

TENNESSEE CITIZENS FOR WILDERNESS PLANNING

Newsletter No. 96, July 16, 1979\*

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TCWP ANNUAL MEETING ANNOUNCEMENT -- See colored page colored page

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Star in margin means "Action Needed."

## 1. IT'S NOT TOO LATE TO SAVE THE LITTLE T

PLEASE BE SURE TO HEED THE ACTION CALL AT THE END OF THIS ARTICLE. You have received Special NL95 urging you to action, but perhaps you have also read things in the newspaper that make you think it may be too late. This is not so; therefore, please read on.

The Little T faces two threats: one via the Endangered Species Act (ESA) reauthorization, the other due to a sneaky amendment added to the Appropriations bill. ESA reauthorization passed the Senate on June 13. Sen. Baker attempted an amendment to exempt Tellico. Though this was defeated, the margin was so narrow (43:52) as to leave us in a weak position for the forthcoming battle in the House. The House last year voted overwhelmingly to exempt Tellico dam from the provisions of the ESA. Presently, a House committee is examining allegations in a GAO report that the ESA has been administered with politics in mind, and this may further jeopardize reauthorization. A House floor vote on ESA is expected late in July. If Tellico is, like last year, exempted, or, if Rep. Robin Beard succeeds in his attempt to exempt Columbia Dam, the pro-dam forces in the House-Senate conference committee will be strengthened by the narrowness of the Senate defeat of the Baker amendment. That's why we're urging you to contact your Rep. (see the action call).

The more immediate threat to the Little T is via the water-project and energy appropriations bill. On June 18, the House passed an amendment by Rep. John Duncan that orders TVA to complete Tellico Dam, notwithstanding ESA or any other environmental law. There were only 20 members on the floor at the time, and Duncan asked that his amendment not be read. The Republican manager of the appropriations bill and the Democratic subcommittee chairman both announced that they had read the amendment and accepted it. And thus went the democratic process of passing a highly important piece of legislation! -- Appropriations bills originate in the House and are sent to the Senate, and so with this one (plus its little poisonous attachment). The Senate Appropriations Committee reported it by voice vote. On the Senate floor, however, where the bill may be taken up at any moment, \*it is probable that Sen. Culver will succeed in a move to delete the Duncan amendment. If so, much credit will go to grassroots efforts to inform senators (e.g., 12 area farmers went to DC).

We have, however, one more hurdle to clear, and that is the House-Senate conference committee. Much will depend on the Senate conferees chosen, and this choice will be made by Sen. Magnuson. Should the conference committee go for the dam, there is still the hope that Pres. Carter could veto the bill. *(or should Culver fail on the floor),*

### What you can do:

1. Wire or phone Sen. Magnuson (U.S. Senate, 202, 224-3121, Congressional switchboard) and tell him what you think of Rep. Duncan's attempt to legislate by appropriation -- and in a sneaky manner, at that. Urge him to appoint conferees who are outraged by Duncan's amendment.
2. Write to Pres. Jimmy Carter (The White House, DC 20500). Ask him to veto the energy and water-projects appropriations bill if it comes to his desk with Duncan's amendment.
3. Write to your Representative (House Office Bldg., Washington DC 20515 and remind him/her that the ESA is one of the Nation's most important conservation acts and deserves his/her strongest support for reauthorization. Urge him/her to vote for any strengthening amendments, but <sup>for</sup> none designed to exempt projects.

## 2. OBED: NPS MUST BE URGED TO ACQUIRE MINERAL RIGHTS TOO!

### A. NPS ponders not acquiring mineral rights

Incredible though it may seem, with coal mining being the worst threat to the Obed, the National Park Service is actually considering not acquiring the mineral rights when it

\*for update, see below Action Summary (colored sheet).

carries out the land acquisition authorized for the Obed National Wild and Scenic River! Even though NPS has, after all these years, not yet conducted a minerals appraisal, and even though practically no one from NPS except local personnel (who are very much aware of the coal problem) has ever gone down the whole river, someone within the Service has come up with the great idea "that retention of ... mineral rights by landowners would not affect the river adversely as long as ... extraction activities are conducted from outside park boundaries." What was apparently not considered by this someone is that (a) boundaries are so narrow that mining activities could be just behind the gorge rims; (b) that some seams penetrate the gorge walls, and some slope toward the gorge, so that acid drainage could go into the gorge; (c) there is some coal below the river bed, and mining this could cause subsidence. There is not enough coal in the Obed area to make any real impact on energy supplies, but there is enough to cause incredible damage if it were to be mined. The NPS is charged by Congress with protection of this river: it should be very obvious to them that protection means no mining on or below the river corridor. They should be reminded of this by you (see "What you can do", below).

The NPS is finally obtaining additional opinions by independent mining and mineral experts. There's however a further problem: a knowledgeable and responsible minerals expert would inform NPS of the danger to the river corridor of mining from outside the narrow strip. However, NPS is required to accept the lowest bid for minerals appraisal and may end up with a less-than-expert opinion.

We have recently learned that even the surface and timber appraisals turned out to have been inadequate and will have to be done over. This throws the protection timetable even more out of gear.

✕ What you can do:

1. Tell NPS how poorly you think of their idea of possibly not acquiring mineral rights. Write to Joe Brown, Director, S.E. Region, National Park Service (1895 Phoenix Blvd., Atlanta, GA 30349).
2. Send copies of your letter to Rep. Marilyn Lloyd-Bouquard (House Office Bldg., Wash. DC 20515) and to both Senators Baker and Sasser (Senate Office Bldg., Wash. DC 20510), and ask them to urge the NPS to do their duty in really protecting this river, and getting on with it.

B. Site Developers, Inc's permit application: good news?

Here's the latest in our efforts to prevent the Site Developers coal mining on the Emory River, just above confluence with the Obed (see NL 94 ¶1). First (May 15), there was a question of whether we had a right to a hearing by the Water Qual. Control Board (WQCB) or had to go to a state court instead. Then, a WQCB hearing was scheduled for July 10. In the meantime, however, it turned out that Site Developers, Inc., of Florida, have not followed up on a State reminder that they'll have to be registered to do business in Tennessee in order to qualify for an NPDES permit. Are they giving up? Anyway, no hearing for the present. -- TCWP's request for a moratorium on mining in the Obed watershed has "become part of the full record from which a decision on this matter can be reached" [by the State]. This probably can't happen until Tennessee is certified to administer the federal stripmine law (see NL 94 ¶1 and 10).

3. OTHER TENNESSEE RIVERS

A. More fault found with TVA's report on Columbia Dam alternatives

TVA's final "Report to OMB on Columbia Dam Alternatives" was issued on May 8. It contains the comments received on the draft (see NL 94 ¶2) and TVA's responses. Of 10 letters, one is "no comment," 4 praise TVA for its pro-dam stance, and 5 (including TCWP) find serious flaws with the report. In this last group, interestingly, are 2 letters from

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State agencies. The Dept. of Conservation finds fault with TVA's statements that "two species of [Maury and Marshall County] plants have been proposed for the Federal list of threatened and/or endangered plants," and that neither is known to occur in the project area. Apparently one is found in the project area; besides, there are 4 (not 2) species proposed, and another 5 under review. The Water Quality Control Division points out that the reservoir will most likely be highly eutrophic, while most of the benefits of the project's original economic justification are dependent on good water quality. TVA responds that it will provide mitigation as well as assistance to water systems. Have these costs been figured into project costs? There was no TVA response to several of TCWP's comments.

Since the final report was issued, Tom Kimball, Exec. Vice Pres. of the National Wildlife Federation has written to OMB (which requested the TVA exercise), pointing out that the report lacks economic and environmental data that would enable OMB to evaluate TVA's conclusions. This is only too true, as also pointed out in our comment, e.g., benefit/cost ratios are nowhere given (probably because the dam alternative comes to 0.8 even by TVA's own calculation). You too can still write to OMB and urge no further funding for this dam (J. T. McIntyre, Jr., Director, Office of Management & Budget, Wash. DC 20503).

B. Big South Fork National River & Recreation Area

TCWP is investigating a report that a coal-processing plant just outside the BSFNRA might pose serious air and water pollution problems. We'll keep you posted.

4. WALDEN RIDGE, CUMBERLAND TRAIL, THREATENED

Many of you are familiar with the lovely trail atop Walden Ridge that starts near the fire tower, reached from the Dutch Valley road (only about 20 minutes drive from Oak Ridge). For much of its distance, the trail goes over smooth caprock of sandstone and provides great views in both directions. Soon it may be a barren wasteland. Citizens' groups made the trail, and citizen effort led to passage of the Tennessee Trails Act in 1971 which authorizes, among others, the Cumberland State Scenic Trail of which this is a part. But the past 3 state administrations have seen fit not to budget any money for acquisition of trail right-of-ways, and that's why this beautiful portion of Walden Ridge is in imminent danger of destruction.

The Industrial Sand Corp. (Jim Chambers) is putting in a sand and gravel quarry on land leased from the Coal Creek Mining and Manufacturing Co. The mine would be about 1/4 mile NE of the fire tower and would extend for a considerable distance along the ridge top. The building of haul roads has already disfigured the intervening distance just below the ridge top. People living in the nearby Laurel Grove Community, less than 1/2 mile away, and whose well water derives from rain falling on the ridge, forced an NPDES hearing on June 27. Chambers had originally claimed no water discharge permit was needed because the mine would involve no point sources. He had also stated that the nearest house was two miles away (whereas it's just over 1000 ft). TCWP treasurer, Charles Klabunde, testified at the hearing, as did Laurel Grove folk. He reports that there is little hope on the NPDES front, but that the mining company still needs approval on a re-zoning request before it can proceed. All of you who care about this area and about the people living so close to it should contact the Anderson County Planning Commission (Attn. Don Page, Room 209, Anderson County Courthouse, Clinton, TN 37716) to express an opinion. You can also write to the Anderson County Road Commissioner, Charley Shoopman (Anderson County Courthouse, Clinton 37716) who would have to give approval to rebuild and maintain the present fire-tower road to take big, heavy, gravel-loaded tandem trucks.

5. CHEROKEE NATIONAL FOREST: WILDERNESS EFFORTS; OIL AND GAS LEASES

A. Your help needed in getting Congressional wilderness designation

About a year ago, the status of National Forest lands was as follows:

over 100 million acres open to development (i.e., well over 50%)

15.6 " " designated wilderness

62 " " roadless and qualifying for wilderness designation under terms of the Act. This was the acreage studied in the RARE-II process.

For these 62 million acres, the Administration's recommendation of 4/16/79 (only a slight improvement over the USFS recommendation) is as follows (in million acres).

	Lower 48 states	Alaska	Total
Wilderness	9.9 (21.4%)	5.5	15.4 (24.8%)
Further study	7.6 (16.5%)	3.0	10.6 (17.1%)
Open to development	28.7 (62.1%)	7.3	36.0* (58.1%)
	46.2	15.8	62

\* Of these, 3-6 million are slated for development within a year!

It is noteworthy that only 20 of the 62 million acres studied are thought to have value for commercial timber. For the Cherokee National Forest in Tennessee, 22 areas were studied in the RARE-II process. The tally for number of areas (with approx. total acreage in parentheses) is as follows:

	USFS	Pres. Carter	Remarks
Wilderness	1 (3,900)	1 (3,900)	Bald River Gorge: 0.6% of the Cherokee NF
Further study	6 (36,400)	8 (45,100)	Pres. Carter added Unaka Mtn and Pond Mtn. Addition
Open to development	15 (93,500)	13 (86,800)	

It should be noted that, by the USFS's own figures, virtually all RARE-II areas studied in the Cherokee NF have a benefit/cost ratio of 1.0 or less for timber harvest. Yet, only one tiny area was designated wilderness! Over 81% of the Cherokee National Forest is now open for clearcutting and other adverse development. (Most is open to gas and oil exploration, see B. below.)

Wilderness designation must be by Act of Congress. Our input must therefore be with Congress from now on. That Congress views the RARE II process to have been flawed, is shown by the fact that the House Subcommittee on Public Lands has scheduled a number of field trips to disputed national forest areas. The field trip to the Cherokee NF took place on the weekend of June 2, and involved chairman Seiberling and committee members Gudger and Kostmeyer. At an evening meeting at Gatlinburg, the Congressmen heard from the Wilderness Coalition as well as from wilderness foe Mayor Hall of Tellico Plains. Seiberling indicated that, instead of one omnibus national forest wilderness bill, there would be several bills, probably for regions, e.g., all southeastern national forests.



What you can do: Urge your Representative (U.S. House of Repr., Wash. DC 20515) and both Senators (U.S. Senate, Wash. DC 20510) to designate as wilderness 13 areas included in the "Citizens Wilderness Proposal." These areas, which have outstanding wilderness potential, are: Rogers Ridge\*, Big Laurel Branch\*, Jennings Creek\*, Upper Bald River, Flint Mill\* (FP), Pond Mtn (FP), Pond Mtn Addition (FP), Unaka Mtn\* (FP), Citico Creek\* (FP), Little Frog Mtn (FP), Big Frog Mtn\* (FP), Big Frog Addition-A (FP), Bald River Gorge (W). For your info, we have added these symbols: FP, W = recommended by Administration for further planning, or for wilderness, respectively; \* = Coalition proposes enlarging the original USFS boundaries of named area.

B. Oil and gas leases to be issued

Cherokee National Forest Supervisor Lauritsen has decided to issue leases for oil and gas exploration and development on 516,820 acres of the Cherokee National Forest at \$1 per acre per year. This decision (signed 7/10/79) is based on an Environmental Assessment report that enumerates a number of quite adverse environmental effects of

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implementation, e.g. increased sedimentation and chemical pollution of streams, soil damage, increased noise levels, esthetic impact, wildlife disturbance. Yet, in a point-system comparison with the "no-leasing" alternative (each item is given from 1 to 5 points, with 5 the most desirable) these effects are downplayed to give a total of 75 points for leasing, and 72 against leasing. Curiously, we can see many erasures (and faint original figures) on the list. Thus, air quality, water quality, soils, noise, visual, and cultural now get 4 points each for the leasing alternative (as against 5 each for no-leasing); but, showing faintly, are the original values of 2 or 3 each: the total would have come out in favor of not leasing! Initial exploration would be by seismic surveys and would have minor surface disturbances. Each project on which subsequent subsurface drilling is indicated will be individually assessed under NEPA by the USGS and USFS. There is a "no surface occupancy" clause for existing wilderness areas (only 8069 acres); RARE-II areas (including those recommended for "wilderness" or "further planning," see above) are not considered any different from the rest of the Forest.

#### 6. ALASKA: TERRIFIC HOUSE VICTORY; NOW, ON TO THE SENATE

Most of you know by now that a very good Alaska bill passed the House overwhelmingly on May 16. Here is a summary of particulars.

268:157 was the vote to consider the conservationist-backed Udall-Anderson substitute over the development-backed Breaux-Dingell-Huckaby bill (which came out of committees, see NL 93 ¶12A, NL 94 ¶6).

360:65 Actual passage of Udall-Anderson version

All 8 Tennessee Representatives voted "right" in both votes -- the only state delegation to be thus unanimous. This is a great tribute to all those of you who wrote, phoned etc. and should encourage you in showing that such efforts do work! Particular congratulations to Andy Butler, the tireless Tennessee-Alaska Coalition Coordinator! Nationwide, the vote shows the prevalence of conservation sentiment, and the power of grass-roots lobbying which overcame the literally hundreds of millions of \$\$ spent by the mineral and timber industries, the State of Alaska, the Chamber of Commerce, the National Rifle Assoc.; and even overcame the gas shortage used as an argument against "locking up" Alaska. Sec. Andrus in person lobbied for the Udall-Anderson bill. (It is hoped by some that this education of Congress may help in the upcoming battle for national forest wilderness in the lower 48 states, see ¶5A).

What the House-passed bill would accomplish is summarized below.

	Total acres (in millions)	Of this, within 1978 monuments*	Wilderness, included in total
National Park System	44	41	35
(a) National Parks	27		
(b) Natl PreservesΔ	17		
Natl Wildlife refugesΔ	79.5	12	27.5
Wilderness in Natl ForestΔ	5.8		5.8
	<u>129.3</u>		<u>68.3</u>
No. of Natl W & Sc. Rivers:		*Established by Pres. Carter 12/1/78	
included in above	21	ΔSports hunting permitted	
outside above	10		
for study	11		

Now for the Senate. Last year, even though a good bill passed the House, Alaska's Senators stalled action until the Congress ran out of time. This must not happen again. Therefore, we cannot relax our efforts.

What you can do 1. Write to Senators Baker and Sasser (Senate Office Bldg., Wash. DC 20510) and urge them:

- (a) to co-sponsor S.222, which closely resembles H.R.39 as introduced in the House;
- (b) to ask Sen. Jackson and his Energy & Natural Resources Committee to proceed expeditiously with markup of S.222, so that we don't again run short of time;
- (c) to oppose S.1176, a bill that would disestablish the 17 national monuments created in Alaska by Pres. Carter on 12/1/79 and would, in general, restrict executive power to protect public lands.

2. Thank your Representative for voting for the Udall-Anderson bill (Wash.DC 20515).

re 1. Here are some arguments to use with the Senators: the solid and bipartisan vote of our Reps. indicates overwhelming sentiment in Tennessee for a strong Alaska lands bill. Sen. Baker, further, cannot ignore national sentiment if he has presidential aspirations. S.222 balances conservation and development interests. It would leave 95% of Alaska land with known or potential oil reserves open to development.

### 7. WASTES: CANS, BOTTLES, AND TOXIC

#### A. Deposit legislation (a "bottle bill") for Tennessee

Interesting details on this year's bottle-bill effort are contained in a 5-page summary by EAF (see PUBLICATIONS, ¶13). As you know (NL 94 ¶7) all bottle/litter bills were sent to a committee for study until next year, and the General Assembly, instead, saw fit to pass a bill permitting county workhouse prisoners to pick up litter on county roads! There are, however, indications that 1980 may be more fruitful, providing we can not only maintain but increase the momentum. The Tenn. Alliance for Container Legislation, TACL (pronounced "tackle"), of which TCWP is a member, and which will disband when its mission is complete, suggests these actions: (a) call, write, or go see your state rep and senator\* and ask him/her to co-sponsor HB343 (Work-Lashlee) or SB742 (Koella), respectively; and (b) write a letter-to-the-editor of your paper. It will be important to get organizations additional to environmental groups to join TACL (1720 West End Ave., Nashville 37203), so how about your union, club, etc.? Talk to your friends about a bottle bill. Remember that deposit legislation does these things: it reduces total litter (by 35-47% in actual studies), cuts down on land-fill space needed, dramatically decreases energy requirements, and reduces raw-material needs. Experience in states that have deposit legislation indicates that there has been a net increase in jobs.

#### B. The toxic waste problem

EPA estimates that there are 34,000 "potentially dangerous" chemical waste dumps across the U.S., including several thousand abandoned ones that have the potential of developing into an imminent health hazard. Bills are in the works for a proposed "superfund" that would clean up these dumps as well as oil and hazardous waste spills. The Administration bill is HR 4566. While industry and the Council of Economic Advisors were pushing to have this effort funded by special appropriation, it is reported that Pres. Carter personally intervened to restore the original plan to fund the cleanup from fees levied on industries that presently generate wastes. Sen. Muskie, chairman of the Senate Environmental Pollution Subcommittee, also favors financing by fees, but there will undoubtedly be strong industry opposition. In the meantime, the Administration has asked for an extra \$23.2 million for FY 1980, mostly for EPA to identify the sites and take action against owners of those that pose an imminent danger to health or the environment.

Suspect sites in Tennessee will be surveyed by EPA's Region IV and the State. Any person or group who knows of a suspicious site (e.g. a disturbed or denuded area, an accumulation of barrels or drums, discolored vegetation, discolored or smelly water) should notify Kitty Taimi, EPA, 349 Courtland St., NE, Atlanta, GA 30308, Ph. (404) 881-2234 or 1-800-241-1754; or T. D. Hinch, Div. of Solid Waste Management, TN Dept. of Public Health, 301 Seventh Ave. N, Nashville 37219, Ph (615) 741-3424.

\* See list we sent you with NL 93

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The Tennessee legislature this year passed two hazardous-waste bills. One makes the definition of "hazardous waste" consistent with the Federal definition; and makes the waste generator or handler responsible for notification; the other requires that hazardous waste disposal sites be noted on deeds of land (via notification from the Dept. of Public Health to the Registrar of Deeds).

## 8. THE STATE SCENE

- A. The Natural Resource Areas programs of the Division of Planning (Tennessee Dept. of Conservation) appear to be in double trouble in the Alexander administration. Not only were they virtually zero funded this year (\$0.1 million instead of the \$1.9 million) requested, see NL 93 ¶1), but the mainstays of the programs have now been shifted elsewhere. Both Mike Countess, who headed all the programs (Rivers, Trails, Natural Areas), and Tom Florence (Rivers) were moved to the Forestry Division. Why? (Funding, in this case, does not seem to be the answer.)
- B. Other Dept. of Conservation budgets of interest: The Division of Education and Information, \$0; the Non-Game Program, \$0. Over in the Dept. of Public Health, however, the Water Qual. Division did get the amount it requested for NPDES implementation, namely \$366,500.
- C. Efforts to protect Carter Mountain (see NL 94 ¶8C) are proceeding. TCWP recently sent a resolution of support to the Carter Mountain Committee (CMC) for creating a Cumberland Plateau National Forest. In 1975, a National Forest staff paper proposed creation of a 335,000-acre "purchase unit," straddling the Tennessee-Alabama line, and identified the Carter Mountain land (about 70,000 acres) as a logical first purchase. Congressman Albert Gore, Jr. has been requested by the CMC to sponsor legislation authorizing the USFS to make an Environmental Impact study of this proposal. Individual letters to Congressman Gore will also help (U.S. House of Representatives, Wash. DC 20215).
- D. Among lands in Tennessee protected by recent acquisitions, donations, etc. are the following:
1. Bordeaux Rookery, 5.5 acres along the Cumberland R. in Nashville, purchased by the state from the Nature Conservancy which has held the property since last year to protect a rookery of Black-crowned Night Herons, endangered in Tennessee. The state used some federal endangered-species funds and private money raised by citizens groups. The Tenn. Wildlife Resources Agency will manage the area for protection of the non-game endangered species.
  2. Some 43 acres adjacent to the Reelfoot National Wildlife Refuge have been purchased by the Nature Conservancy and will be transferred to the U.S. Fish and Wildlife Service. The property will provide a buffer to the Refuge, which provides habitat for the nationally endangered bald eagle as well as over 242 other bird species that winter in the area.
  3. A Roan Mountain tract of about 3400 acres has been bought by the U.S. Forest Service. The Southern Highlands Conservancy is hoping to protect an additional 9000 acres. Of this, 3000 acres (mostly along the Appalachian Trail) will be bought by the USFS if and when private owners become willing to sell; and 1000 acres may be bought by the state, with matching federal funds from the HCRS. The Southern Highlands Conservancy (P. O. Box 3356, Kingsport, TN 37664) is raising private moneys, some of which may go toward <sup>helping</sup> the state to purchase its 1000 acres.
  4. The Heritage Conservation and Recreation Service (HCRS) is providing over \$900,000 to purchase a parcel at Radnor Lake Natural Area (Nashville) as well as several inholdings in the Chuck Swan Wildlife Management Area. This funding is the result of "donation credits" derived from the private gift of the 4000-acre Bumpass Cove to the Cherokee National Forest.



- E. Is Overton Park safe? Memphis Mayor Chandler, who, in the past has pushed hard for routing I-40 through Overton Park, announced on July 11 that the city has submitted a plan that would utilize area streets for handling I-40 passenger automobile traffic, and would leave the Park untouched. Trucks would be made to use the south loop of I-240, which would be widened. The plan is under scrutiny by the State Transportation Dept. During his campaign, Gov. Alexander pledged to solve the I-40 problem, but said plans would have to come from the local level. Maybe this has at last happened.
- F. The 208 Program (non-point sources of water pollution) has a Continuing Planning Program Advisory Committee. TCWP board member Louise Gorenflo has been nominated to serve on this committee for the next year or so. To support her nomination write to Bob Alexander (Chief, Planning Section, Div. of Water Qual. Control, 309 Capitol Towers, Nashville 37219). The WQC Division will hold a meeting 7/31/79 (see Calendar) to organize the above Advisory Committee and to present the proposed work program for the next 2-3 years.
- G. Cove Lake State Park will be "remodelled," starting in September, to the tune of \$1.8 million. About \$690,000 comes from federal funds and \$1,085,000 from state funds, including \$300,000 appropriated in 1979.

### 9. STRIPMINING BILLS, REGS, AND OTHER EFFORTS

#### A. State

1. A bill to bring Tennessee into compliance with the federal law has been drafted by C. C. McCall and R. Fleming, Dept. of Conservation. Dr. Ed Thackston, who was highly instrumental in drafting the 1972 Stripmine Act, has been retained to edit the state compliance bill and draft the accompanying regs. The draft bill is also being circulated to interested groups and the coal industry for comment and possibly for revision. As we reported earlier (NL 94 ¶10B), the FACT bill (SB 1017) died in this year's session, so that the new administration bill will probably be the only one under consideration in the next session of the General Assembly. The administration intends to pre-file it, and hearings may be held as early as the fall of 1979. As discussed elsewhere (¶9.B.1) the deadline for submission of state programs may be extended to 3/3/80.

2. Efforts to pass the wildcatting bill, or "Contraband Coal Bill" (HB 1271/SB 794), which would have allowed state confiscation of wildcatter's equipment (see NL94 ¶10B), ended in disappointment in the final week of the session. Aably championed by SOCM, and with highly effective citizen support, the bill had passed the House 4/24/79 by a vote of 96:0. In the Senate, some weakening amendments were added, and the bill then received a vote of 12:8. However, it takes 17 votes to win. It was felt that several of the 7 who voted only "present" did not like the amendments, rather than objecting to the bill, so it may be possible to bring it up again next January. There were also 6 senators "absent." Among these were Buzz Elkins and Annabelle Clement O'Brien, who represent the largest coalfield counties where the worst wildcatting problems exist. "Yes" votes were by Senators Burks, Crockett, Ed Davis, Gillock, Henry, Hicks, Koella, Moore, Ortwein (the sponsor), Thomas, White, and Williams. The provisions of the wildcatting bill are also expected to be included in the state compliance bill (see A.1., above).

#### B. Federal

1. A 7-month extension in the deadlines for submission and approval of State programs was requested of the Congress by Interior Sec. Andrus on June 19. The present deadlines are 8/3/79 for a State to submit a program under which it could take the lead in enforcing the federal law; and 6/3/80 for federal approval of the proposed program. The requested extension is to 3/3/80 and 1/3/81, respectively, with interim regulations remaining in full force until a State program is approved or a federal program put into place. Sec. Andrus pointed out that the new schedule would provide time during the early part of the 1980 State legislative sessions in which to pass any needed laws prior to submission of the proposed State program. (This certainly applies to Tennessee, see ¶9.A.1.) The Administration asked the Congress to make only this one very limited change, without in any other way altering the federal Act.

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2. Revised regulations affecting blasting are being proposed by OSM, and hearings will be held July 31 at Knoxville (see Calendar for details) and elsewhere. In the originally proposed regs, all blasting crew members would have to be trained and certified. The revised regs, instead, concentrate only on the blaster-in-charge, who would have to pass a national exam, meet valid experience requirements, be certified to instruct the blasting crew of no more than 12 persons, and be responsible for meeting OSM standards. Failure to meet these standards could result in revocation of the blaster's certification. If you would like to comment but cannot attend the hearing, you can meet with Knoxville OSM officials at other times (call 637-8090), or you can send written comments by August 28.

3. OSM inspection activity is being stepped up. The (nationwide) number of inspectors was only 28 in May 1978, but 182 in May 1979, and will be at full strength, 226, by December. From initially having to be limited to only the most serious violations, inspections will soon be made as frequently as the Act requires, i.e., a complete inspection of each mine at least once every 6 months. For the region that includes Tennessee, Kentucky, etc. (Knoxville office of OSM), during the period 1/1/79 - 4/13/79 there were 902 inspections, resulting in 224 notices of violation and 94 cessation orders. There were also 61 citizen complaints. Perhaps this says something about how poorly stripping is being done in this part of Appalachia.

4. Millions of acres of abandoned coal-mined lands across the Nation will be identified in a survey the initial phase of which will be done (in cooperation with DOE) at Oak Ridge National Lab. ORNL has been working on resource inventory systems for some years. Subsequently, OSM will identify those lands needing quickest attention. The Abandoned Mine Reclamation Fund, derived from the fee of 35¢/ton deposited by active coal-mine operations, will be used to restore these lands. One example of where immediate help is needed is a landslide-in-the-making in Pike County, Kentucky, which could kill 6 families directly, and endanger another 43 families through potential flooding.

5. A DOE management plan for future efforts in mining and coal preparation research is in the making. Coal mining, surface and underground, was discussed by the DOE Fossil Energy Advisory Committee June 26.

6. A comparison between coal and nuclear-related devastations was made in a recent speech by Paul Reeves, deputy director of OSM. He pointed out, for example, that a "melt down at Three-Mile Island [which, fortunately, did not occur] might have required evacuation of 100 square miles. In comparison, projected surface mining for coal, 1980-85, could destroy over 600 square miles per year if reclamation is not effective. And, then, use of coal produces air quality degradation and waste disposal problems, which, in the aggregate and over a longer time span, will be at least as devastating as a nuclear accident..." Editorial comment: Most people living away from coal mining and from coal-fired power plants are not aware of coal's environmental degradations. Neither are they aware of the findings that coal-related chemicals, like radiations, can cause cancer, mutations, and effects on embryos. Thus, an effort against nuclear power will help us little if it simply results in a greater use of coal. This should be clearly stated; and what we need to put our effort into, instead, is a positive campaign for energy conservation and solar energy, so that we do not lapse into coal by default.

7. The Office of Surface Mining has job openings for Natural Resources Specialists (GS 12/13), Wildlife Biologist (GS 13, Knoxville Office), Mineral Inst. Coordinator (GS 12/13), Assessment Specialists (GS 11, GS 12), Program Specialists (GS 13), Reclamation Specialists (GS 12/13), and others. Contact OSM, Reclamation and Enforcement, U.S. Department of the Interior, Washington, DC 20240.

#### 10. TVA NEWS

A. William F. Willis has replaced Dr. Leon Ring as General Manager. Ring, who resigned 6/26, found the position, under the present Board, to be a coordinating role, rather than the leadership role he had envisaged. Willis, 45, who has a B.S. in civil engineering, has

been with TVA since 1960. He became Asst. Manager of Engineering Design and Construction in 1976, and head of the office of Management Services last February. He describes himself as a "true believer in the original concept of TVA."

- B. TVA and EPA signed a "Memorandum of Agreement" on June 6. The 5-year renewable agreement is expected to lead to a wide variety of concrete and long-range environmental initiatives. The agreement recognizes that "The Tennessee Valley provides an ideal site for test and demonstration of innovative approaches to promoting State self-sufficiency in environmental protection" and "in achieving compliance with environmental law." (For a more extensive coverage of the agreement, see IMPACT, vol. 2, No. 6, July 1979. Request this by calling TVA, 1-800-362-9250 or 1-800-251-9242.)
- C. TVA's Regional Heritage Program may be expanded to give greater support to land-use decisions. The current program (established in 1976) focuses on fragile natural features (e.g., endangered species, waterfalls, champion trees); historical and archeological data may now be added. TVA's RHP, which has informal data-exchange agreements with state heritage programs in Tennessee and 3 other states, has already compiled information on over 8000 sensitive natural resource features, and is estimated to save TVA about \$100,000 annually in review and assessment costs by spotting potential conflicts with proposed projects.
- D. Procedures for environmental review of TVA activities, in compliance with NEPA, will be revised. The proposed revisions are subject to public comment before August 6. For a copy call TVA's toll-free line (1-800-362-9250 in Tennessee; 1-800-251-9242 in other Valley states).
- E. Erosional losses of soil are being addressed by a TVA-led effort that also includes the Soil Conserv. Service (USDA), the Univ. of Tenn., the Tenn. Dept. of Ag., and EPA. West Tennessee is among the top soil-loss areas of the country: some upland croplands are losing 40-100 tons per acre of topsoil annually, while nature replaces topsoil at the rate of only 5 tons/acre annually. This not only threatens agriculture but deteriorates water quality. TVA estimates that every 10 ton/acre loss prevented can result in a saving of \$25/acre in increased net yield. The TVA-initiated program involves establishment of Resource Conservation Management farms to demonstrate innovative techniques for integrating soil-conservation and income objectives; expenditure of \$1.2 million (over 3 years) to help farmers develop corrective land-use practices; and large-scale demonstration of techniques by volunteers on Sept. 15.
- F. Under TVA's Solar Memphis project, over 85 homeowners are using the sun to heat water, and another 300 have signed up for the program. TVA provides low-interest loans and ensures quality control of system components. A local development organization has joined TVA as partner in the project. For more info, call the Solar Resource Center, Memphis 521-1031.
- G. "Conservation is our cheapest and quickest source of energy," said TVA Chairman Dave Freeman in recent testimony to a House energy subcommittee. Federal dollars would do much more good if spent on a crash effort to produce more fuel-efficient cars, electric vehicles, and mass transport than if spent for synfuel plants (that make oil and gas from coal). It would probably cost \$1/gallon to produce synfuel at today's prices, and the product would not be available until the 1990's. Home insulation costs (which save on heating oil) are a tiny fraction of synfuel costs.
- H. TVA will conduct power rate workshops 7/24, 7/26, 7/31, and 8/2 at Chattanooga, Nashville, Memphis, and Huntsville, respectively. These will address rate-making methods. Related topics, such as rate design, will be addressed later in the year. If you are interested in attending one of the first series for TCWP, contact Bill Chandler (Knoxville 974-4251 or 579-5084).
- J. A TVA land-use policy in the making may include land acquisition to prevent adverse development, according to a news report of a recent speech by Dr. Sharlene Hirsch, director of TVA's Community Development. Dr. Hirsch is concerned about the rapid conversion of farmland into junky strip development, and hopes that this can be halted.

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### 11. NATIONAL CAPSULES

- A. The Water Resources Council, which is intended to play an integral part in the Administration's water policy, is being shot at from all directions in the Congress. Unless its life is renewed, the WRC expires in September of this year. Two features of the Administration's reauthorization bill are under particular attack: (a) the WRC's independent review of water projects; and (b) the grants to states for water conservation and management planning. The Congress views the review function as a means of stopping pet projects, and is particularly concerned that this will happen while Sec. Andrus chairs WRC. Three House committees have already taken shots at the reauthorization bill, and have, among other things, exempted all SCS projects. But the real damage occurred in the Senate Environment and Public Works Committee, which marked up the bill (S.480) so as to specifically bar the use of any funds for carrying out independent water-project review by the WRC, and to eliminate all money for water-conservation planning. The bill is still to come to the floor.
- B. The "Non-Game" Fish and Wildlife Conservation bill, HR 3292, was originally intended to give nongame species (i.e., 83% of all vertebrate species) the same level of federal support that game species now receive in terms of habitat protection. If present trends of habitat loss continue, it is estimated that 250 nongame species will go on the "threatened or endangered" list within the next 5 years, and 450 species by 1990. Last year, the nongame bill was opposed by industry etc. who feared "another Endangered Species Act." This year, it was greatly watered down to make for easy passage. The bill authorizes \$19 million over the next 3 years for federal assistance to states to inventory fish and wildlife species and to develop conservation plans, 80% of which must go for nongame (instead of 100%, as originally hoped). Implementation of these programs will require funds which may come from a subsequent <sup>single</sup> bill that would levy an excise tax on birdseed and birdfeeders. In the Senate, one <sup>single</sup> bill may combine the inventory and the excise tax.
- C. The cabinet-level Department of Natural Resources proposed by Pres. Carter will not see the light of day. The plan has been abandoned as too controversial for Congress to handle this year, when the Administration needs support for SALT, etc. The DNR, which would have combined core agencies of Interior with the U.S. Forest Service and NOAA, was endorsed by conservationists, and intensely opposed by the timber industry and by Congressional committees that presently have jurisdiction over USFS and NOAA.

### 12. TCWP: STAFF AND OFFICER CHANGES

- A. The saddest news of the past several years is that Bill Chandler, TCWP's superb executive director, is moving to Washington in mid-August to join Jack Gibbons in the Office of Technology Assessment (see NL 94 ¶13). We can hardly wait for Bill and Holly to return to East Tennessee (which they say they'll do in 1½-2 years) and, in the meantime, we expect to visit them a lot in D.C. What a hole they'll leave here, though!
- B. With his usual conscientiousness, efficiency, and deep concern for TCWP, Bill has provided us with an extremely well-qualified successor, Thomas Mason Johnson. Tom grew up in Bristol, Tennessee, has an M.S. in biology from ETSU, a Ph.D. in biology (physiology, immunochemistry) from Emory University in Atlanta, and several academic honors in that area. As if that were not enough, he also has a legal degree (J.D.) from the Univ. of Tenn. Law School and was admitted to the Tennessee Bar in May of this year. He has worked with Dean Rivkin. Tom is an ardent white-water canoeist, backpacker and hiker, and is deeply dedicated to environmental concerns. Other organizations, please put Tom on your mailing list: Rt. 3, Wheeler Rd, Apt. 22, Louisville, TN 37777, Phone 577-3281.
- C. Another sad piece of news is that Vici Carlock, TCWP Secretary this year, will soon be moving to California (also temporarily, we hope). President Lynn Dye has appointed Harold Waddle to take Vici's place as secretary. Harold recently received an M.S. in fisheries biology from UT and has a B.A. from Tennessee Tech.

D. Our annual meeting is Oct. 12-14. See the colored page.

### 13. PUBLICATIONS

- "How You Can Influence Congress: the complete handbook for the citizen lobbyist" by George Alderson (formerly with the Wilderness Society and Friends-of-the-Earth) and E. Sentman. This highly useful manual explains how legislators work, how most effectively to communicate with Congressmen and their staff, how to organize, use media, participate in hearings, etc. etc. (TCWP letter-writing socials are mentioned!). (\$9.95 from E. P. Dutton, 2 Park Ave., N.Y.C., N.Y. 10016. For more than 5 copies, 40% discount, so combine with friends, when you order.)
- "Off-Road Vehicles on Public Land," an 84-page report prepared for CEQ by David Sheridan, analyzes the damage caused by ORV's (motorbikes, dune buggies, snowmobiles, etc.) to natural resources and to outdoor recreation. It also examines what might be done, now that it's almost too late. (\$2.40 from Supt. of Documents, Govt. Printing Office, Wash. DC 20402, Stock No. 041-011-00041-6.) A copy may be borrowed from TCWP.
- "The End of the Wilderness, NRDC Newsletter Vol. 7, Issue 5, Sept/Dec 1978," by Marc Reisner, is a superb analysis of the past and future of US national forest management policies (Natural Resources Defense Council, 122 E. 42nd St., N.Y.C., N.Y. 10017.)
- "Tennessee Container Deposit Legislation: 1979 Summary." Frank Fly reports and lists future plans. (Send self-addressed, stamped envelope to Environmental Action Fund, P.O. Box 22421, Nashville, TN 37202.)
- "Impacts of Coal-Fired Power Plants on Fish, Wildlife, and Their Habitats," U.S. Fish and Wildlife Service. (\$4.50 from Supt. of Documents, Govt. Printing Office, Wash. DC 20402. Report No. 024-010-00458-4.)
- "The Effects of Federal Water Projects on Cultural Resources," by Will F. Morgan, Environmental Policy Institute, documents the poor implementation of the Historic Preservation Act of 1966 and describes potential effects of 28 water projects (EPI, 317 Pennsylvania Ave., SE, Wash. DC 20003).
- "The Good News About Energy," a 49-page CEQ report, finds that the U.S. can have a healthy, expanding economy in the year 2000 while using only 10-15% more energy than is used today. Contrast this with common predictions of doubled energy consumption. (Send self-addressed label to CEQ, 722 Jackson Place NW, Wash. DC 20006.)
- "Environmental Statistics 1978" is the first of what will be a biennial series to be released by CEQ. The report contains ca. 200 tables showing trends and status of such parameters as air + water pollution, wildlife, cropland, population, energy, etc. (Free from Natl. Tech. Info Serv., U.S. Dept. of Commerce, Springfield, VA 22161. Report No. PB 294141.)
- "Community Jobs" is a non-profit monthly publication by the YOUTH PROJECT that lists alternative career opportunities across the country. Among (paying) job openings described are many with environmental or consumer-oriented groups who need organizers, lobbyists, lawyers, interns, editors, fund raisers, etc. Also, monthly articles and a Resource Guide to conferences, etc. \$4.95 for 4 months (The Youth Project, 1766 C Union St., San Francisco, CA 94123).
- "Land and Natural Resources Management" is an analysis of federal policies conducted for CEQ by the Aspen Systems Corp. It finds that there are conflicts among federal land management policies, and recommends improved data collection and monitoring, as well as a comprehensive policy. (Report No. PB-292-500, \$9 from Natl. Tech. Info Serv., U.S. Dept. of Commerce, Springfield, VA 22161.)
- "Backwoods Ethics," by Laura and Guy Waterman (Stone Wall Press), raises questions and seeks solutions on how to preserve wilderness in the face of increasing use by hikers and backpackers. (\$5.95 from Stephen Greene Press, P. O. Box 1000, Brattleboro, VG 05301.)

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- "Environmental Politics," by Harold and Margaret Sprout. How can our society reverse the tradition in which government has encouraged business expansion rather than imposing increasingly needed conservation programs? The authors view the solution as necessarily political. (\$9.75 Univ. Press of Kentucky, Lexington, KY 40506.)
- "Periodicals of Public Interest Organizations -- A Citizen's Guide" introduces the reader to over 90 newsletters, journals, etc. Most of this literature is not generally available through public libraries. (\$5 for individuals, Commission for the Advancement of Public Interest Org., 1875 Conn. Ave., NW #1013, Wash. DC 20009.)
- "A Survey of State Programs to Preserve Farmland," prepared for CEQ by the Natl. Conf. of State Legislatures (NCSL), finds that if conversion of farmland, greenbelts, and buffer zones to other uses continues, serious long-term damage will ensue. State efforts to preserve farms through preferential property-tax assessment are an insufficient remedy. (Send self-addressed label to NCSL, 444 North Capitol St., NW, Wash. DC 20001.)
- "Human Services in the Rural Environment" is a bimonthly newsletter published by the Office of Continuing Social Work Education, Univ. of Tenn. (2012 Lake Ave., Knoxville, TN 37916.) Manuscripts are invited (attn: Joanne Jankovic). Subscription \$10.

#### 14. CALENDAR

- July 24 - Div. of Water Qual. Control public hearing at Waverly on whether Dupont (New Johnsonville) and Mobil Oil (Mt Pleasant) should be allowed to dispose of wastewater by deep-well injection; and on whether this disposal method, in general, should be permitted (Conference Room, Waverly City Hall, 7:00 p.m. CDT)
- July 24,26,31 - TVA power-rate workshops (see ¶10H)
- July 31 - TN Div. of Water Quality Control public meeting on "208" Water Qual. Mngt (see ¶8F)
- July 31 - Off. of Surface Mining hearing on proposed blasting regs, Knoxville, TN, 9:30 a.m. EDT, 5th floor Conf. Rm, 530 Gay Street (Contact Robert G. Stansfield, 637-8090)
- Aug. 17,18 - Tenn. Env'tl. Educ. Assoc. Conference, Sewanee Academy, University of the South, Sewanee, TN (Contact Sandra Kurtz, Hiwassee Valley Nature Center, Cleveland, TN 37311)
- Aug. 18,19 - TVCC Fall Canoe School, French Broad (Write TVCC, P. O. Box 11125, Chattanooga 37401)
- Oct. 12-14 - TCWP Annual Meeting, Big Ridge State Park (see colored page enclosed with NL)
- Oct. 15-18 - U.S. F. & W. Service Symposium on Environmental Concerns in Rights-of-Way Management, Ann Arbor (Write Dr. Dale Arner, P. O. Drawer LW, Miss. State, MS 39762)

TCWP ANNUAL MEETING

October 12-14

Big Ridge State Park

For a change of scenery, we are meeting at Big Ridge State Park this year. Big Ridge is a lovely park on the south side of Norris Lake and only about 30 miles from both Oak Ridge and Knoxville. There are several trails, canoe rentals, game fields and access for boating. We have reserved the group camp. The cabins and dining hall are not luxurious, but are perfectly adequate. In mid-October the trees will be beautiful and the fresh air should stimulate our minds and bodies. More information will arrive by a special mailing in early September. However, we would like to know now if you have any suggestions on programs or activities for the meeting. Please tell us what issues you would like to know more about or would like to see the organization pursue. Call Lynn Dye at 483-8729 or 574-7378 (work), or return the form below. I am also asking for volunteers to help organize either the cooking or the recreation.

Please turn the page for Action Summary!

Return to: Lynn Dye  
173 Tacoma Road  
Oak Ridge, TN 37830

Name \_\_\_\_\_  
Address \_\_\_\_\_  
ZIP \_\_\_\_\_

Phone:  
Home \_\_\_\_\_  
Work \_\_\_\_\_

I can help with cooking \_\_\_\_\_ recreation \_\_\_\_\_ program planning \_\_\_\_\_

Topics I would be interested in include:

ACTION SUMMARY

¶ No.	Issue	Message or Action	Contact
1	Little T	"Appoint Senate conferees who oppose Duncan amendment!" "Veto water-projects appropriation if it has Duncan amendment!"	Sen. Magnuson Pres. Carter
2	Obed land acquis.	"Acquisition must include mineral rights!" "Urge NPS to acquire mineral rights too!"	Natl. Park Service Bouquard, Baker, Sasser (enclose your letter to NPS)
3	Duck River	"Do not fund dam!"	OMB
4	Walden Ridge sandmine	"Do not approve rezoning!" "Do not rebuild road for sand trucks!"	Anderson Cy Planning Comm. Charles Shoopman, Road Supt.
5	Cherokee NF	"Support Citizens' Wilderness Proposal!"	U.S. Rep. and Sens.
6	Alaska	"Co-sponsor S.222!" } "Oppose S.1176!" } "Thank you for Alaska vote!"	Sens. Baker, Sasser U. S. Rep.
7	Deposit bill	"Cosponsor HB 343/SB 742!"	State rep. and senator
8	Carter Mountain	"Get USFS to do EIS on National Forest!"	Gore, Jr.
9	Toxic wastes	Report possible dumps	EPA, State
Activities	TCWP Annual Mtg	Return form (turn the page)	Lynn Dye

Please take action on at least one issue!

TELLICO UPDATE - The Senate vote late July 17 was 53-45 for deleting the Duncan amendment. We won on the Senate floor! However, add to your Action list (important!): Write to Sen. Sasser (U.S. Senate, Washington, DC 20510) and ask him to keep his promise to the Little-T area farmers who came to see him: He said he would not put pressure on the conference committee and would abide by the Senate vote. Also, don-t forget to write Sen. Magnuson