

TENNESSEE CITIZENS for WILDERNESS PLANNING

Newsletter No. 190

October 20, 1992



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*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!

14 . ACTION SUMMARY

No.	Issue	Contact	"Message" or Action
1	1992 elections	Nov. 3	Inform yourself and vote for the environment
2B	Obed General Mngt Plan	Oct. 27	Attend open house
2D	Rock Creek, Daniel Boone NF	District Ranger	"Send biological evaluation backing FONSI!"
3	Smokies: North Shore Road	Sens. Sasser, Gore	"Oppose Helms/Sanford bill!"
4B	Destruction by I-26	TEC	Inform yourself
4C	Fall Creek Falls	SOCM	Offer help with 522 petition
4F	Foot & bicycle trails	Transportation planners (state & local)	"Are ISTEA funds being used for trails?"
5A	Olympics on Ocoee	Cherokee NF	Comment on issues you feel should be addressed in EIS
5B	Red-cockaded woodpecker	Forest Supervisor	"Augment woodpecker colony this year!"
6A	"Parks in Peril"	NFCA	Procure copy of report.
6B	Natl Park Service independence	US Rep	"Co-sponsor HR 5738!"
8A	Worthington cemetery	TCWP	Offer to help
8B	Oak Ridge Greenways	TCWP	Offer to help
9B	TCWP office needs	TCWP	Offer to loan or donate items listed

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. THE 1992 ELECTIONS: THE FUTURE OF OUR ENVIRONMENT IS AT STAKE

You should definitely not sit out this one: the opportunities for either causing irreparable harm to -- or doing a lot of good for -- our environment are tremendous for the president, who chooses the cabinet and also makes political appointments below the Secretary level; for the vice president, who can wield much influence for bad or good with White House Councils; and for a Congress that must not be forsaken to oil, timber and mineral interests, or cave in to the "wise use" (or "multiple abuse") movement. Our courts -- major environmental battlegrounds -- are also at stake, since the President appoints Supreme Court and Federal Court judges, who serve for a lifetime. We hope some of the items below will help you make up your mind.

A. Presidential Profiles by the League of Conservation Voters

For 22 years, the non-partisan League of Conservation Voters has knowledgeably analyzed the record and the positions of candidates for public office. This year's publication "Presidential Profiles" discusses not only the presidential but the vice-presidential candidates, and it, further, contains reprints of both parties' platforms on the environment. Because there will probably not be sufficient time for you to obtain a copy (call LCV, 202-785-8683), we are here providing excerpts. For Bush and Clinton, we summarize the sections dealing with the specific topics that LCV used in its analysis.

1. Reducing CO₂ emissions.

BUSH: Is "the single biggest obstacle to an international climate treaty that curbs CO₂ emissions." Domestically, his National Energy Strategy would actually increase emission.

CLINTON: Supports reducing US emissions, possibly by 20-30%. Would implement energy conservation and increase energy efficiency. Will expand technical assistance for reforestation programs. Believes global warming poses dire threat to survival around the world.

2. Endangered Species Act (ESA).

BUSH: Has been recalcitrant in implementing and enforcing the Act. Convened the "God Squad" which voted to override the ESA and allow logging in sensitive areas of the Ancient Forests of the Pacific NW. Refused to sign Biodiversity Protection treaty at 1992 Earth Summit.

CLINTON: States that science should be the sole criterion in determining whether a species should be listed under the ESA.

3. Arctic National Wildlife Refuge (ANWR).

BUSH: His National Energy Strategy centers around opening ANWR's pristine Coastal Plain to oil & gas development.

CLINTON: Supports legislation that would give wilderness designation to ANWR's Coastal Plain.

4. Ancient Forests.

BUSH: Has consistently supported logging-industry position against the use of science to determine timber targets that could protect forest ecosystem sustainability.

CLINTON: "Ancient forest protection must be one of the nation's top conservation priorities." Supports federal efforts to diversify economies of communities that currently depend on unsustainable timber harvest practices.

5. Renewable energy sources.

BUSH: Has opposed extension of the solar tax credit. His energy plan contained virtually no energy conservation initiatives.

CLINTON: Supports federal tax incentives to allow renewable energy production to compete fairly with traditional energy sources.

6. Recycling.

BUSH: Opposed a national recycling bill, even though it was very modest.

CLINTON: Believes there should be federally-mandated percentages of recycled materials contained in specific products. Federal agencies should be required to purchase recycled products whenever possible.

7. Auto fuel efficiency.

BUSH: Opposes increase in standards that would require automakers to build more fuel-efficient and competitive cars.

CLINTON: Has stated that increasing auto fuel efficiency presents the most significant opportunity for energy savings, national security, balance of trade, and cutting down on greenhouse gases.

8. Wetlands.

BUSH: Reneged on his 1988 promise of "no net loss" of wetlands, especially by proposing to alter the Federal Wetlands Manual's definition of wetlands in such a way that protection would be dropped from a high percentage of remaining wetlands.

CLINTON: Is fully aware of the importance of wetlands and firmly supports "no net loss." Supports the expansion of Sect 404 authority (of the Clean Water Act) to regulate activities that affect wetlands.

9. UN Population Fund (UNFPA)

BUSH: Vetoes 1991 foreign aid bill in order to prevent restoration of US financial support for UNFPA (which had been eliminated by Reagan).

CLINTON: Supports full funding for UNFPA but would refuse financial support for programs of forced abortion ("Women must have a right to choose.")

10. Miscellaneous

BUSH: Supported passage of Clean Air Act in 1990, but in 1992 imposed moratorium on Act's pollution-control regulations. The White House Council on Competitiveness has stalled the Clean Air Act's implementation and weakened its substance.

CLINTON: Underscoring his resolve to reestablish America as a world leader in environmental protection, Clinton chose as his running mate Al Gore, an environmentalist with a long, consistent, and proven record.

For the Vice-Presidential candidates, we are here reproducing the "Conservation Assessment," which constitutes the final paragraph of each LCV profile.

QUAYLE: "Throughout Dan Quayle's career as a Congressman, Senator, and now as Vice President, he has consistently sided against environmental progress. As Vice President, Quayle has used the Council on Competitiveness to overrule the EPA and other environmental advocates in the Administration. The Council continues to take strong bites out of environmental legislation, endangering the public's health to accommodate big business' short-term interests."

GORE: "Al Gore has made the protection and conservation of the environment a cornerstone of his career. His voting record and authorship of pro-environment legislation [which are documented in some detail in the Profile but not excerpted here] demonstrate that his proposals for addressing looming environmental crises are not simply empty rhetoric. As presented in his book, *Earth in the Balance*, Sen. Gore has a clear understanding of the mounting environmental degradation facing Americans and the world community, and has proposed concrete solutions to many of these staggering problems. He understands that a sound economy and a healthy environment are interdependent, in the present and especially the future."

B. Environmental outlook for a Clinton/Gore Administration

The Conservation Fund's *Common Ground* recently printed an interview with Sen. Tim Wirth (D-CO). One of the brightest and most effective young senators, Wirth had announced in the spring that he would not run for reelection. He is co-chairing the

Clinton/Gore campaign; might he get a cabinet post? Among key points made in the interview:

The Clinton/Gore administration would start with the premise that the choice between jobs and the environment is a false one.

We must make a transition now, in the West, from the old *extractive* economy to an *attractive* economy, bringing people to public lands [for outdoor recreation].

Fundamental changes must be made in the 1872 Mining Act.

The Forest Service needs to move away more rapidly from its continuing commitment just to cut timber. ... The job losses in the Pacific NW are not due to restricting timber harvests; they are attributable to the export of whole logs.

On publiclands funding: Save tens of millions of \$\$ by not constructing roads through [national forest] wilderness areas. Gate fees collected at national parks should go to the park(s) instead of to the general treasury.

We must look at lands surrounding national parks comprehensively as ecosystems and not as places where, beyond an arbitrary boundary, you are creating ideal conditions for land development. We must be more imaginative in the way in which we acquire land and easements around our parks.

C. Congressional races

Though Tennessee may end up with a new senator, we do not have any senatorial races this year. Among House incumbents, the following have the highest LCV scores (for 1991, 1989/90, and 1987/88, respectively): Cooper, 77, 78, 75; Ford, 77, 72, 50; Gordon, 54, 83, 63. Marilyn Lloyd (38, 50, 25) has recently taken a strong stand in opposition to chip-mill permits (NL 189 f1).

D. What environmental candidates are up against

First of all, huge sums of money. The oil industry (which wants to drill in ANWR and open wetlands for development) is expected to spend well beyond \$7 million in this election. Mining interests have already spent \$872,000, forestry, \$631,000, livestock, \$553,000. In contrast, pro-environmental PACs have spent only \$196,000 (see *Audubon Activist*, 10/92). State issues are not immune; e.g., a recycling initiative is being fought by huge sums of plastics industry money in Massachusetts, and a South Dakota initiative to limit the size of hard-rock mines has been targeted by the mining industry.

The second thing environmental candidates are up against is nasty name calling. We have all heard the phrase "environmental extremism" slung about in

the Vice Presidential and Presidential debates. Environmental candidates have also been called "Watermelon Marxists: green on the outside, red on the inside." Several right-wing so-called "environmental groups" are promoting "pro-business" ecology, and are labeling environ-mentalists as "anti-American" and "anti-people."

But take heart: in a recent Roper poll, 22% of people planning to vote on November 3 said that the environment would be a deciding factor for them. And only 10% said environmental laws and regs have gone too far, while 63% said they have not gone far enough.

E. State Legislature races

The Tennessee Chapter of the Sierra Club Political Committee has endorsed the following candidates, based on their voting records (both in committee and on the floor) and on their responses to a questionnaire (which was sent to all challengers as well as incumbents):

Rep. Gary Odom (D), HD (House District) 55
 Rep. Mike Kernell (D), HD 93
 Rep. Randy Stamps (R), HD 45
 Rep. Mayo Wx (D), HD 44
 Mike Williams (D), challenger for HD 63
 Sen. Joe Haynes (D), SD 20.

F. General Assembly 1991-92 voting chart

Responding to a request by the Sierra Club, John Williams, one of the chief organizers of the Environmental Action Fund, and veteran lobbyist, compiled a chart from the public record of the 97th General Assembly to show how members had voted on 9 occasions. This was recently distributed with the Tennessee Legislative Update.

The voting records were examined for the following bills (check NL187 ¶4 and NL188 ¶3 for details): the 1991 state parks acquisition bill (HB 774/SB 571), two votes (including one on a key amendment); two state parks capital improvement bills (HB 559 and 558; SB 891 and 892); a bill (HB 1089/SB 631) setting fees for various environmental permits, the revenue from which was used to increase enforcement; a wetlands drainage bill (HB 793); and three other bills pertaining to septic tanks and pesticides.

The top scorer was Rep. Gary Odom, Nashville (9/9); Reps. Bitte, Byrd, Chiles, Cross, Kemell, and Severance, and Senators Cohen, Cooper, Henry and Kyle each votes right 7 or 8 times out of 9. Others who made significant contributions by their sponsorship of environmentally supportive bills were Senators Greer and Crutchfield, and Rep. Purcell. There were 11 legislators who had, at most, one correct vote. [For the information of Oak Ridge

voters: Sen. McNally had 5 correct votes, Rep. Colley had 4.]

G. Green issues on state ballot initiatives

In the November 3 election, there will be 30 major conservation ballot propositions in 16 states. All that most people remember from two years ago is that California's Big Green failed. However 61% of the 31 major environmental initiatives won in 1990, a rate almost twice as good as that for state and local ballot initiatives in general. The two 1992 initiatives closest to us (geographically) are in Alabama and Virginia. Alabama will vote on a constitutional amendment that would create a land trust to acquire land for conservation, recreation, scientific, and educational purposes, with funding coming from the interest earned on state oil & gas revenues. Virginia's initiative is a \$95 million bond issue for land acquisition; four new state parks and 11 natural areas (which include habitat for endangered species) are slated for purchase if the bond issue is approved.

2. BIG SOUTH FORK AND OBED

A. Appropriations - mostly nothing!

In a nutshell: zero acquisition funds for either BSFNRRRA (Big South Fork National River & Recreation Area) or OWWSR (Obed Wild & Scenic River); and zero increase in operating funds for either area. All we got were development funds (\$1 million for the BSFNRRRA's Kentucky lodge infrastructure, and 0.2 million for the OWWSR). And this, despite the fact that (a) BSFNRRRA acquisition was a priority item on the list supplied by the National Parks & Conservation Association (NPCA) to the Interior Appropriations subcommittees, and that (b) Sens. Sasser and Gore and Rep. Cooper had lobbied for acquisition funds (NL189 ¶2A).

Although the Senate bill included \$3 million for BSF land acquisition, plus a \$150,000 increase in the BSFNRRRA's operating budget, \$800,000 for BSFNRRRA development, and \$200,000 for OWWSR development, the House bill contained nothing. It was therefore up to the conference committee to come to a decision on these matters. There was a third National Park Service unit in Tennessee, the Stones River National Historical Battlefield, that was requesting acquisition funds, and the conference committee picked it as the only unit in Tennessee to be funded (in these financially tight times, no one state can hope to get all it wants).

Further, our future efforts to get new acquisition funds appropriated will probably have a greater chance of success after NPS actually starts buying lands with the funds already in hand. At this time, all acquisition-related procedures are handled by the NPS Southeast Regional Office, which has a try, and

thoroughly overworked, land-acquisition staff that has to deal with almost 60 parks in numerous states and off-shore territories. Much valuable ground work could be done if the BSFNRR and OWSR could have their own, on-site, acquisition officer. With no increase in already strained operating budgets, however, there seems little chance of this. Catch 22!

B. **Open House announced for Obed General Management Plan**

The purpose of a General Management Plan (GMP) is to provide direction not only for future development, but also for resource management and use of the park. Sixteen years after enactment of the Obed WSR, a GMP is finally in the works. A planning workshop for the Obed GMP was held in Wartburg May 27-28 (NL188 ¶1), a preliminary draft of management objectives was issued about a month later (NL189 ¶3A), and another workshop took place in Wartburg on September 10.

This time, again, several citizens joined Park Service personnel, including TCWP members Lee Russell and Don Todd, and NPCA southeast representative Don Barger. After hearing presentations from NPS on a number of pertinent subjects, we broke into teams on (a) visitor use and related development, (b) resource management (natural and cultural), and (c) park operations/land protection. Judging from the one I attended, and the subsequent reports from all groups when we reassembled, the brain-storming sessions were quite fertile. (If you want details, call the number on p. 1.)

The next event is an Open House, to be held at the Obed Visitor Center in Wartburg on Tuesday, October 27, 4-8 p.m. Eastern Time. The format will be informal: conversations with members of the planning team and with other NPS personnel, who will provide information as well as listening to the public's views. Among the issues for discussion are water and air quality; management needed to protect plants, animals, and archaeological resources; activities that are appropriate or inappropriate within park boundaries; visitor services that might be needed, and where to put them; and how to communicate to others the need to protect the special values of the Obed. We hope TCWP members will avail themselves of the opportunities of this Open House.

C. **Ober Creek dam springs back to life**

Last year, you read a good deal (most recently in NL185 ¶2B) about a proposal to build a dam on Ober Creek, a major southern tributary of the Obed National Wild & Scenic River. This very large dam (90 ft high and 385 ft wide at the bottom), purported originally to be for the purpose of making a private lake for a local individual (NL182 ¶1A), turned out (after some digging by us) to be actually promoted by the Crab Orchard Utility District. The District had applied to the Farmers Home Administration (FmHA, a

branch of the U.S. Dept. of Agriculture) for a "loan & grant" of \$7,700,000 for construction of this reservoir (NL183 ¶1B).

When the fact that this was a federal action was disclosed, FmHA was forced to do an Environmental Assessment (EA) under NEPA requirements -- something they had hoped to avoid doing. This process became a prime example of a government agency's inadequacy, ill-will, deceitfulness, and non-cooperativeness (read NL184 ¶2B and the other NL references cited above). Other government agencies (EPA, FWS, and NPS) were also appalled by the whole procedure. In particular, NPS was not convinced by FmHA's FONSI (Finding of No Significant Impact) that there will be no impacts to the Obed water quality/quantity or to protected species.

It appears (although we have seen no official statement to that effect) that the original EA may have been nullified, killing FmHA funding during that fiscal year. But then -- apparently working as quietly as possible -- FMHA went and generated another EA on which final comments were due in December 1991. The National Park Service, the primary interested agency, was not notified at any step of the way and has only just found out what happened. In fact, when NPS requested a copy of the new FONSI, they were told to come to the FmHA office in Smithville to look at it!

We will keep you informed on what happens. Transcending the Ober Creek dam issue, the longer-range problem for the Obed is the ongoing quest for more and more water by Crossville and other plateau communities that are reluctant to set limits to growth. State-wide or regional water-supply planning that includes underground as well as surface water is clearly a necessity.

D. **Logging on Rock Creek**

The Daniel Boone National Forest in Kentucky has issued a FONSI (Finding of No Significant impact) for a timber sale in an area that is bounded in the east and south by the BSFNRR, and in the north by Rock Creek. According to the Decision Notice, the alternative chosen will affect about 700 acres, 260 of them by clear-cutting, the remainder by thinning, reduction-burning, etc., as well as resulting in about 5 miles of new or reconstructed road.

The FONSI was issued despite the prior identification of a number of concerns, including the presence of several threatened, endangered, and sensitive species within that unit of the Daniel Boone NF, the fact that Rock Creek is a State of Kentucky Wild River, and the fact that clear-cutting will take place adjacent to roads leading into the BSFNRR. To this, we may add the concern of water-quality degradation in a portion of Rock Creek that is presently clean and supports at least five species of

mussels. Also, this whole area is just too close to the BSFNRA!

* **WHAT YOU CAN DO:** Write to Mike Melton, District Ranger (Stearns District, Daniel Boone NF, PO Box 429, Whitley City, KY 42653, or call at 606-376-5323) and ask for a copy of the biological evaluation, as well as of any other documentation that supports his conclusion that water quality would not be adversely affected and that there would be no impact from the operation on threatened, endangered, and sensitive species.

permits. Boise-Cascade says that, although river transportation would be desirable, it is not mandatory, and that the company will move the chips by truck or train. TVA project coordinator, John Loney, is quoted in an AP report as saying that if construction starts on one mill, pressure will increase on TVA. -- Chip-mill opponents point out that even if Boise-Cascade is bluffing, the company will have succeeded in destroying the beauty along a stretch of river. It may become necessary to call for a boycott of Boise-Cascade products.

At the hearings on TVA's Environmental Impact Statement, and in written statements subsequently sent in (some of which we have been privileged to see), public sentiment was overwhelmingly opposed to TVA granting any chip-mill permits, and Senators Sasser and Gore, as well as Rep. Marilyn Lloyd, have come out very strongly against the proposal (NL188 ¶2; NL189 ¶1). A group calling itself Landowners for Responsible Natural Resource Management (which includes the Farm Bureau, Cattleman's Association, and Forestry Association) not only wants the permits to be granted, but opposes the inclusion of any contractual conditions that would regulate forest-management practices on private lands.

3. SMOKIES ALERT: SANFORD MAKES DEAL WITH HELMS

Sen. Jesse Helms (R-NC) has long been hell-bent on constructing a 25-mile road north of Fontana Reservoir, supposedly to rebuild a road that was flooded when the reservoir was filled half a century ago (NL183 ¶3A; NL184 ¶5A; NL185 ¶4; NL186 ¶3A). This agitation has held up Smokies Wilderness designation for decades. In the past, North Carolina's other senator, Terry Sanford, has supported a cash payment of \$16 million to Swain County, NC, in lieu of building the road, a position that has been consistently supported by wilderness advocates.

But two weeks ago, Sen. Sanford struck a deal with Sen. Helms that could cause us considerable grief. The deal has actually engendered a bill -- the Swain County Settlement Act, which would (a) pay \$16 million to Swain County, and (b) direct construction of the northshore road. Any delays in part (b) would not delay the execution of part (a). In a press release, Sen. Sanford said: "I am more than willing to let the North Shore Road be judged on its merits. I will help in every way that I can." In a letter to constituents, he explained that he had "never opposed the North Shore Road," and that he and Helms were trying to "free the bill from those who oppose various provisions," and bring it to the floor. Though Congress has now gone home, it will be very important to keep a watch when they return.

* **WHAT YOU CAN DO:** Bring this matter to the attention of Sens. Sasser and Gore (who strongly support wilderness and oppose the road), and urge them to make sure that the Helms/Sanford bill never sees the light of day in the Senate. Address on p.2.

B. TDoT, a major contributor to stream pollution in our state

Over the years, we have brought you accounts of Tennessee Dept. of Transportation (TDoT) projects (Lavender Bridge on Whites Creek, the Foothills Parkway, the Ocoee road) whose design and/or conduct have outraged not only the environmental community but certain other state agencies and even federal ones. Now, here is yet another one: I-26/I-181, and particularly the segment from Erwin, TN, south to the NC State line at Sams Gap, along the route currently followed by US 23/81. The project was started in 1991, and construction by TDoT contractors, which is currently proceeding at a fast pace, has had disastrous environmental consequences (NL189 ¶50): it has caused huge scars on the mountains, has totally destroyed or degraded innumerable streams, and has dumped huge quantities of silt and other pollutants into the Nolichucky watershed. Design features are more concerned with minimizing construction costs than with environmental protection.

In response to a letter from TCWP's executive director, Joan Burns, Gov. McWhorter's office wrote to say that the governor has instructed TDoT and TDEC (Dept. of Env't. and Conservation) to have an environmental engineer on the site daily to monitor the construction, and has asked that the TDEC regional director visit the site at least once a week. Consider, however, that earlier repealed notices from TDEC to TDoT, citing many dozens of violations, have brought no results. The problems may lie in the political complications of interagency enforcement.

4. AROUND THE STATE

A. Chip-mill industry trying to pressure TVA by building a mill

While piously denying it, one industry group, Boise-Cascade, clearly expects that its announced intention to start construction of a chip mill (at New Hope, TN) will pressure TVA into granting chip-mill

and the high priority given to road construction by this administration).

It may be time for citizen's groups to change the ways in which TDoT operates by focussing on the glaring pollution problems in the I-26 project.

* If you want to keep informed or to work on this issue, contact John Sherman, TEC, Nashville (615-321-5075) or Bruce Clarke, Johnson City (615-262-8909).

C. Petition to declare Fall Creek Falls watershed unsuitable for surface mining

The valuable qualities of Fall Creek Falls (FCF) State Park and Natural Area are highly vulnerable to adverse influences from the watershed upstream. In particular, FCF could be badly degraded by stripmining in this region underlain by the Sewanee coal seam, which has consistently (and despite all mitigation efforts) produced acid mine drainage. This would have serious effects on streams within the park (aquatic life, scenic value, drinking water supply), as well as on Cane Creek downstream, which currently is a TWRA-stocked trout stream. The watershed provides habitat for a number of endangered species. Further, the noise from blasting operations would be audible from FCF, and truck traffic would increase on roads used by FCF visitors.

* Under Section 522 of the 1977 federal stripmine Act (SMCRA), citizens may petition to have an area designated unsuitable for surface mining. Such a petition (in which TCWP played a major part) was finally successful for the Flat Fork watershed at Frozen Head state park. A FCF-watershed petition was filed in July by the South Cumberland Chapter of SOCM. If you are willing to help out, call SOCM at 615-426-9455.

D. Better enforcement of stripmine laws needed in Tennessee

The citizens' group SOCM (Save Our Cumberland Mountains) recently completed studies on: (a) effectiveness of the OSM's (Office of Surface Mining's) enforcement procedures, and (b) water quality at "reclaimed" stripmine sites. Among the findings:

- Acid mine drainage is still being generated at 83% of supposedly reclaimed sites.
- Since 1988, OSM has collected only 11.5% of fines for serious violations.
- Stripmine sites that are in violation of the law are allowed to remain unreclaimed too long (2.5 years, average) before the performance bond is forfeited.
- Reclamation bonds are set far below the level of what it costs to reclaim if an operator abandons a site.

- OSM is too willing to negotiate with violators in lieu of taking action to ensure that sites are reclaimed in a timely manner.

In addition to urging that these failings be fixed, and that a strict timetable be developed for enforcement actions and negotiations, SOCM makes other recommendations, e.g.:

- OSM should not allow mining in toxic coal seams.
- OSM should require a separate bond to cover the costs of water replacement if water supplies are destroyed by mining.
- OSM should take civil action (e.g., seizure of equipment) to collect fines.

SOCM awaits OSM's formal reply.

E. Clinch & Powell protection efforts

The scenic Clinch and Powell Rivers, which flow through agricultural and forested areas in Upper East Tennessee, have serious water-quality problems. Of particular concern is sediment, which comes from the erosion of farm lands in the watershed. The status of fresh-water mollusks is an excellent indicator of water quality in a river. The Clinch and Powell have lost over 1/3 of their mollusk species; the bulk of those that remain are considered rare.

It is therefore good news that The Nature Conservancy, jointly with the Clinch & Powell Resource Conservation and Development Council (RC&D), will develop a conservation plan for the rivers. Critical habitat locations for biological diversity will be identified, and will be cross-referenced with upstream farm lands suffering from soil losses. The RC&D, a non-profit agency supported in part by the Soil Conservation Service, is well positioned to work with landowners in the entire watershed to implement soil-retention strategies.

F. Transportation Act aids hiking and bike trails

* The 1991 Surface Transportation Act (ISTEA) requires states to include non-motorized facilities in their long-term transportation planning, and to hire bicycle and pedestrian coordinators. ISTEA makes available enhancement funds for these purposes. One major option is the conversion of abandoned railway corridors for use as pedestrian or bicycle trails. A recent poll found that nearly three-fourths of all people want to see their town or locale integrate walking, running, and bicycling facilities into the area's transportation system. What's being done in Tennessee or in your town? Make contact with transportation planners at state and/or local levels and ask about plans for ISTEA enhancement funds.

A new Tennessee group greatly interested in ISTEA implementation because of the Act's

requirements for billboard control is Scenic Tennessee ("devoted to the protection and enhancement of roadside beauty in Tennessee"), 100 Otari Drive, Kingsport, TN 37664.

5. THE CHEROKEE AND OTHER NATIONAL FORESTS

A. *More on the 1996 Olympics event proposed for the Ocoee River*

As reported in NL189 ¶4C, the Atlanta Committee for the 1996 Olympic Games has accepted a State of Tennessee Proposal to hold the Olympic whitewater slalom races on the Ocoee River. These July 1996 Olympic events would be preceded a year earlier by the International Slalom Competition, and the two competitions are expected to draw 25,000 and 13,000 spectators, respectively. Since the site lies within the Cherokee National Forest and there is a potential for public controversy over the project, an EIS was determined to be the appropriate level of analysis, to be carried out by the Forest Service (with the cooperation of other agencies).

Although the formal scoping period ended in August, the Forest Service is now providing further opportunities for the public to identify issues and concerns related to the proposal. An open House will be conducted 10/26/92 (5-9 pm, Benton Elementary School cafeteria) to provide information, discuss the project informally, and receive additional comments. Comments (in any format) should be returned by November 2 (address below).

Unlike the State and some of its politicians, who are strongly pushing the proposal, the Forest Service appears to be genuinely intent on eliciting views of all kinds. TCWP, as yet, has no formal position on the project but wants the EIS to address a number of issues. One such issue is the safeguarding of the Little Frog Wilderness, which lies immediately adjacent to the proposed Olympic site. Another is the possibility that the siting of the event on the upper Ocoee might encourage funds to be found -- after all -- for TDoT's proposed re-routing of State route 40 (US 64), a project that is potentially highly destructive of the Cherokee NF (NL179 ¶4A; NL182 ¶5B; NL185 ¶6D).

WHAT YOU CAN DO: If you have an interest in this proposal, we urge you to attend the open house and/or to inform the Forest Service of any issues that you feel should be adequately addressed in the EIS. Send comments by Nov. 2 to Olympics Coordinator, Cherokee NF, PO Box 2010, Cleveland, TN 37320. For additional information, call Keith Sandfer at 615-476-9700.

B. *Tennessee's red-cockaded woodpeckers need help*

The Cherokee National Forest attempted to augment its only known red-cockaded woodpecker colony in 1990 (unsuccessfully, from an introduced pair), but failed to try again in 1991, even though funds appear to have been available. TCWP member Lance McCoid would like our help in getting the Forest Service to make rescue of the red-cockaded woodpecker colony a high enough priority to get the job done.

WHAT YOU CAN DO: Write to Forest Supervisor John Ramey (Cherokee NF, PO Box 2010, Cleveland, TN 37320) and to Regional Forester John Alcrick (1720 Peachtree Road, NW, Atlanta, GA 30367) asking that they give high priority to augmenting the colony *this year*. Send a blind copy to Lance McCoid (130 Cogdill Rd., Knoxville, TN 37922).

C. *At least several centuries are needed for recovery after clear-cutting*

Two recent scientific studies dramatically demonstrate the long-term nature of the devastation wrought by clear-cutting. University of Georgia researchers Duffy and Meier, studying the abundance and diversity of understory herbaceous plants, compared primary with secondary cove hardwood forests in a considerable number of sites in NC, TN, and GA. The primary (or old-growth) forests had never been logged. The secondary forests, studied in similar nearby sites, had been clear-cut 45-87 years earlier and were naturally regenerating themselves.

The researchers found that the number of species (a measure of biological diversity) in the secondary forests was only about one-half that found in the primary ones. Further, even within those species that were found in the secondary forests, the abundance of plants was only about one-third that found in the primary forests. Significantly, there appeared to be no clear increase in either abundance or diversity with time that had elapsed after the clear-cut. The study concludes that recovery takes at least several centuries.

The 1976 National Forest Management Act mandates maintenance of biological diversity in fully-functioning forest herbaceous communities; the assumption has been that 40- to 150-year logging cycles for Appalachian cove hardwood forests would accomplish this objective. The Duffy/Meiers study now indicates that much longer tree harvest cycles are required. Further, it appears critical that we preserve the mere 1% of the Eastern forests that still remain in old growth.

In another study, J.W. Petrunka of the University of NC found that salamanders in Southern

Appalachian forests may require at least 100 years (probably longer) to return to normal population levels after clear-cutting operations.

D. The right to appeal USFS actions

The Forest Service (USFS) recently made the timber industry very happy by promulgating regulations that eliminate the right of citizens to appeal agency decisions on timber sales, road construction, and oil & gas leases (NL188 ¶6A). Even environmentally destructive decisions, or those not complying with environmental laws, cannot now be challenged by citizens, except through costly court proceedings.

Trying to reverse the damage, Sen. Wyche Fowler (D-GA) subsequently introduced a bill to restore the previous appeals system, and to mandate a 30-day pre-decisional public-comment period (NL189 ¶8E). Unfortunately, the Senate passed a substitute offered by Sen. Craig (R-ID), which grants the right only to those who had participated in previous public comment on the timber sale under consideration.

E. Effecting real change in the Forest Service

[The following is abstracted from an article by Buzz Williams in *The ASFEEE Activist*. ASFEEE is the Assoc. of Forest Service Employees for Environmental Ethics.]

A more environmentally-enlightened society demands a shift from agronomic forestry to ecosystems management. The Forest Service now openly says "Yes! we need to change." In a recent publication for the Southern Region, the agencies enunciated this strategy: "Wherever possible, replace clearcutting with scientifically sound alternative harvest methods, including shelterwood, seedtree, and various forms of uneven-aged management." Yet, so far, the changes have almost all been a shift to other forms of uneven-aged management. Why? Our system of Congressionally-mandated timber targets is not based on good ecological or economical science. Managers are rewarded for meeting these political targets, and those whose speak out for real change are penalized.

6. WHAT OUR NATIONAL PARKS NEED

Our wonderful National Park System has problems, as documented in two recent studies. We also report on a bill that may provide a partial solution.

A. "Parks in Peril: The Race Against Time Continues"

A 17-page report under that title, recently issued by NPCA (National Parks & Conservation Association), discusses how the threats to our 351-

unit National Park System have grown both in number and intensity. "What is most alarming is that many of these threats reflect a deliberate determination on the part of individuals or agencies to undermine the will of the American people." The threats are here and now -- but there are some solutions (suggested in the report). The key to implementing those solutions lies in an informed and activist public. We hope you will write for this report (NPCA, 1775 Massachusetts Ave, NW, Washington, DC 20036), act on it, and share it with a friend.

The report groups threats to the park system under six headings: (1) the decay of park infrastructure and resources; (2) the adverse impact of land-use activities and development outside park boundaries; (3) outdated concessions policies; (4) the endangered ranger; (5) the impact of increased visitation; and (6) politics in parks: dangers from within.

Among the examples, the Smokies are mentioned several times. Thus, under topic #2, there is mention of the large solid-waste landfill within 3 miles of the park's boundary, for which a permit has been granted despite the objections of government agencies and citizens groups (an appeal to block the permit has been filed). There is also mention of the severe air-pollution in the Smokies, which arises mostly from industry smokestacks on the Tennessee side, and which has endangered 27 species of native trees and other plants in the park.

The air-pollution threat comes up again under topic #6. It appears that personal intervention by Secretary Lujan led to the recent granting of an air-pollution permit to Tennessee Eastman to construct a \$1.5 million coal-fired boiler. NPS had filed a "preliminary notice of adverse impact" with EPA under the Clean Air Act; but intervention from high up appears to have prevented NPS from following up with the technical comments that were required to support the claim of adverse impact.

NPCA believes that three things are required to contain the threats to our parks and to correct the damage they have done. "An appreciation for what the national parks represent; a commitment to act on the solutions; and a willingness to hold our public servants, in both Congress and the administration, to the letter of the law that gave our national parks in the first place: to preserve our resources unimpaired for ... future generations."

B. A bill that would protect parks from political manipulation

In recent years, the Dept. of the Interior (USD), within which the National Park Service (NPS) is but one of 14 agencies, has become a haven for political appointees whose policy goals favor development over resource preservation. These appointees have

paralyzed good management practices of career NPS staff, and often frustrate the efforts of park superintendents or regional directors to provide sound stewardship of park resources. Further, these appointees (from Secretary on down) are sometimes subject to influence by big business interests. They may also be subject to influence by other USDI agencies (e.g., the Bureau of Land Management) whose objectives are generally contrary to those of NPS. Examples abound, and some of them are mentioned in the NPCA report summarized in §6A, above.

A bill recently introduced by Rep. Bruce Vento (HR 5738, the National Parks and Landmarks Conservation Act) would go a long way toward shielding park managers from political manipulations. Thus, the NPS director would be required to have education or experience related to the natural and cultural resources of the nation. He/she would be appointed by the president for a fixed period of five years (thus overlapping administrations), could not be fired for political reasons, and his/her appointment would be subject to Senate confirmation. All functions and authorities of the Secretary of the Interior which are currently carried out through NPS would be transferred to the NPS director. NPS would thus become an independent agency. HR 5738 also mandates the completion of a "State of the National Parks" report every three years to improve knowledge about park resources and park needs.



WHAT YOU CAN DO: Urge your representative (address on p. 2) to become a co-sponsor of HR 5738. Emphasize that current administrative practices have resulted in policies that are highly detrimental to the future of our nation's treasured parks, and that the NPS director must be protected from undue political control.

C. *'Science and the National Parks'*

The National Research Council, which conducts studies for the National Academy of Sciences, in August published an extensive study on improving the science and technology programs of the National Park Service. Like other studies on the subject, this one finds that research efforts are hampered by insufficient budgets and by disagreements on who should direct the work.

Among problems facing the parks are invading exotic species, stresses caused by heavy visitation, and air pollution, that not only obscures scenic vistas but can seriously harm the biota (as in the Smokies). Funds are essential "to create and support the needed long-term inventories and the monitoring of park resources." NPS also needs an explicit mandate from Congress clearly spelling out NPS's scientific responsibilities. A sound scientific understanding of park resources would allow park managers to anticipate problems. NPS scientists should play a

more active role in developing plans to handle threats to the park ecosystems, such as the Exxon Valdez oil spill (which affected beaches in at least two national parks).

NPS should also establish a strong "parks for science" program that addresses major scientific questions for which the relatively undisturbed nature of parks offers a favorable research setting on such subjects as natural and human history, evolutionary adaptation, and ecosystem dynamics. External researchers, along with NPS scientists, should be involved in NPS research, which should be reviewed on an ongoing basis by a scientific advisory board.

"Science and the National Parks" is available for \$19.95 (+ \$3 shipping) from the National Academy Press, 2101 Constitution Ave. NW, Washington, DC 20418.

7. FOOTNOTE ON THE "GOD SQUAD" EXEMPTION

In May, the "God Squad" that was convened by Interior Secretary Lujan voted to override the Endangered Species Act and to permit logging in 13 spotted-owl-inhabited Bureau of Land Management (BLM) forests in Oregon (NL188 §9B). We now learn that, for their deliberations, members of the God Squad were not given a specially prepared US Dept of Interior economic analysis which projected that logging in these forests would boost income and employment in the affected counties by *less than 1.5%*. It should be noted that, under the Endangered Species Act, the God Squad is allowed to exempt certain areas from the law *only* if the economic benefits "clearly outweigh the benefits of alternative courses of action consistent with conserving the species or its critical habitat." Had they known about the less-than-1.5% economic benefit, would God Squad members have considered it a clear outweighing?

Fortunately, logging in the 13 forests is still halted by a federal injunction that has ever since 1/1/92, affected all Oregon BLM timber sales in spotted-owl habitat. The injunction was issued because BLM's Environmental Impact Statements for logging on these lands were *not* adequate. Further, a God Squad condition for the 13 sales was that BLM produce an owl-management plan consistent with the Fish & Wildlife Service's recovery plan (NL189 §8D). BLM has not produced such a plan.

8. OAK RIDGE PROJECTS

A. *Worthington Cemetery: TCWP proposing to develop outdoor education program*

Worthington Cemetery lies within a cedar-barrens area abutting the Clinch River (Melton Hill Lake) on the west side of the river bend near the old Etza Gale. The area, which is on TVA land presently

designated "industrial," has been used for dumping and is riddled by vehicular use. It contains, however, at least 14 plant species of interest, and is home to several bird species (including red-shouldered hawk, green-backed heron, and hairy woodpecker), as well as frogs and lizards.

TCWP has written to TVA recommending that the area be designated a TVA Natural Area (with the cemetery fenced off within it). When cleaned up, the area would be suitable for short walks, wildlife study, and volunteer projects. TCWP has offered to make the area into an urban wildlife sanctuary, and to develop an environmental-education-study program within it that would be available to students of Oak Ridge and Anderson County schools. The zoning subcommittee of the Oak Ridge Planning Commission has asked that the Commission request city staff to come up with a more restrictive zoning for there than the present "industrial" one.

If TVA is receptive to the proposition, we shall need volunteers for the project. Call Joan Burns (481-0286 or 482-5735) or Maureen Cunningham (483-8312 or 481-8727).

B. Oak Ridge Greenways

The Oak Ridge Greenways Task Force, which has met on a monthly basis since August 3, now has subcommittees on greenways identification, funding, and community relations. Maureen Cunningham, who has attended some of the meetings, feels that TCWP's best contribution to the effort can be to work out how the city's existing system of greenbelts would best fit into a greenways program, e.g., whether some greenbelts could be linked by greenway corridors, and whether foot trails can be made through some of the greenbelts that currently do not have any (we do, of course, have the 8-mile long North Ridge Trail).

The greenways identification subcommittee will meet Tuesday, Oct. 27, 5 p.m. in the Municipal Bldg training room. The full task force meets on the second Monday of each month at the CH2M Hill office, and we'd like to have a TCWP representative at these meetings. We hope several of you are interested in helping with TCWP's contribution to the greenways project. If so, call Maureen at 483-8312 (H) or 481-8727 (W).

Joan Burns recently wrote to Mayor Victor Ashe supporting the hiring of a Knoxville trail coordinator. He responded that the city budget does not provide funding for such a position, but that existing city employees are working on the project.

9. TCWP NEWS

A. Nominees for the 1993 TCWP Board of Directors

On the last page of this Newsletter, you will find short bios on the people nominated to serve on TCWP's 1993 Board. It is an impressive group, and we owe our thanks to the nominating committee -- Bob Luxmoore (chair), Dick Ambrose, and Bill Allen. We hope you will not hesitate to contact any Board member should you have suggestions or concerns, or want to offer help.

B. TCWP office now has a phone

Since we have a fine new executive director (NL189 ¶11B), and are again the sole occupants of the TCWP office (in the Activities Bldg of the First Presbyterian Church), the Board decided to install a telephone (615-481-0286). Phone installation and service will cost us about \$600 in the first year (not counting the actual cost of calls), so we'll be asking our members for extra financial help soon.

Also, as we mentioned last time, we'd love to have the following loans or donations for the office (to complement Maureen Cunningham's loan of a Macintosh Plus computer and printer):

- an external hard disk, or disk drive
- a small computer table (the desk is too high)
- a computer chair.

C. We thank our volunteers

We are grateful to the following people who helped assemble Newsletter 189 on August 12: Dick Ambrose, Miriam and Francois Kertesz, Neil and Allen McBride, Paul and Louise Spray. Likewise, our gratitude to the following who assembled the annual-meeting mailing on September 17: Dick Ambrose, Mr. and Mrs. Frank Hensley, and Marion Roesel.

Have you noticed that Dick Ambrose has been a common denominator to all these lists? That is because he organizes the events (for which he makes his house available), gathers all the necessary materials, assembles the volunteers, and takes the zip-coded-sorted letters to the post office. We couldn't live without you, Dick!!!

10. JOB OPENINGS; ACTIVITIES; READING MATTER

- **JOB OPENING.** The Mineral Policy Center has an immediate opening for a Circuit Rider, a combination technical/environmental expert and community organizer, to assist local communities in the Southwest concerned about the impacts of mining and oil and gas development. Salary: from the 20s to mid-30s, plus benefits and travel. Contact Mineral Policy Center, 202-737-1872.

- Oct. 27, Open House on Obed GMP, Obed Visitor Center, Wartburg, 4-8 p.m. See ¶2B, this NL.
- Nov. 2, next meeting of the Oak Ridge Greenways Task Force, CH2M Hill office. If you can go, call Maureen Cunningham at 483-8312 (H) or 481-8727 (W)
- Nov. 7, explore The Nature Conservancy's recent acquisition for the Big South Fork NRRRA, the 1,200-acre Willamette tract. An NPS interpreter and a TNC staff member will lead the outing. Call TNC, Nashville, 615-298-3111 to find out about meeting place and whether time is eastern or central.
- Nov. 7, guided hike through TVA's new Big Ridge Small Wild Area (see NL189 ¶4B). Contact Judith Barlow, 615-632-1592.
- Nov. 20-21, A Citizens Training Workshop for National Wild & Scenic Rivers, Washington, DC. Cost for the two days is only \$20, and some scholarship monies will be available for travel. Call Suzanne Wilkins or Beth Norcross, American Rivers, 202-547-6900.
- *Conserving Rivers: A Handbook for State Action*, by Kevin Coyle and Chris Brown, articulates the threat to rivers and methods for addressing these threats. This 276-report with 6 appendixes will be published jointly by the National Park Service's Rivers, Trails, and Conservation Assistance Program and by American Rivers, Inc. You can request a copy of the draft edition from American Rivers (801 Pennsylvania Ave, SE, Suite 400, Washington, DC 20003, Ph.: 202-547-6900)
- *People Protecting Rivers: A collection of Lessons from Successful Grassroots Activists*, by Phillip Wallin and Rita Haberman, draws on the experiences of 5 successful river protection efforts. (For a copy, contact River Network, POBox 8787, Portland, OR 97207, Ph.: 1-800-423-6747.)
- *1992 Tennessee Environmental Quality Index* is a 12-page report by the Tennessee Conservation League on Land, Wildlife, Forests, Water, Air, and Solid Waste. (Order from TCL, 300 Orlando Ave., Nashville, TN 37209-3200.)
- The *Environmental Success Index 1992*, produced by *Renew America*, lists (with addresses) 82 community-based environmental programs around the country. Each chapter covers a different topic and lists programs, as well as profiling an award-winning one. (\$15 from *Renew America*, 1400 - 16th St., NW, Suite 710, Washington, DC 20036.)
- See also ¶6A and ¶6C, this NL, for recent reports on the National Park Service.

Quit thinking about decent land-use as solely an economic problem. Examine each question in terms of what is ethically and aesthetically right, as well as what is economically expedient. A thing is right when it tends to preserve the integrity, stability, and beauty of the biotic community. It is wrong when it tends otherwise.

*—As to Leopold, in A Sand County
Almanac, written over 40
years ago.*

NOMINEES FOR THE 1993 TCWP BOARD

Submitted by the 1992 Nominating Committee: Bill Allen, Dick Ambrose, Bob Luxmoore (chair)

PRESIDENT: Jenny Freeman, Oak Ridge. Business Development Coordinator with Ogden Environmental & Energy Services Co. TCWP member since 1978; has served as TCWP Executive Director off and on for the past 10 years, Secretary on the Board in 1992. Especially interested in the preservation of rivers and wilderness areas.

VICE PRESIDENT: David Adler, Oak Ridge. Environmental specialist with DOE's Environmental Restoration Program, formerly with Bechtel Natl. Corp. and EPA. TCWP Vice Pres. 1992; board member 1989-91. Primary interests: water quality and land conservation.

SECRETARY: Maureen Cunningham, Oak Ridge. Botanist/Ecologist with Science Applications International Corp, Oak Ridge. TCWP Pres. 1992; Vice Pres., 1990, '91; board member, 1989; leader in battle for Cedar Barrens. Interested in expanding the base of active members in TCWP to strengthen our involvement in conservation issues on a local, regional, and national scale.

TREASURER: Charles Klabunde, Oak Ridge. Physicist, ORNL. TCWP Treasurer for 18 years, in charge of membership records. Past pres, SMHC; member, TTA. Active folk dancer.

DIRECTORS:

Patrice Cole, Knoxville. Environmental Analyst, Radian Corp., Oak Ridge. Prior to that, regulator for 8 years for State of Tennessee in surface-mining and water-pollution control. Interested in environmental risk assessment and environmental preservation.

Charles Coutant, Oak Ridge. Senior Research Staff Member, ORNL. TCWP Board, 1982-91. Past pres., Citizens Council for Clinch River Planning; past chairman, EQAB. Interested in preserving undamaged ecosystems.

Jim Groton, Oak Ridge. Environmental Scientist, Science Applications International Corp, Oak Ridge. Worked for 6 years for the National Park Service in the Great Smoky Mtns N.P. and the Olympic N.P. Interested in habitat preservation, particularly wetlands.

Eric Hirst, Oak Ridge. Corporate Research Fellow, Energy Division, ORNL. "I have been a member of TCWP and an admirer of its many accomplishments for two decades. Now it's time for me to contribute to TCWP's efforts. I am especially interested in pushing TVA to start anew its energy-efficiency programs."

Fred Holtzclaw, Clinton. Teaches Advanced Placement Biology at Oak Ridge High School, and is involved in a number of environmental projects with students. TCWP board 1992. Is especially interested in the educational activities of TCWP and in playing a leadership role in this area.

Neil McBride, Oak Ridge. Dir., Rural Legal Services of TN, 1978-present; staff attorney, E. TN Research Corp (for coal-field groups); pres., Legal Envtl. Assistance Foundation, 1985-87; formerly worked for Ralph Nader. TCWP Board 1989-92. Interested in clean water and natural areas.

Liane (Lee) Russell, Oak Ridge. Geneticist, Biology Div., ORNL. A TCWP founder; Vice Pres., 1966; Pres., 1967-70, 1986-87; Newsletter editor, 1966-pres.. Instrumental in authorization and implementation of Big South Fork NRRRA and Obed WSR; also active in stripmine, wilderness, and public-lands issues.

1993 NOMINATING COMMITTEE (to nominate the 1994 Board)
Dick Ambrose, Bob Luxmoore (chair), Lynn Wright.