meaningless. Everything now depends on outcome of the conference committee. The bill's troubles are due partly to FACT (which represents equipment companies, as well as strip-miners) and partly to the worry of some legislators that the measure could jeopardize next year's Administration bill (see above), which contains a similar wildcatting provision. Actually, it would merely give us protection a year earlier and would then be superseded by the more comprehensive bill. Gov. Alexander recently wrote to TCWP's Bill Chandler "I am unalterably opposed to 'wildcatting.' 'Wildcat' stripminers are outlaws and must be treated as such."

--Tennessee has 29,500 acres of land eligible for the Rural Abandoned Mine Program (RAMP), a cost-sharing program administered by the Soil Conservation Service through state and county reclamation committees. If you want to know whether your land is eligible, contact your local SCS agent.

## 11. OAK RIDGE AREA

### A. Comments needed on Melton Hill Coal Barge Study

After 3 1/2 years of county and city objections to the proposed coal-barge terminal on 64 acres located opposite Oak Ridge on Melton Hill Lake, TVA staff has finally issued a draft environmental statement. Many who have seen the EIS feel that the TVA staff has greatly soft pedalled the adverse impacts of the terminal. Possibly, chairman Dave Freeman has the same feeling, for his cover letter, attached to the draft report, lists a number of questions he still has. We urge all interested persons to comment on the draft and on Mr. Freeman's question. The deadline is June 8. Copies of the EIS may be obtained by calling, toll-free, 1-800-362-9250.

### B. Keep working against the airport threat.

Remember that there is a City Council election coming up June 5. Ask the candidates whether they believe in putting an airport on the U.T. ridge immediately adjacent to the Arboretum--a development which would also destroy valuable forestry experiments. Even Councilpersons who are not up for election should be called.

## 12. NATIONAL NEWS

### A. The Endangered Species Act in trouble again

A comprehensive poll, conducted by Resource for the Future in 1978, had this among its "trade-off" questions: "An endangered species must be protected, even at the expense of commercial activity." About 67% agreed. Hopefully the Congress will reflect this level of support when it again gets going on the Endangered Species Act (ESA). As you may recall, the Act was, last fall, extended for only 18 months (NL 91, ¶2) i.e., until March 1980. Under a Congressional rule, committees must report authorizations for FY 1980 by May 15, 1979. There were some hopes that a simple reauthorization would be forthcoming at this time, but these may be shattered by Sen. Baker's action (see ¶3A). Further, a GAO analysis of the manner in which the Fish & Wildlife Service (FWS) administers the Act is prompting some requests for amendments, most of them harmful to the ESA. President Carter has strongly re-affirmed his support for the ESA.

One harmful effect of last fall's amendments that is not generally known is that the Sec. of Interior must now consider the economic impact before designating any "critical habitat." This has bogged down the FWS in incredibly time-consuming and expensive efforts, with the result that many of 2000 proposed listings of species or habitats which are now being reviewed will miss the newly imposed 2-year deadline for making decisions.

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B. A bill to conserve non-game wildlife is being watered down.

About 83% of vertebrate species are considered "non-game"--yet less than 3% of the federal \$ spent on wildlife go for non-game species. Last year, a non-game fish and wildlife conservation bill was blocked when the U.S. Chamber of Commerce branded it as just another endangered species act. This year, there has been a new attempt at a bill to protect non-game species--HR 3292 by Rep. Forsythe (R, N.J.). However, this bill is expected to undergo drastic amputations in Rep. Breaux' subcommittee, so that it will probably emerge as merely an animal survey by the states, instead of a conservation effort. Financing would come from an excise tax on bird seed, and this would require a separate tax law.

C. ORV's should be taxed to help repair some of the public lands they destroy. This is the suggestion in a Council of Environmental Quality (CEQ) report written by David Sheridan. Over 43 million Americans drove off the road intentionally in 1977 in over 10 million ORV's, such as dirt bikes, jeeps, dune buggies, and snowmobiles. While the noise and smell pollution may be temporary, there is also a permanent legacy of erosion, topsoil destruction, death of vegetation and wildlife, and siltation of streams. Some of the scars could last a millenium. The CEQ report suggests that ORV lands be separate from other public lands, and that ORVers finance acquisition and maintenance costs of such lands through a license fee. ORV manufacturers will undoubtedly provide a strong lobbying voice against these suggestions. What do you think of them? Be sure to let your Representative and Senators know (House or Senate Office Bldg., Washington, D.C. 20515 or 20510).

D. Government reorganization

President Carter's reorganization plan would create a new Department of Natural Resources (DNR) by adding the U.S. Forest Service (now in USDA) and the Natl. Oceanic and Atmospheric Adm. (now in Commerce Dept.) to the U.S. Dept. of the Interior. The USFS, and the Congressional committees which have jurisdiction over it, are fighting the plan. Environmental groups are disappointed in that water resource functions were not taken away from the Corps of Engineers and also added to the new Dept. Pres. Carter has decided to put his DNR proposal in the form of a bill, which can be amended; rather than handling it under the 1977 Reorganization Act (under which it would have affect within 60 days unless vetoed by a majority of either House).

E. An income-tax bill to help non-profit organizations, such as TCWP, would allow donors to list their contributions separately before taking a standard deduction for other items. In the past few years, tax-exempt donations to nonprofit groups have decreased drastically as taxpayers increasingly use the standard deduction, which, in effect, gives them credit for contributions regardless of whether or not any have been made. You may wish to support this bill, H.R. 1785/S. 219, by writing to your Representative (Zip 20515) and Senators (20510).

F. Know what you're up against: corporate PAC's. The League of Conservation Voters (LCV) provides this informative analysis. "While public support for the environment remains about as strong as it did in the...early 1970's, the institutions fighting against us have become vastly more...active politically. Thus we now have an avalanche of money poured into political campaigns by various political action committees (PACs) that are set up by corporations, labor unions, and trade associations...every profit-making corporation [can now] set up its own PAC and finance all its overhead costs straight out of corporate treasuries...Thus...in 1978 there wer 812 PAC's spending about \$10 million." By contrast, the LCV spent \$80,000 altogether--from \$500 to \$9,500 per candidate supported. **Two** of the opponents of LCV-supported candidates received over \$240,000 from corporate PAC's!

13. PEOPLE OF INTEREST TO TCWP

John H. Gibbons was notified 4/26 of his appointment as director of the Office of Technology Assessment, which assists the Congress, through various analyses, in making informed judgments with regard to technology and public policy. Obviously, this includes matters of environmental concern. OTA has a staff of ca 100 and a budget of \$10 million. Jack,

one of TCWP's closest friends ever since he helped found our organization, presently heads the U.T. Environment Center. We congratulate Jack on his important appointment, but hope he will not be gone too long from the green hills of Tennessee.

Russell W. Peterson, who has just resigned from his directorship of OTA, is the new head of the National Audubon Society. Peterson was formerly governor of Delaware, then chairman of CEQ, then the organizer of New Directions.

President Jimmy Carter was honored as "Conservationist of the Year" by the National Wildlife Federation. NWF cited the President's outstanding environmental record, but especially his fight against pork-barrel water projects and his efforts to protect Alaskan wilderness.

Ann Tidwell has been appointed by Gov. Lamar Alexander to fill the position vacated by the resignation of Dr. Timanus (NL 93 ¶9C; NL 94 ¶1) from the Tenn. Water Quality Board. Ann is well qualified to represent the "conservation interest" on the WQC Board. She serves as a director of TEC, as treasurer of the MT Sierra Club, was a director of TSRA, and has served as volunteer observer in the General Assembly, reporting for the CCLC Newsletter. Furthermore, she is an active whitewater canoeist and a hiker. The WQC Board has authority to adopt and enforce regulations necessary to the prevention, control, and abatement of pollution.

Tim McCall, formerly Director of the Tennessee field office of the Nature Conservancy (TNC), is now Assistant Commissioner of Conservation. This is "back home" for Tim, who, some time ago, ably headed the Natural Areas program in the Department before leaving to work for TNC in Atlanta.

John H. Grant, Jr., who had served well as head of Conservation Education in the Tenn. Department of Conservation, was abruptly dismissed in mid-March. John who has excellent credentials in ecology, education, and public service, is looking for a job. His replacement in the DoC is Padgett Kelly, whom several of us have known and admired as founder of Clean Teens.

Zyg Plater, able leader in the effort to keep the Little T free-flowing, is the well-deserved recipient of the Tenn. Conservation League's Conservationist-of-the-Year Award.

Louise Curry, a long-time member of TCWP and an indefatigable worker in the cause of conservation, was awarded the Garden Club of America Zone Conservation Award.

Leroy Fox was recommended by TCWP for a vacancy on the Smoky Mountain Park Commission. Gov. Alexander has informed TCWP Pres. Lynn Dye that he will seriously consider this suggestion.

#### 14. TCWP MATTERS

A. Dues. If you still owe dues, a yellow billing notice is enclosed with this newsletter. Please use it before it gets lost!

B. Errata and Amplifications. The past two TCWP Newsletters had to be produced under less than ideal conditions, due to major conflicting commitments of some of the people involved. This is by way of apology for (a) delays and (b) errors. In your copy of NL 93, please make the following changes:

- p. 2, 8th line from bottom: Reservoir area
- p. 9: ¶11 was contributed by Bill Chandler.
- p. 9, 8th line from bottom: Wilderness areas (not "access")
- p. 10, line 2: reported out (not "on")
- p. 10, 11th line from bottom: worked hard to gut (not "get")
- p. 12, line 16: USDI

*over*

In the Political Guide (sent with NL 93), please make the following changes:

- A.2.c. After Eugene Fowinkle, Commissioner, add Robert H. Wolle, Asst Commissioner for Environment  
Bureau of Environmental Health Administration (not "Services"):  
Wayne K. Scharber, Director  
Div. of Water Quality Control: D. Elmo Lunn
- B.2.e. The toll-free hotline is 1-800-241-1754 (not "1745")

With respect to ¶9E on the State 208 Plan: Lamar Bradley, Water Quality Specialist, WQCD, feels we gave a misleading quote of a statement by Louise Gorenflo. Her statement appeared in the "Tennessee 208" Jan-Feb Newsletter, in response to an earlier Bradley editorial "Is public participation useful?" Louise answered strongly in the affirmative. Following her criticisms, which we quoted only in part, she also made suggestions on how the process could be improved. Sorry Mr. Bradley: sometimes brevity leads to misunderstandings!

C. Kudos. After making some goofs, it's nice to get compliments. We get several--they come with notifications of addresss changes, as parts of letters, etc. Samples: "I'm proud to be part of this organization...;" "We are sure your members appreciate the effort that must...be expended to turn out *this* fine product [the Newsletter]."

D. Friends at MTSU. TCWP has a lively, active group of members and friends at MTSU--they're great at coming through with letters, testimonies, etc. One effort on behalf of TCWP that we should have mentioned earlier is a donation of \$100 by the MTSU Biology Club. Thanks, folks, it'll be well spent!

E. Activities. Please be sure to see the colored insert for TCWP activites--2 letter-writing socials, a Nolichucky (fund-raising) float.

#### 15. PUBLICATIONS OF INTEREST

- The Permanent Regulatory Program of the Office of Surface Mining is now available. Single copies free. Also available is OSM's first Annual Report to the Congress (see ¶ 10), OSM, Room 120, Interior South, 1951 Constitution Avenue, N.W., Wash., D.C. 20240, or OSM, 530 Gay St., S.W., Suite 500, Knoxville. TN 37902.
- Hikes in Frozen Head State Natural Area are described in a folder published by TTA. Complete with map, regs, list of hiking needs (write TTA, P. O. Box 4913, Chattanooga, TN 37405).
- A river brochure, published by TVA, lists 32 commercial canoe outfitters in the TVA region, phone numbers for daily reports on river flows, a map of major streams, and water safety rules. (Free from Office of Natural Resources, TVA, Norris, TN 37828).
- "Wildlife and America," contains papers by 40 participants in a symposium sponsored by CEQ (Council of Environmental Qual.) to examne the nation's efforts to conserve wildlife. 530 pp. (Send a self-addressed mailing label to CEQ, 722 Jackson Place, N.W., Washington, D.C. 20006.)
- "Saving Rivers" is a synopsis of workshops at the Conference on Rivers, Dams, and National Waterpolicy, Washington, 4/78, sponsored by Amer. Rivers Conserv. Council and Environmental Policy Center (ARCC, 317 Penn.AAvenue, S.E., Washington, D.C. 20003)
- "Southeast National Parks & National Forests," folded sheet with brief descriptions, by state, and diagrammatic map (GPO 1978-261-760/1, from Govt. Printing Office, Washington, D.C. 20402).
- "In the Wake of the Tourist," by F. P. Bosselman, looks at the land-use problems encountered in 8 countries as tourist developments destroy the qualities that attracted tourists in the first place. (\$15 from the Conservation Foundation, 1717 Massachusetts Avenue, N.W., Washington, D.C. 20036)

- The final report of the Interagency Review Group on Nuclear Waste Management may be obtained by writing to OMNI Library, 505 King Avenue, Columbus, OH 43201.
- "The Worldwide Loss of Cropland" by L. R. Brown (1978) and "Planning for the Future: Forestry for Human Needs by Erik Eckholm (1979) are Worldwatch Papers Nos. 24 and 26, respectively. (\$2 each from Worldwatch Institute, Wash., D.C.)
- "The Global Predicament: Ecological Perspectives on World Order," Eds. D.W. Orr and M.S. Soroos, explores the growing ecological crisis and its implications for international politics (\$9, paperbound, from U. of N.C. Press, Box 2288, Chapel Hill, N.S. 27514).
- "The Energy Consumer," a free monthly publication may be obtained by writing Office of Consumer Affairs, Room 8G031, DOE, Wash., D.C. 20585.

#### 16. CALENDAR

- May 19-20 TNPS Wildflower hike on Carter Mountain (See ¶8C)  
(Contact Bob Farmer, Norris 494-7908)
- May 22 "TVA and Energy" 7 p.m., The Children's Museum, Oak Ridge
- May 23 Deadline for receipt of reservations, Nolichucky Float (colored page)
- May 25 TCWP Letter-Writing Social, Knoxville (see colored page)
- May 29 "TVA and the Environment," 7 p.m. The Children's Museum, Oak Ridge
- June 2 Duck River float - see ¶2 (call Frank Fly, Murfreesboro 896-4154/896-4384)
- June 3 Fund-raising raft trip on Nolichucky (see colored page)
- June 5 TORAS Workshop, Cumberland Mtn. State Park (see ¶8A)
- June 6 TCWP Letter-Writing Social, Knoxville (see colored page)
- June 7 TORAS Workshop, ETSU, Johnson City (see ¶8A)
- June 8 Deadline for comments on TVA's draft EIS on Melton Hill Coal Terminal
- June 12 TORAS Workshop, Bicentennial Library, Chattanooga (see ¶8A)
- June 14 TORAS Workshop, Jackson St. Comm. College, Jackson (see ¶8A)
- June 19 TORAS Workshop, MTSU, Murfreesboro (see ¶8A)
- June 20-22 Symposium on "Rural Justice," U.T., includes discussion of coalfields.  
(Contact Joanne Jankovic, UT School of Social Work.)
- July 10 Our deadline for assembling info on rivers with recreation potential  
(see ¶4A)



ACTIVITIES SHEET

(Turn the page for Action Summary)

Two Letter-Writing Socials

Friday, May 25  
Oak Ridge  
Jody Krause, 483-3369  
125 Baltimore Drive

Wednesday, June 6  
Knoxville  
Diane Canright, 573-4363  
Rt. 10, Martin Mill Pike

Meet other members, learn more about issues, and write needed letters in a pleasant, social atmosphere. Refereshments afterwards. A Board member will be there to answer questions. Both events start at 7:30 p.m. Both hostesses would appreciate a call ahead of time, but this is not essential.

DUCK RIVER FLOAT

Saturday, June 2

Do not miss this opportunity to get acquainted with a river well worth fighting for. Easy, pastoral float. See ¶2 for details.

BENEFIT RAFT TRIP ON THE NOLICHUCKY, SUNDAY JUNE 3

[Proceeds to be shared between TCWP and ARCC.] Trip will be run by Black Canyon River Tours. Extremely scenic 11 miles. Suitable for anyone in good health and unafraid of water. Age limit 12 years old. Cost: \$26/person. Includes: 6-person rafts with a guide in each; transportation between headquarters and "put-in", "take-out"; safety equipment, lunch, a thrilling 5 hours on the river; and proceeds to TCWP and ARCC. You must be at Ernestville headquarters at 9:30 a.m. EDT, June 3. Maximum of 30 persons. Further info. from Lynn Dye 483-8729 or 574-7378. Reservations with full amount (\$26/person) needed by May 23 (i.e., IMMEDIATELY). Money will be refunded if trip is cancelled.

Please tear off the form below and send it with your money.

Send to Lynn Dye, 173 Tacoma Road, Oak Ridge, TN 37830 by May 23.

NAME \_\_\_\_\_ Phone \_\_\_\_\_ No. of persons \_\_\_\_\_

ADDRESS \_\_\_\_\_ Amount Enclosed\* \_\_\_\_\_

\*Make checks payable to TCWP, Inc.

ACTION SUMMARY

¶ No.	Issue	Message Or Action	Contact
1	Obed Stripmines	Money needed for legal fees	TCWP
1	Obed Land Acquis.	"Ask NPS to get busy!"	U.S. Rep. & Sens.
2	Columbia Dam	Join Duck River Alliance	Other Organizations
2	Duck River	Go on the float, June 2	
3A	Tellico Dam	"It's an economic blunder!"	Any Sens. you know
3A	Tellico Dam	"Thanks for your courage!"	4 State Reps. (see 13A)
4A	HCRS Study	Suggest Recr. rivers	Mike Holland
4C	Nelson bill	"De-authorize Tenn-Tom!"	Sen. Gravel
5	Clean Air Settlement	"Benefits outweigh costs!"	Letter to Editor
6	Alaska	"Support S. 222!"	Your Sens.; Sen. Jackson
7	Bottle Bill	Groups should join TACL	Other Organizations
8D	Flint Fork Cove	Volunteer your ecology skills	Ed Clebsch
9	RARE II	"Support Citizen's Wilderness Proposal"	U.S. Rep. & Sens.
11A	Coal Barge Terminal	Comment needed on TVA's EIS	TVA
11B	O.R. Airport	"Not next to Arboretum!"	Councilpersons and Candidates
12C	ORV's	"Tax them!"	U.S. Rep. & Sens.
Activities	Letter-writing Socials	Attend Them	Hosts
Activities	Nolichucky float	Send in Reservation	Lynn Dye