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    Dues statement
    Workshop announcement

*Editor: Liane B. Russell, 130 Tabor Road, Oak Ridge, TN 37830. Ph. 615, 482-2153
Star in margin means "Action Needed." Don't be overwhelmed -- check the ACTION SUMMARY!
9. ACTION SUMMARY

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<td>7C</td>
<td>Hike</td>
<td>TCWP</td>
<td>Join us for outing.</td>
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Senator John Doe
United States Senate
Washington, DC 20510

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

Governor Ned McWherter
State Capitol
Nashville, TN 37219

Dear Senator Doe
Sincerely yours.

Dear Congressman/woman Doe
Sincerely yours.

Dear Gov. McWherter
Respectfully yours.

To call a Representative or Senator, dial Congressional switchboard. (202) 224-3121
To find out about the status of federal bills, call (202) 225-1772
1. A CHANCE TO PARTICIPATE IN CHEROKEE OVERSIGHT

As a follow up to the settlement of appeals to the USFS’ Cherokee Forest Management Plan (NL166 \(\S\) 2A), a citizens’ task group called “Cherokee Forest Voices” has been formed. The group, modeled after similar groups that exist in North Carolina and Georgia, will oversee implementation of the settlement provisions. Members of Cherokee Forest Voices will participate in field reviews and management-planning activities being conducted by the USFS for specific portions of the Cherokee NF.

A training session for people interested in these activities is being planned for the weekend of April 1-2 in Greeneville, TN. It will cover resource-management issues, background on the USFS’ resource-planning process, and a field trip on timber management, with an optional hike into the Sampson Mountain Wilderness. Early April should be a beautiful time to get out into the Forest; thus the training weekend promises pleasure along with learning. Several of the follow-ups also will involve field trips. For more information on how you can participate in the preservation of the Cherokee, contact David Adler at 615-482-1274. A registration form for the training session is enclosed with this mailing. We hope that several TCWP members will participate. (Contributed by David Adler)

2. OUR PARKS, RIVERS, FORESTS THREATENED BY MINING

A. OSM proposes dangerous rules change

The federal Office of Surface Mining (OSM) is proposing a rules change that would make our national parks and similar areas subject to stripmining. Heavy involvement from our membership will be needed to avert this danger.

Section 522(e) of the 1977 Federal Surface Mining Act prohibits surface coal-mining operations on lands within units of the National Park System, Natl Wildlife Refuge System, Wild & Scenic Rivers System, Trails System, Wilderness Preservation System, and in Natl Recreation Areas and Natl Forests. This prohibition is subject to “valid existing rights” (VER), and it is the definition of VER that is now the subject of the proposed rules change.

The VER standard currently in effect is the so-called “modified all permits” standard. An applicant for VER must demonstrate that he had obtained (or made a good-faith effort to obtain) all permits for surface-mining operations before 8/3/77. This means that almost no one now qualifies for a VER. The proposed new rule would, however, add a second (and dangerous) option under which one could qualify for a VER, namely, the “ownership and authority” option. Under this, an applicant needs only to demonstrate that as of 8/3/77 he had a right (under State law) to extract the particular coal resource, or the authority to operate a coal-preparation plant. This means that anyone who owned coal on that date would now have a VER to stripmine it, even though the land overlying the coal is within a park, wild & scenic river corridor, etc. As if that were not permissive enough, coal can also be stripmined from a park, etc., if it is “both needed for, and immediately adjacent to,” a stripmine operation existing as of 8/3/77.

The following federal areas in Tennessee would be affected:
- Obed Wild & Scenic River 5,010 acres
- Big South Fork NRRA 106,000 acres
- Cumberland Gap NHP 90 acres
- Chickamauga & Chattanooga NMP 10 acres

All are listed by OSM as being “located within coal-bearing areas.” In addition, 16,200 acres of state and local park and recreation areas in TN are potentially affected.

TCWP and SOCM separately requested that public hearings on the proposed rules change be held in East Tennessee. OSM was very noncommittal to us on the phone, but Sen. Sasser’s request for the same thing will apparently be honored. We shall need a large turnout and will send subsequent info on date and place, as well as suggestions for contents of testimony, to all of you who indicate a willingness to help. Written comment is due by March 7.

WHAT YOU CAN DO: (1) Tell us you are potentially willing to come to a public hearing (we will send you materials). (2) Send written comments (to be received by 3/7/89) to the Office of Surface Mining, US Dept of the Interior, Washington, DC 20240. (3) Tell your US Rep and both Senators of your opposition to the rules change, and ask him/her to look into the matter; thank Sen. Sasser for what he has already done.

B. The coal-industry-OSM connection

One does not have to look far to find the moving force behind the proposed rules change discussed in \(\S 2A\), above, with its potentially devastating effects. The Acting Director of OSM is Bob Gentile, formerly an Ohio coal operator and active member of MARC, a coal-industry lobbying group. Several rules changes advocated by MARC have been pushed for (and in some cases brought about) by Gentile since he joined the US Dept of Interior. Gentile has also placed coal-industry supporters in high career positions within OSM, where they may be with us for some time to come. His efforts to remove several OSM field managers who had strong enforcement histories were, however, largely thwarted when environmental groups got the House Civil Service Subcommittee to look into OSM personnel moves.
Gentile was nominated by former Pres. Reagan to become OSM Director, but confirmation hearings were postponed to 1989. Virtually all national, and several local, environmental groups plan to oppose Gentile's confirmation. Will Pres. Bush nominate his own person? Will the uncertainty about this further postpone the Gentile hearings and thus prolong the period during which, as Acting Director, he is able to implement his pro-industry bias?

3. STATE NEWS

A. Prentice Cooper State Forest Plan needs our input

On January 17, TCWP received an invitation from the TN Division of Forestry (TDF) to attend Jan. 18 and 19 meetings on the Prentice Cooper State Forest Management Plan. Thanks to Susan Williams (and our computerized labels), however, all Chattanooga-area TCWP members were notified about a week earlier. We hope very much that several of you managed to attend the meetings. Even if not, we urge you to inform the TDF of your desire to participate in the planning process. You can do so by requesting a copy of "An Assessment of Resources for Prentice Cooper State Forest" (call Ms. Laura Craft, 615-742-6617; or write her at Div. of Forestry, TN Dept of Conservation, 701 Broadway, Nashville, TN 37219-5237), and then submitting a brief comment.

Prentice Cooper SF contains about 24,000 acres bordering the Tennessee River where it flows through the spectacular Tenn River Gorge. TDF has in the past sold off over 14 million board feet from this SF and has "shown[n] that even-age management [read, clear-cutting] can be employed to successfully regenerate both pine and hardwood stands." TDF acknowledges the public concern expressed in recent years about the State' timber-management policies, and recognizes Prentice Cooper's heavy use for hiking, primitive camping, etc. Since the Plan that is now in the making will affect management directions for several years to come, our input is particularly important.

B. Upcoming environmental legislation

When the Tennessee General Assembly convenes, the following environmentally-related bills are likely to be considered. (For more info, contact the Environmental Action Fund [EAF], POBox 22421, Nashville, TN 37202).

(a) Solid waste. Three diverse groups, including EAF, have drafted bills calling for waste-management plans; attempts are under way to reach common ground. Recycling plans of some sort are included in all versions. (For other recycling items, see §3D). A controversial point is whether to allow private industries that operate their own landfills to be exempt from the planning process.

(b) Septic tanks. EAF has been working for some time to generate interest in prohibiting the blasting of bedrock, which allows septic-tank waste to get into the groundwater. (TN is the only state that allows such blasting for septic-tank installations.) A bill is likely to be considered this year.

C. Golf courses at Rock Island and other State Parks

TCWP's letter concerning a golf course in Rock Island State Park (we urged that it be located in available open land, rather than on a heavily wooded, largely undisturbed, peninsula -- see NL 166 §§4B) brought a lengthy response from Conservation Commissioner Elbert Gill, Jr. It seems that at least 8 state parks are caught up in various phases of golf-course planning (Rock Island, Reelfoot, Natchez Trace, Chickasaw, Panther Creek, Cedars of Lebanon, Old Stone Fort, Tims Ford). Mid-January was a target date by which two Departments were to report to the legislature on feasibility studies as well as on proposals for the privatization of construction and operation of the golf courses. Commissioner Gill states that the various golf-course initiatives originated with the General Assembly (which even appropriated $720,000 for land acquisition needed for these developments), and he encourages us to express our opinion to the legislative leadership. The Dept of Conservation is, however, studying propriety and feasibility for each park, so input to the administration also appears to be in order. Sen. McNally has supported our position on Rock Island with the governor, for which he deserves our thanks.

D. Interest in recycling: a coalition and a conference

The Knoxville/Knox County Recycling Coalition has been formed as a membership group whose primary purpose will be to provide the public and city and county officials with pertinent information that will help them chart a course for a successful recycling program (937 N. Broadway, Knoxville 37917).

The TN Recycling Conference, which we announced earlier (NL167 §3G), will be held Feb.17-18 at the Doubletree Hotel, Nashville. Feb.17 is billed as Local Governments Day, and Feb.18 as Citizens Day. The latter features a luncheon with Sen. Al Gore, Jr. For info, call TN Environmental Council (the chief sponsor), 615-321-5075.

E. Rails-to-trails project in Tennessee

Cowan (near Sewanee) and Tracy City are connected by a railroad right-of-way that may become a trail. The Trust for Public Land has been negotiating with the railroad company for an acceptable price. The next step is to get the General Assembly to foot the bill from the
Tennessee Natural Resources Fund, which is meant to be used for land acquisition but hasn't been, lately. The trail would touch, or come near to, several State Natural Areas and other scenic attractions.

F. Pollution from Foothills Parkway construction

As we found out a few years ago in connection with the Lavender Bridge construction on Whites Creek (NL141 §5B; NL150 §6A), the TN Dept of Transportation (TDoT) is not always very careful about preventing water pollution. Recently, in constructing the Caylor's Gap to Wear Valley section of the Foothills Parkway, TDoT failed to comply with requirements regarding erosion controls. The Dept of Health & Environment's Div of Water Pollution Control has asked TDoT to take 7 specific measures by mid-January in order to come into compliance.

G. Scientific studies on the Oak Ridge Cedar Barrens

Oak Ridge National Lab scientists are assisting O.R. school-system teachers in developing student activities that will result in valuable information on barrens ecology. Plants are being identified and their location plotted in order to detect any future plant encroachments or other changes that might result if the adjacent "mall" site is developed. The O.R. Barrens - last year rescued by TCWP from becoming part of the development - is a registered State Natural Area.

4. TENNESSEE RIVERS

A. Tennessee refuses to grant variance for Pigeon River pollution

During the last week of December, J. W. Luna, Tennessee's Commissioner of Health & Environment, announced that the State would not issue a water-quality variance for the Pigeon River. Such a variance would have allowed the Champion International paper mill of Canton, NC to exceed color limits in the river for the next 5 years. In a subsequent letter to Champion, Luna cites Tennessee law, which specifies several requirements that must be met before a variance is granted. One such requirement is that public health not be affected. Luna is not convinced that Champion's operation is unrelated to the elevated dioxin levels detectable in Pigeon River fish and sediment.

On January 25, Champion announced that the Tennessee decision would force the company to shut down the plant, or scale it back severely; and the governor of NC said: "Our neighbor, Tennessee, has seriously injured North Carolina." Gov. McWherter responded that the issue should have been resolved long ago without anyone's job being affected. The Dead Pigeon River Council thinks that Champion's threatened shut-down is merely a ploy to make EPA relax the conditions for the plant's operating permit. Commissioner Luna and Gov. McWherter deserve our thanks for protecting Tennessee's water quality. (See enclosed Political Guide for addresses.)

B. The State Scenic Rivers program: new hope?

An article on the TN Scenic Rivers (TSR) Program in the Nov/Dec issue of The Tennessee Conservationist discusses the difficulties that were encountered in implementing this "landmark legislation [which] preceded the national rivers program and later served as a prototype for similar legislation in other states." One analysis (by Sen. Douglas Henry) is that the 1968 Act was "ahead of its time...not in needed environmental protection...but in anticipating acceptance by riparian landowners." A thesis expounded in the article is that the grassroots opposition stemmed from the landowners' fear that the state might use eminent domain [which it never did], and that -- now that the state's authority to use condemnation has been amended out of the Act -- there will be grassroots support for river preservation. In fact, quite a few local river conservancy groups have sprung up. After the General Assembly had deleted the Collins River from the TSR System in 1984, the Scenic Rivers Advisory Council was formed to foster good will for the program (NL141 §4A; NL144 §6A). One of the Council's activities is to distribute a brochure on the advantages of the TSR System. A statewide rivers inventory or assessment (a process that might get help from the National Park Service) is under consideration, and a proposal may soon be presented to Commissioner Gill for his approval.

C. Efforts to preserve water quality in the Powell and Clinch Rivers

These two rivers, which jointly form Norris Reservoir, rise in Virginia and have large watersheds and highly scenic valleys. Water quality in the Powell has been good enough in the past to support several mussel species, but both rivers are exposed to several sources of nonpoint pollution, particularly stripmining and agriculture. During the Alexander administration, the governors of Tennessee and Virginia formed a joint taskforce (coordinated in TN through the Safe Growth Team) to address pollution in the two rivers (NL144 §6F). Present activities include amelioration (through the Soil Conservation Service) of erosion problems on various types of agricultural lands, advice to land users on controlling animal wastes, an educational effort to teach local students and residents about nonpoint-source pollution, and river clean-up sessions organized by local groups. TVA and TWRA are studying mussel populations in the Powell (original stimulus: TVA's attempt to transplant endangered mussels from the Columbia Dam region of the Duck River); and the USGS is sampling water quality at selected stations -- an activity capable of identifying problem areas.
D. Conferences on management and restoration of river corridors

Congressmen McDade and Udall have stimulated a resurgence of interest in river corridors. To find out how the Congress could assist states, local governments, and private groups to plan, manage, and use these areas, McDade and Udall have requested a series of workshops across the nation. The hope is more clearly to define goals and explore alternatives for simultaneously achieving multiple management objectives. On the basis of the workshop reports, the participating organizations will make a presentation to the two Congressmen who may then introduce appropriate legislation. One of the 6 regional workshops, hosted by the National Park Service, will be held in Atlanta on January 28. A local spinoff (though not part of the report process for Udall and McDade) is a Knoxville symposium, March 21-23, on Multiobjective Management of River Corridors and Their Restoration. Hosts are EPA and TVA. Contact James M. Wright, TVA, 200 Liberty Bldg, Knoxville 37902, Ph.: 615-632-4792.

5. NATIONAL ISSUES

A. A bill to save bits of wild America needs your support

Few Americans are aware of the source of money that has preserved many of our natural treasures in national parks, refuges, and similar areas. Even fewer realize that many state and local parks owe their existence to the same source: the Land & Water Conservation Fund established in 1964. The LWCF has an “income” of at least $900 million a year, 90% of this deriving from a portion of the money the government collects from offshore oil & gas leases. Unfortunately, however, the LWCF is not a “dedicated” trust fund, i.e., the money that accumulates does not have to be spent for its designated purpose; unspent receipts are added to the general treasury. The Reagan administration, in fact, tried year after year to add all of the LWCF to the general treasury, but Congress resisted and appropriated about $200 annually for parkland acquisition (compare to ca $525 million annually during the Carter administration).

There is a tremendous backlog of already authorized acquisitions to be made. In addition, open space is disappearing at an alarming rate (2-4 million acres per year), especially near urban areas. A “dedicated” trust fund was thus clearly needed. A bill to create the American Heritage Trust Fund (which would be self-supporting after 5 years) made a great deal of progress in 1988, attracting 232 and 40 co-sponsors in House and Senate, respectively (including every member of the Tennessee delegation), but time ran out (see NL167 ¶7). Mo Udall, Chairman of the House Interior Committee, will make the bill a high priority in 1989. In order to keep this legislation from becoming mired in the budget debates, it will need to be speeded through Congress. Legislators must be convinced that, even during times of budget deficit, protection of our land resources is an overwhelming priority for Americans. Grassroots support is essential.

\[☆\] WHAT YOU CAN DO: Thank your US Representative and both Sens Gore and Sasser for co-sponsoring AHTF legislation last year. Urge them to co-sponsor the re-introduced bill without delay, and to support it actively. (Addresses on p.2).

B. Agency actions may expand the National Wild & Scenic Rivers System

Presently, the WSR System, created in 1968, includes only 119 river segments representing less than 0.3% of the nation’s river miles. The WSR Act requires federal agencies to evaluate rivers under their jurisdiction for possible inclusion in the System. Finally, after 20 years, the National Park Service, US Forest Service, and Bureau of Land Management have announced plans to recommend that over 300 river segments be added to the WSR System.

C. Endangered Species Act: the next step

After years of effort, the Endangered Species Act (ESA) was finally reauthorized in 1988 (NL166 ¶8A). Now there is much to be done to implement the legislation. One major need is to get appropriations of the full amounts authorized by the ESA. Project Blueprint (NL163 ¶8A; NL167 ¶9B) looked at other needs as well, and made these recommendations (among others): (a) that Pres. Bush issue an executive order making ESA legislation a top priority in wildlife issues; (b) that Category One candidate species be listed rapidly; and (c) that a wildlife conservation plan (not limited to endangered species) be developed to guide habitat acquisition.

D. Energy efficiency is becoming essential

Energy supplies can be expanded by wasting less. A recently published Fact Sheet on Oil and Conservation Resources (Natural Resources Defense Council) finds that more efficient energy use by automobiles, appliances, and buildings represents a potential conservation resource that is more than twice as large as the total predicted oil production from all the federal government’s unleased off-shore and Alaskan lands. ($7 from NRDC, 122 E 42nd Street, New York, NY 10164.) -- A recent study at the Oak Ridge National Lab addresses the energy issue from the perspective of the “greenhouse effect.” The study concludes that, since dependence on fossil fuels is likely to continue for some time, more efficient energy use is imperative.

Unfortunately, the country is moving in the opposite direction. In 1975, Congress set a goal of reaching an average fuel economy standard of 27.5
miles per gallon by 1985. Automobile manufacturers have year after year succeeded in rolling back this standard. Once again, the Natl Highway Traffic Safety Admin has reduced standards for 1989 model cars from 27.5 to 26.5 mpg. This 1 mpg amounts to a waste of a billion gallons of gas in just a few years.

6. MORE ON THE RECENT ELECTIONS AND FUTURE PROSPECTS

As a new administration takes over, experts are analyzing the election, looking at prospects, recalling the past. Some of these activities -- as they pertain to environmental issues -- were reported in NL167 ¶9. Here are a few additional capsules:

• The campaign generated a high level of interest in environmental issues: But, as the League of Conservation Voters points out, debate focussed on pollution issues "rather than ecological approaches to managing civilization's march across the planet." While Bush made promises in some areas (acid rain, ocean dumping, toxic wastes), "his positions on resource extraction, public lands, and wilderness issues were not significantly different from those of the Reagan administration." (See also NL165 ¶1B.) This dichotomy is perhaps illustrated by his excellent appointment of Wm. K. Reilly (Pres., World Wildlife Fund) to head EPA, and the rather alarming nomination of Manuel Lujan to head Interior (see next paragraph).

• Manuel Lujan, Pres. Bush's nominee for Sec. of Interior, retired in 1985 from the House of Representatives, where he had served for 20 years. Toward the end of this service, he was the Ranking Republican on the House Interior Committee. His confirmation hearings on January 26 elicited the information that he has opposed one out of every 3 wilderness bills that came before the House during his tenure, and that he had voted against preservation of the Columbia River Gorge. When questioned about his position on the Arctic Natl Wildlife Refuge (see, e.g., NL163 ¶7F), he said merely that he regretted that the issue had become so confrontational and, that he hoped some "flexible" approach could be taken. The full Senate will vote on Lujan's confirmation on Feb. 1.

• Leaders of the environmental movement expect Pres. Bush to focus on high-profile environmental problems while setting aside the thornier issues. Making sure Bush follows through on his promises will require effort. On Nov. 30, six environmental leaders met with Bush to discuss the Project Blueprint report, which contains 700 specific recommendations. The leaders were impressed with Bush's willingness to listen.

• A summary of the Project Blueprint report (the collaborative effort of 18 environmental organi-
C. TCWP to sponsor Whites Creek hike, April 15.

The Whites Creek Small Wild Area on Watts Bar Lake was set aside by TVA at TCWP's urging, and we undertook to maintain an attractive trail. Judith Bartlow will lead a wildflower hike in the Area on April 15, starting at 10 a.m. from the trailhead at the end of the road (boat ramp). Anyone wishing to carpool from Oak Ridge should meet at 9 a.m. at Big Turtle Park (2 mi W of Turnpike traffic light #13). Bring family, bring friends, bring a lunch, wear sturdy shoes. Directions: Take US 27 south from Rockwood. About 4 miles after US 70 turns off, you will cross two bridges in tandem; 2.0 miles beyond the center of the second bridge, a road turns left at Roddy and goes 1 mile to the lake-side parking lot.

D. Good response to appeal

TCWP members responded most generously to our year's-end appeal for contributions. With gifts ranging from $10 to $300, almost 60 individuals or families contributed a total of over $2100. Please be assured that these funds will be used in their entirety for TCWP's efforts to preserve our natural environment.

E. Canoe Trail on Melton Hill

TCWP Board member Chuck Coutant has mapped out a 4-mile canoe trail that starts at the Solway boat ramp and winds in and out of coves of the Haw Ridge peninsula. Chuck's 2-page description of the natural (and man-made) features visible on the trail may eventually be distributed by the O.R. Recreation Dept.

8. ACTIVITIES; READING MATTER

- Audubon Ecology Camps and Workshops will be held this summer and fall in Maine, Wyoming, Arizona, and even Kenya. Sessions run for one or two weeks. (Audubon Ecology Camps, Natl Audubon Soc, 613 Riversville Rd, Greenwich, CT 06831-9957)

- The Minerals Policy Center is a new organization established to assist grassroots groups working against environmental threats from minerals developments. (20 West Chapman St., Alexandria, VA 22301).

- A listing of TN waters that have impairment of designated uses due to pollution is available from: 304(1) Coordinator, TN Div of Water Pollution Control, TERRA Bldg, 150 - 9th Ave, N, Nashville 37219-5404.


- A new resource book on plant conservation lists over 500 professionals and agencies engaged in preserving native plants. ($9 from Center for Plant Conservation, 125 Arborway, Jamaica Plain, MA 02130).