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Editor: Liane B. Russell, 130 Tabor Road, Oak Ridge, TN 37830. Phone, 865-482-2153  
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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  

**Pres. George W. Bush**  
The White House  
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202-456-1414; Fax 456-2461  
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[phil.bredesen@state.in.us](mailto:phil.bredesen@state.in.us)  

**Dear Senator Doe**  
Sincerely yours,  

**Dear Congressman Doe**  
Sincerely yours,  

**Sen. Lamar Alexander**  
Ph: 202-224-4944; FAX: 202-228-3398  
e-mail: [alexander.senate.gov/contact.cfm](mailto:alexander.senate.gov/contact.cfm)  

**Rep. Zach Wamp**  
Phone: 202-225-3271  
FAX: 202-225-3494  
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Web: www.house.gov/wamp  

---

**Sen. Bill Frist**  
Ph: 202-224-3344; FAX: 202-228-1264  
e-mail: [frist.senate.gov/contact.cfm](mailto:frist.senate.gov/contact.cfm)  

**Dear Mr. President**  
Respectfully yours,  

**Dear Gov. Bredesen**  
Respectfully yours,  

---

**To call any Rep or Senator, dial Congressional switchboard, 202-224-3121.** To find out about the status of bills, call 202-225-1772  
**URLs:**  
**General contact info:** [http://www.oev.org](http://www.oev.org)  
**Note that mail to Congress is still slow following the anthrax scare. Consider faxing, phoning, and other modes of communication.**

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

---

**TCWP:** 130 Tabor Rd., Oak Ridge, TN 37830.  
**President:** Cindy Kendrick, 865-386-6382 (h).  
**Executive and Membership-Development Director:** Sandra Goss, 865-522-3809; [SKCoss@esper.com](mailto:SKCoss@esper.com)  
**Newsletter Editor:** Lee Russell, 865-492-2153.  
**Internet:** [http://www.tcwp.org](http://www.tcwp.org)
1. IT'S CRUNCH TIME FOR THE ARCTIC REFUGE

During the nearly 25 years since the Arctic National Wildlife Refuge was designated there have been several efforts to open its Coastal Plain to oil & gas development; but never before has the threat been so great or the vote so final as the one about to come up. Averting this overwhelming danger to one of our greatest national treasures must have the highest priority among the actions we each take in the next few days. Not only must we speak up ourselves, but we need to mobilize additional people.

Because drilling proponents have repeatedly been unable to have their way in a freestanding bill, they took the sneaky backdoor approach of the budget process. By only 3 votes in the House, and only 5 in the Senate, they managed to insert Arctic Refuge drilling into the Budget Resolution passed last spring (NL261 ¶6A). (A significant number of Republicans broke with their party on this vote – NL 262 ¶8A). This measure did not actually open the Refuge; it merely contains the presumption of revenue (thus, it is, essentially, a non-binding blueprint).

What's coming up now - probably in a very short time - is the Budget Reconciliation bill that each House must pass. (The Resources Committee in the House and the Energy and Natural Resources Committee in the Senate will work up these bills and either exclude Arctic-drilling revenues or include specific revenues from such drilling.) The Budget Reconciliation bill can not be filibustered, so only 51 votes in the Senate would be sufficient to sacrifice the Refuge (one of these would undoubtedly be Cheney's if there is a tie). Therefore, the entire bill must be defeated in order to save the Refuge.

Pres. Bush has made this more than just a vote - it's become a political loyalty test. Plus, there is now the phony argument that Hurricane Katrina's destructions in the Gulf coast, and the resultant localized gas shortages, prove that we need the Refuge oil. It might look hopeless.

But, recall by what a very narrow margin Refuge drilling made it into the Budget Resolution to start with. And polls have shown that 72% of the public oppose the sacrifice of this national treasure. If we can change just a very small number of votes in the Congress, we can make the difference; but we must very quickly mobilize a big effort to do so.

WHAT YOU CAN DO:

1. Please contact your senators and your representative just as soon as you can - by phone or fax, if possible (contact information on p.2). Your message can be very simple: don't destroy an irreplaceable national treasure for the sake of less

2. Recruit friends to do send a similar message. Friends in Arizona, Maine, Minnesota, and Oregon can make a special difference.

2. OBED WILD & SCENIC RIVER

2A. The FY2004 appropriation has been spent on four tracts

The $750,000 in acquisition funds that were appropriated for the Obed WSR in the fall of 2003 have now been obligated for the purchase of four tracts. The Park Service (NPS) has closed on three of the properties, totaling 206 acres, and their offer on the fourth one (acreage not known to us) has been accepted. The deals involve a per-acre average cost of more than 5 times of what it would have been had the acquisitions only been made within the first 10 years following the 1976 authorization of this Park System unit. This illustrates the wastefulness of the policies under which the authorized amounts of the Land & Water Conservation Fund are neverfully appropriated and spent, the way they were intended to be.

Naturally, we are extremely pleased that more than 200 additional acres of magnificent Obed lands are now to be protected. We can't help being a little depressed, however, by the magnitude of the task that remains to be done. Two years ago, 1,231 acres were still privately owned within the designated boundaries of the Obed WSR (NL251 ¶1A). Now, after a great deal of citizen and Congressional effort to obtain acquisition funds, about 1,080 acres (about 80%) are still in private ownership. And, in the meantime, development threats to these still unprotected lands are increasing rapidly. TCWP will continue to make protection of Obed lands one of its highest priorities.

2B. Obed viewshed and other current TCWP initiatives

Because of several errors in the way the boundaries of the Obed WSR were drawn, there are critical places where the viewshed from the rivers is not protected. TCWP's Frank Hensley has researched these areas on the ground and through landowner contacts. We are currently concentrating on one segment for which we are trying to raise funds to purchase some critical land. Money would be contributed by organizations concerned with the problem, with TCWP initially contributing $2,500, namely one-half of the grant we recently received from NRDC (¶10A, this NL).
Another area of concern has been the worsening quality in the upper Obed, with most of the pollution coming from the Crossville area. The segment of the river that has been designated as "non-supporting" now extends far enough downstream to cross the WSR boundary. The TCWP Water Issues Committee recently met with other interested persons to consider effective strategies.

2C. Proposal for protecting the Lower Emory

A few months ago, Don Todd, Sr. submitted a document to Congressman Lincoln Davis (D-TN) 4 proposing that the Emory River from Nemo Bridge downstream to the Roane County line be added to the Wild & Scenic Rivers System with a "recreational" designation. The portion of the Emory from the Obed confluence downstream to Nemo Bridge is already within the designated Obed National Wild and Scenic River, likewise with a "recreational" designation due to the railroad along the stream. Thus, Don's proposal would essentially add the lower Emory to the Obed WSR.

Just a few weeks before Don's death (9/10B, this NL) he sent a follow-up letter from the nursing home, and Congressman Davis expressed renewed interest in the topic. Paul Scarborough, Davis's local representative, has been charged with handling the issue. Although several other river segments in the Obed watershed (especially upstream extensions and tributaries) may be in even greater need of protection, it is thought that, at this time, addition of the lower Emory may be politically the most feasible. It would certainly be a fitting tribute to Don.

WHAT YOU CAN DO: Contact Rep. Lincoln Davis (address p.2) to endorse Don Todd's request to add the Lower Emory to the National Wild & Scenic Rivers System, with a "recreational" designation.

2D. Watershed Community Association being formed in Crossville

The purpose of the Obed Watershed Community Association (OWCA) is "the protection and enhancement of the natural and cultural heritage of the Obed River Watershed within Cumberland County, TN." OWCA intends to do this through community education, creating opportunities for community research projects, and promoting conservation, recreation, and best management practices. The organization will help individuals reach an understanding of their natural and cultural heritage through offering workshops, seminars, outings, trainings, nature studies, and other educational and experiential activities.

Louise Gorenflo, OWCA's executive director, has for 20+ years served as program director of Rural Cumberland Resources, a community service and advocacy organization in Cumberland County. The interim Board is headed by Jim Powers. OWCA's first membership meeting is scheduled for Saturday, October 15, 10-12 a.m. at the Obed River Park, Crossville. For more information, call Louise 931-484-0937.

WHAT YOU CAN DO: To become a founding member, send your name, address, phone No., and e-mail address to OWCA, 185 Hood Drive, Crossville, TN 38555, along with $15 dues ($25 for family).

3. STATE GOVERNMENT

3A. TCWP co-hosting TDEC Commissioner and Deputy, Sept. 23

[Contributes by Sandra Goss]

An appreciation luncheon for the Tennessee Department of Environment and Conservation (TDEC) has been organized by TCWP executive director, Sandra Goss, for Friday, September 23. This event is being co-sponsored by Advocates for the Oak Ridge Reservation, Greenways Oak Ridge, and the Oak Ridge Heritage Preservation Association.

Our special guests will include various TDEC employees with whom we have worked over the years, and we'll hear remarks by TDEC Commissioner Jim Fyke.

The Dutch-treat luncheon will begin at noon at the Midtown Community Center, 102 Robertsville Road. A buffet from the Soup Kitchen will be available for $7.00/person.

This is a great opportunity for us to hear from and talk to these fine people with whom we have such frequent dealings. We hope to turn out a crowd.

WHAT YOU CAN DO: Please try to attend! Contact Sandra Goss (865-522-3809, skgoss@esper.com) to reserve your seat, or if you have any questions.

3B. Take part in updating State Park master plans

The Dept. of Environment and Conservation has embarked on an update of the State Park master plans and is inviting the public to build a better park system. A series of 9 town hall meetings will be conducted by the end of September (details below) and this exercise will culminate in a State Parks Summit held October 14-15 at Henry Horton SP. This is a working meeting at which the public will be able to assist the staff to establish priorities and develop action plans.

The State Parks Planning staff has also developed a vision document that provides a strong
statement of mission and strategic initiatives that are vital to effective park management. This is available at
www.state.tn.us/environment/parks/StrategicDirect.pdf
A Tennessee State Parks online survey can be found at
www.tdec.net/parks/MasterPlan.php

Many of us who still remember the struggle TCWP waged against the push to develop golf courses, convention centers, etc., in many of the state parks with greatly welcome this opportunity to have a voice in the future role of Tennessee's wonderful park system. Three of the meetings (all in West Tennessee) will be over by the time you receive this NL; the remaining ones are as follows (all from 6:30-8:30 p.m., local time):
- Sept. 15, Columbia, TBA
- Sept. 19, Norris Dam State Park, Tea Room
- Sept. 20, Cookeville Community Center
- Sept. 22, Harrision Bay State Park
- Sept. 26, WarriorsPath State Park
- Sept. 29, Nashville, TBA

Form more detailed information, contact Nancy Dorman at 615-532-0039, or nancy.dorman@state.tn.us.

WHAT YOU CAN DO. Please avail yourself of this wonderful opportunity to make a difference in the management philosophy for our park system. To carpool, contact Sandra Goss, 865-522-3809, or skgooss@esper.com

3C. State parks purchase Green Power

Tennessee has become the first state in the nation to purchase Green Power for all of its state parks, where it is available.

Governor Bredesen announced on Earth Day that 44 of 54 state parks, namely all those that have access to green power through TVA's Green Power Switch Program, would purchase a total of 1,149 blocks each month (an average of 26 blocks per park). This purchase is equivalent to a 1,000-acre Love Mountain tract, immediately adjacent to Frozen Head State Park and Natural Area (NL262 ¶1C), which we contacted Governor Bredesen and TDEC Commissioner Jim Fyke. In his very prompt reply, Comm. Fyke wrote: "We too are concerned with this issue and I can assure you that we are doing everything we can to assure the eventual acquisition of the Love Mountain Tract."

The problem is that Forestland is expecting a per-acre value that is unrealistically higher than the state's appraisal commission by Finance & Administration (F&A) according to State of TN rules. The state is not permitted to pay more than this appraisal value. The Nature Conservancy would be willing to commission another appraisal, but F&A will not accept third-party appraisals where state acquisition funds are involved.

TDEC negotiated to set up a meeting at which Forestland could share information supporting their position. In his letter to TCWP, Jim Fyke wrote: "We are going to do whatever we can to enhance our ability to negotiate with them." The meeting was to have been held in mid-August, later postponed to the end of August; Jim Fyke offered to keep us informed as to results. Recently, we heard that Forestland called off the meeting until the right people to negotiate with the state.

4B. Federal funds for Tennessee: only two projects funded

Nationwide, FY2006 land-acquisition support through the Land & Water Conservation Fund (LWCF) took a major hit this year (see ¶7B, below). In Tennessee, only one project received a LWCF appropriation - $1.8 million for the Mocassin Bend National Archeological District near Chattanooga, which is managed under the same superintendency as the Chickamauga-Chattanooga NMP.

Another project received a Forest Legacy Program grant - the Walls of Jericho, a magnificent area in the southern Cumberland, which the Tennessee Chapter of The Nature Conservancy had succeeded in acquiring last year (NL259 ¶1D). The ForestLegacy Program was not quite as badly hit as the LWCF. Still, the total funding ($57.4 million nationwide) was the lowest since 1996, and the Walls of Jericho was the only TN project to be funded, with an appropriation of $1.9 million.

4C. No Stream Left Behind...

That statement may well characterize the policy of this administration when it comes to coal mining. TCWP has publicly opposed this policy (NL255 ¶3A; NL256 ¶4B), and recently participated in a process that allows a glimmer of hope.

4. OTHER STATE NEWS

4A. Frozen Head: can we save the Love Mountain tract?

When it came to TCWP's attention that the Forestland Group (a timber investment company) appeared to be getting ready to log inside the...
Background. Among the regulations promulgated pursuant to the 1977 Surface Mining Control and Reclamation Act was the Stream Buffer Zone (SBZ). Under this rule (issued during the Reagan era), coal-mining activities were prohibited from disturbing areas located within 100 feet of perennial as well as intermittent streams. Instead of improving on this very minimal safeguard, the Bush Administration, however, the years permitted numerous variances to the rule and has tolerated industry practices with effects so disastrous as to force citizens to seek redress by the courts.

In January of last year, the Office of Surface Mining (OSM) proposed a rules change that would result in actually codifying these disastrous variances. No streams within the mining area would be protected from mining operations and from the dumping of spoil; not only the flanking 100 feet but the streambed itself could be impacted. Operations would be regulated only with regard to their effects downstream from the mining area. Even such regulation would be weak, requiring only that the operator “minimize destruction of fish and wildlife to the extent possible using best technology currently available.”

The proposed rules change was met with an outpouring of public dismay. Here in Tennessee, for example, area residents and concerned groups (including TCWP) overwhelmingly opposed the proposal at a March 2004 hearing in Harriman (NL255 §3A; NL256 §4B). OSM then awoke to the fact that the changes proposed could indeed have major environmental consequences, and they announced in June that instead of issuing a FONSI (Finding Of No Significant Impact), the agency would prepare a full Environmental Impact Statement (EIS). This is a victory of sorts since the process could at least delay any rules change by perhaps two years.

Current status. The first step in an EIS consists of scoping, when candidate issues and “reasonable” alternative actions are identified. OSM had not planned to hold public scoping meetings unless there was sufficient public demand. Eventually, meetings were scheduled for 5 locations, including Knoxville. The August-22 Knoxville meeting was attended by a large number of people, including 4 TCWP representatives. The session was conducted as a group exercise during which each table of 6-9 people brainstormed issues that were subsequently presented to the whole group and to OSM. The deadline for written comments was September 1. TCWP members identified numerous issues to be analyzed and identified several alternatives. One of these was to widen the SBZ to 200 feet on each side. We also stated that the Big South Fork National River and Recreation Area (which is downstream from projected mountaintop removal or cross-ridge mining operations) must be totally protected by all regulations.

The Tennessee Department of Environment & Conservation (TDEC) submitted thoughtful scoping comments. Among other things, TDEC requested that OSM evaluate the alternative of increasing the SBZ to 400 feet, namely 200 feet on either side of a perennial or intermittent stream.

4D. State Officials Honored

[Contributed by Sandra Goss]

Earlier this summer, Tennessee Wildlife Resources Agency (TWRA) Executive Director Gary Myers was honored with the Robert Sparks Walker Lifetime Achievement Award. Cited among his accomplishments were his role in the North American Waterfowl Management Plan, the North American Wetlands Conservation Council, and Partners in Flight.

Director Myers and his department have been active participants in the Alliance for the Cumberlands, the effort to secure the Black Oak Ridge Conservation Easement, and the management of Three Bends.

Also this summer, Cumberland Trail State Park Manager Bob Fulcher was named Ranger of the Year by the Tennessee Park Rangers Association. Fulcher, who has been with Tennessee State Parks for nearly 30 years, has served as manager of the Cumberland Trail for the past five years.

4E. Alliance for the Cumberlands

[Contributed by Sandra Goss]

The fall meeting of the Alliance will be held on October 25th, 2005 in Franklin County, TN. This meeting is paired with the opening of the Tennessee trail to the Walls of Jericho (NL259 §1D, and §4B, above), which Governor Bredesen will be attending. Among several exciting presentations at the Alliance meeting will be one by TDEC on the Tennessee Heritage Conservation Trust Fund recently enacted by the state legislature (NL262 §1A).

A committee is hard at work planning the First Annual Conference for the Alliance for the Cumberlands. Members of this committee are: Randy Williams (Upper Cumberland Development District), Lana Rossi (Friends of Cordell Hull), and Brock Hill (Cumberland County).

5. Smokies and Park Transportation Needs

5A. Cades Cove needs public transportation

In 2001, the National Park Service (NPS) initiated a long-term process to generate the Cades Cove Development Concept and Transportation Management Plan. Cades Cove is a 6,500-acre valley with an 11-mile one-way loop road that is unbelievably congested at many times of year.
The Cove receives over 2 million visitors annually.

In Phase I, five preliminary alternatives were developed with public input. These will be detailed, refined, and evaluated during Phase II, which was launched in late July, with management oversight by the Knoxville Regional Transportation Planning Organization. The preliminary alternatives are described on www.cadescoyeflanning.com. When Phase II is completed in 22 month (during which time hearings will be held in the summer of 2006), its results will be used to develop a Draft Environmental Impact Statement (DEIS), projected for 2008.

Public transportation would clearly seem to be a desirable and feasible option for addressing Cades Cove congestion. Since 2000, NPS has been successfully using seasonal shuttle buses at Zion National Park, which receives roughly the same visitation as Cades Cove. Shuttle buses also operate in other Parks, such as Yosemite and Denali. In fact, nearly one-third of the national parks in over 30 states use some form of alternative transportation systems to decrease traffic congestion, preserve park resources, and reduce air and noise pollution. A publication, “Alternative Transportation in National Parks and Gateway Communities: Models for Cades Cove,” can be requested by calling the National Parks Conservation Association (NPCA) at 865-329-2424.

WHAT YOU CAN DO: Visit www.cadescoyeflanning.com and review the preliminary alternatives. Comments can be made on the website, or in writing to Superintendent, Great Smoky Mountains National Park, 107 Park Headquarters Road, Gatlinburg, TN 37738, or by email to cadescove@wilbursmith.com.

5B. Not enough funding for park roads and for alternative transportation in the highway bill

The NPS has estimated that there is a backlog of $3 billion for road and bridge repairs in the National Park System. The Administration’s request for the Park Roads and Parkways program in the subsequently reauthorized TEA-21 (the Highway bill) was an annual average of $320 million for the life of the bill, i.e., just over half the needed amount. As finally enacted by Congress, the $287-billion reauthorization bill falls far short even of the Administration request, providing amounts that increase from $180 to $240 million over the next 5 years, with a total of $1.05 billion (intermediate between a more generous Senate version and a more restrictive House version). This will take care of only about one-third the NPS backlog.

The Congress did enact the Alternative Transportation Program, which pays for bike paths, pedestrian walkways, and transit systems (shuttle buses, trams, etc.). The amount, however, which increases from $22 to $26.9 million over the next four years, was only about one-fourth the needed sum.

5C. Proposed new Interstate 3 could impact Smokies

Georgia’s congressmen have proposed a new interstate between Savannah and Knoxville to “improve commerce” in their state and relieve congestion in Atlanta by bypassing the metro area. North Georgia and Western North Carolina residents are greatly opposed to this proposal (call the Chattahoochee Conservancy at 706-782-6097 or Joe Cains at 706-782-9944, or visit www.stepinterstate3.com and www.stop3.org).

One possible route would take the interstate along the western end of the Smokies—the land recently protected as a result of the land deal with ALCOA (NL256 §5A; NL258 §4A). To keep informed on this issue, contact Gregory Kidd, gkidd@NPCA.ORG, at the National Parks Conservation Association.

6. DEFENDING THE CHEROKEE AND OTHER NATIONAL FORESTS

5A. Cherokee Forest Voices works to defend our National Forest

The grassroots organization Cherokee Forest Voices (CFV), founded in 1986, works to defend Tennessee’s only National Forest from poorly designed and ill-advised resource extraction projects. “We consider any activity that reduces the ability of the Cherokee to continue providing Tennessee with clean water, or reduces the populations of natural flora and fauna, an activity to resist with energy commensurate with the amount of damage that activity inflicts,” states a recent letter. “At the same time, we initiate, promote, and support activities that benefit natural values and enhance low-impact recreational use of the Forest.”

Some interesting facts compiled by CFV about our Cherokee National Forest are summarized in §5B, below. The volunteers who work for CFV’s objectives depend on a part-time executive director for current information about Forest conditions and policies, for coordination of membership activities, and for networking with other organizations, such as TCWP.

WHAT YOU CAN DO: Help CFV to continue their good work for objectives that parallel TCWP’s. Specifically, help them support their part-time executive director. You can join ($20 regular, $39 family) or send a contribution to
Regarding timber:
- Over a recent 5-year period, the Cherokee NF generated average annual timber sales of $1.6 million. But the Forest Service (USFS) annually spent an average of $3.2 million on these sales—an average loss of $1.6 million per year.
- The USFS considers 350,000 acres of the Cherokee suitable for timber production. Financial analysis of the land indicates only 36,000 acres capable of cost-effective timber production.
- Of the 12.9 million acres in Tennessee that are capable of growing trees commercially, only 3% are in the Cherokee. In fact, only 3% of the money contributed by the forest-products industry to the economy of Tennessee derives from Cherokee NF timber.
- Oak-hickory forests are disappearing fast. Under present management policies, one-half of the forest will be replaced by thickets and will be kept in that condition perpetually.
- The new Forest Plan calls for up to 60,000 acres of burn annually for "fuel reduction." This is totally inappropriate for the moist Southern Appalachians.

Regarding recreation:
- Recreational visitors to the Cherokee NF contribute ~$845 million annually to local Tennessee economies.
- Recreational use of the Forest provides 27 times more revenue to local economies than does income from timber.

Regarding wilderness:
- Only about 10% (67,000 acres) of the Cherokee NF is designated Wilderness and permanently protected from timber harvesting.
- An additional 14% (87,000 acres) qualifies for Wilderness or some other protected designation, but is currently at risk from the timber policy.

It is interesting to look at the responses by various governors in western states with large national forest areas. Here is a sampling of 3 Democrats and 3 Republicans.
- Bill Richardson (D-NM) immediately announced that he would file a petition seeking protection for all national forests in New Mexico.
- Brian Schweitzer (D-MT) has asked the USFS to provide money to help cover the costs of preparing a petition.
- Dave Freudenthal (D-WY) has complained about the costs of doing a state petition. Governors of some other states, too, have complained about the cost of generating an informed petition that could well end up being ignored by the USFS.
- Dirk Kempthorne (R-ID) will submit a petition to open previously protected forests to logging and other developments.
- Jon Huntsman (R-UT) has announced that he will not submit a petition, i.e., no areas will have "roadless" protection.
- Bill Owens (R-CO) is bound by a bill passed by the Colorado legislature requiring that he appoint a task force to measure public opinion and make recommendations.

Remember that these are our national forests, but the state positions are all over the place.

Tennessee Governor Bredesen sent a letter during the comment period but, to our knowledge, has not yet voiced an intention with regard to filing a petition. In that earlier letter of a year ago, Gov. Bredesen expressed his concern that the state petitioning process "might impose a vague, additional layer of bureaucracy that could affect the protections that currently exist in Tennessee." He was also concerned by "an undue financial burden on our state agencies policy without providing some assurance of any concurrence or approval from the U.S. Department of Agriculture."

Law suits have already been initiated, and other plaintiffs will undoubtedly be added. Late last month, New Mexico Attorney General Patricia Madrid joined California Attorney General Bill Lockyer and Oregon Governor Ted Kulongoski in filing a lawsuit against the Bush Administration for dismantling restrictions on road-building and logging in nearly 60 million acres of the country's remaining backcountry and undeveloped forests.

6D. More cosponsors for a bill that seeks to restore Roadless Area protection

As we reported last time (NL262 §7A), Congressmen Jay Inslee (D-WA) and Sherwood Boehlert (R-NY) have introduced the National Forest Roadless Area Conservation Act of 2005. This bill would codify the 2001 Rule, and, by protecting roadless areas, would ensure that pristine forests provide sources of public drinking water (a
continuously shrinking resource), undisturbed habitat for fish and wildlife (another seriously shrinking resource), recreation opportunities, and barriers against invasive plant and animal species and pathogens. More than half of our National Forest System lands would still remain open to road building and economic utilization.

The proposed legislation currently has 143 original bipartisan cosponsors, and we are happy to report that two Tennessee Congressmen are among them – Jim Cooper (D-5) and Harold Ford (D-9). Altogether 12 congressmen from Southern Appalachian states, where 730,000 acres of National Forest roadless acres are at risk under the Bush Administration’s new roadless rule, have cosponsored the bill. We need more!

WHAT YOU CAN DO: Thank Reps. Cooper and Ford. Continue to call those congressmen who have NOT yet co-sponsored the Inslee-Boehlert bill and tell them how important roadless areas are to you and your community (see p.2 for contact information). Visit www.safe.org to keep informed on this issue.

7. OUR NATIONAL PARK SYSTEM

7A. Dept. of Interior’s plan to destroy the national parks — NO, THIS IS NOT A TYPO

For two years, a top official in the Department of Interior (USDI) has secretly been drafting a plan to alter national park management – without informing the National Park Service (NPS). The 194-page document, which was, fortunately, leaked in mid-August, fundamentally alters NPS’ primary mission in a manner that would totally destroy our national park system.

The author is Deputy Assistant Sec. of the Interior Paul Hoffman, who has oversight over NPS. Hoffman had no park experience when he joined USDI. His prior job was director of the Chamber of Commerce in Cody, WY, in which capacity he opposed reintroduction of wolves into Yellowstone NP. Between 1985 and 1989, he was state director for Congressman (now Vice President) Dick Cheney.

Since becoming a high official in USDI, he has, among other things, overturned decisions by the Superintendent of Grand Canyon NP to remove, (a) religious plaques displayed near the South Rim, and (b) a book espousing the creationist view on formation of the canyon. On grazing and water issues in Mojave National Preserve, he opposed park staff and sided with ranchers. Hoffman’s recently leaked secret draft makes it clear that the re-write of park management was prompted not by any circumstance within NPS, but by the opportunity to craft a vision of the national parks that suits the Bush Administration.

Almost 90 decades ago, the 1916 Park Service Organic Act established that our parks are to be kept “unimpaired,” for future generations to enjoy. Subsequent legislation and case law have only reinforced the philosophy that protection and preservation are the highest goals of national-park management. Hoffman’s draft would alter the definition of impairment, restricting it to any action that would “permanently and irrevocably” adversely affect a resource or a value. Such an impossibly high standard would obviously exclude most harmful activities and developments from being classified as impairments.

Parks would be opened to cell-phone towers, low-flying tour planes, ORVs, snowmobiles, and jet skis. Any and all such activities— even grazing and mining— could be designated as one of a park’s purposes. The emphasis is on “opportunities for visitors to use and enjoy their parks.”

A much wider range of commercial activity would be allowed within parks.

The changes strip away the scientific basis for park management. They take away park managers’ ability to use environmental laws to oppose new developments. A superinten- dent would have to subordinate management to local and state agendas.

Retired as well as current NPS employees are outraged about the Hoffman draft. When USDI management finally released it to NPS, the 7 Regional Directors sent a strongly critical letter to NPS Chief, Fran Mainella, according to a NY Times report. Four hundred retired NPS employees at a newsconference on Aug. 26 announced a campaign to block the changes.

WHAT YOU CAN DO: Let your senators and representative (addresses on p.2) know how much you value preservation of park resources, and how outraged you are by the USDI plan. Send a copy to letters-to-the-editor. Spread the information to friends and tell them to contact their legislators.

7B. Interior Appropriations Include very meager land-acquisition funds

Starting from a very low Administration Budget and a near-zero House bill, acquisition funds in the finally enacted Interior Appropriations bill were saved only by the Senate bill from being totally disastrous.

While FY2005 was only slightly worse than FY2004, FY2006 ended up being very significantly worse—see Table 1. Hardest hit was the state-side LWCF, which was reduced by 70% from its FY2004 level. But even the federal LWCF was reduced by 30% from what it had been two years ago.
Table 1. Interior Appropriations over past 3 years (in $ million)

<table>
<thead>
<tr>
<th>Program</th>
<th>FY 2004</th>
<th>FY 2005</th>
<th>FY 2006</th>
</tr>
</thead>
<tbody>
<tr>
<td>LWCF, federal</td>
<td>169.6</td>
<td>165.9</td>
<td>114.6</td>
</tr>
<tr>
<td>LWCF, state</td>
<td>93.8</td>
<td>92.5</td>
<td>28.4</td>
</tr>
<tr>
<td>LWCF, total</td>
<td>263.4</td>
<td>258.4</td>
<td>143.0</td>
</tr>
<tr>
<td>Forest Legacy</td>
<td>64.1</td>
<td>57.9</td>
<td>57.4</td>
</tr>
</tbody>
</table>

Breakdown of the FY2006 appropriations by program is shown in Table 2. It indicates that the House bill was disastrous across the board, and that the stateside LWCF would have been all but eliminated had the President's budget been enacted.

Table 2. FY2006 LWCF and Forest Legacy Appropriations (in $ million)

<table>
<thead>
<tr>
<th>Agency</th>
<th>President</th>
<th>House</th>
<th>Senate</th>
<th>Enacted</th>
</tr>
</thead>
<tbody>
<tr>
<td>LWCF, total</td>
<td>131.8</td>
<td>43.2</td>
<td>192.0</td>
<td>143.0</td>
</tr>
<tr>
<td>BLM</td>
<td>13.4</td>
<td>3.8</td>
<td>*</td>
<td>8.8</td>
</tr>
<tr>
<td>FWS</td>
<td>41.0</td>
<td>14.9</td>
<td>*</td>
<td>25.4</td>
</tr>
<tr>
<td>NPS, fed.</td>
<td>35.9</td>
<td>7.8</td>
<td>*</td>
<td>34.9</td>
</tr>
<tr>
<td>NPS, state</td>
<td>1.6</td>
<td>1.6</td>
<td>30.0</td>
<td>28.4</td>
</tr>
<tr>
<td>USPS</td>
<td>40.0</td>
<td>15.0</td>
<td>*</td>
<td>42.5</td>
</tr>
<tr>
<td>Forest Legacy</td>
<td>80.0</td>
<td>25.0</td>
<td>63.0</td>
<td>57.4</td>
</tr>
</tbody>
</table>

(2) In the spring, the National Park Centennial Act 2005 was introduced in the House and Senate. In the House, the bipartisan group of sponsors is headed by Reps. Mark Souder (R-IN) and Jay Inslee (D-WA). The Senate sponsors are John McCain (R-AZ), Lamar Alexander (R-TN), Joe Lieberman (D-CT), and Ken Salazar (D-CO). The legislation would provide new funding from the general treasury and from an innovative, voluntary check-off on federal tax returns.

WHAT YOU CAN DO: Contact your senators and representative and urge them to support the National Park Centennial Act 2005. Thank Sen. Alexander for being a sponsor of this bill. Addresses on p. 2.

8. GLOBAL WARMING

8A. Our government is bucking science

Since 1988, the United Nations Intergovernmental Panel on Climate Change (IPCC), comprised of more than 2,000 scientific and technical experts from around the globe, has been conducting the most extensive peer-reviewed scientific inquiry in the world. In a 2001 report, IPCC concluded that human-caused global warming was under way, and that it would get worse before it could get better, because CO₂, the primary greenhouse gas, remains in the atmosphere 50-100 years after it is emitted. “We are risking the ability of the human race to survive,” said the IPCC chairman.

After coming to office, the Bush Administration asked the National Academy of Sciences (NAS) to review the IPCC findings. The NAS subsequently rendered a strong opinion, which, in essence, confirmed that of the IPCC. The American Geophysical Union, the world’s largest organization of earth scientists, issued a similarly strong statement. The scientific academies of 11 countries in June of this year released a joint letter saying, “The scientific understanding of climate change is now sufficiently clear to justify nations taking prompt action.” And British Prime Minister Tony Blair has called global warming “the biggest danger humanity has faced in 5,000 years of civilization.”

In the face of the overwhelming scientific evidence and the predictions of catastrophes ahead, the Bush Administration has constantly promoted the idea that lingering uncertainties in climate science justify delaying restrictions on emissions of CO₂ and other heat-trapping smokestack and tailpipe gases. As we reported earlier (NL262 36E), White House staff has even edited reports of scientific panels so as to promote the uncertainty idea.
Climate-change science also predicts more and deadlier weather of all kinds. While no single weather event can be definitively linked to global warming, the trend is unmistakable. Enough said.

WHAT YOU CAN DO: See ¶8C, below

8B. Since the federal government won’t, states and cities are taking initiatives
[Sources: NY Times, and SACE’s Plugging In]

As reported in the NY Times of August 24, officials in New York and eight other Northeastern states have come to a preliminary agreement to freeze power-plant emissions at their current levels and then reduce them by 10% by 2020. Once a final agreement is reached, the legislatures of the nine states will have to enact it, which is considered likely. While some experts consider the target less than ambitious, the model as such is welcomed widely. The 9 states were brought together by the Republican governor of New York, who broke sharply and openly with the Bush administration over the handling of greenhouse gases. California, Washington, and Oregon are in the early stages of exploring a regional agreement similar to the Northeastern plan.

While the various state initiatives concern power-plant emissions, California, the tenth largest carbon emitter in the world has committed to reducing total emissions very significantly (NL:262 ¶8E). Here in the Southeast, the state of North Carolina has emerged as the leader in addressing global warming. The state legislature has, by large majorities, passed a bill to create a high-level commission to examine global-warming impacts and economic opportunities associated with addressing such impacts. The commission, which may also recommend a state goal for reducing global-warming emissions, would report its findings in November 2006.

Initiatives are also being taken at the city level. Earlier this year, at the U.S. Conference of Mayors, the mayors of more than 130 cities, including New York and Los Angeles, joined in a bipartisan coalition to fight global warming on a local level by agreeing to meet the emissions reductions contained in the Kyoto Protocol.

8C. Global-warming citizens group formed locally

The Southern Alliance for Clean Energy (SACE) is promoting a more focused effort by East Tennessee citizens to be vocal and visible on global-warming pollution issues. Two meetings (Aug. 4 and Sept. 6) have been held in Oak Ridge at which the group brainstormed and formulated preliminary goals. Interested persons should get in touch with Emily Saunders, the SACE organizer, at 865-637-6055, or info@cleanenergy.org.

9. THE OAK RIDGE RESERVATION
[Contributed by Ellen Smith]

9C. Concerns for the future of the Three Bend Scenic and Wildlife Refuge Area

It has been six years since Department of Energy (DOE) Secretary Bill Richardson announced that the 3,000 acres of Solway, Freels, and Callaher Bends, including 20 miles of shoreline on the Clinch River, would henceforth be committed to conservation and wildlife management as the Three Bend Scenic and Wildlife Refuge Area. The land remains in federal government ownership, but DOE partnered with the Tennessee Wildlife Resources Agency (TWRA) to manage the land for wildlife under a 5-year agreement.

The diverse mixture of field, woodland, and shoreline in the Three Bends makes the area a wonderful habitat for songbirds, waterfowl, and upland game such as deer, turkey, and small game birds. Since the DOE announcement, there has been much progress toward making the area more valuable as a conservation, education, and outdoor recreation asset. TWRA has applied herbicide to non-native fescue grass on Freels and Solway Bends, bush-hogged parts of the area and conducted prescribed burns to control undesirable vegetation, and reseeded some of the land with native grasses and crops. Areas around barns, structures, and roads were cleared for safety and conservation purposes.

Many of us have been impatient for our chance to play on these lands, but general public use is restricted in order to control access to the City water supply intake on Solway Bend, and because the government agencies have concerns about the hazards of old dams and other buildings on the land. However, all three bends are open for deer and turkey hunting during the controlled hunts on the Oak Ridge Reservation. Guided public walks happen periodically on Freels and Solway Bends, and the public can walk or bicycle on the Gallaher Bend Greenway almost any time (except during hunts). University of Tennessee biology and wildlife classes have been coming to Three Bends for class field trips, and UT students and faculty are using the area for wildlife and ecological research activities. UT faculty appreciate being able to bring their students to a diverse and high-quality habitat area located so close to the campus. ORNL also continues to use the area for education. In particular, ORNL conducts K-12 educational activities, including popular summer science camps, at the historic Freels cabin.

The 5-year agreement with TWRA comes up for renewal early next year. DOE officials have stated that they intend to renew the agreement in keeping with Richardson’s announcement. However, developers and city officials are hoping to induce DOE to remove Solway Bend (the eastern-
most of the three bends) from the conservation area and transfer it to the private sector for development of a high-priced lakefront subdivision. Conservation organizations and agencies are being asked to make deals – for example, if we tell DOE to let the developers have Solway Bend, the developers would support continued conservation of Freels and Callaher Bends.

The "deals" the developers are offering are not worth discussing. DOE clearly intended for the entire Three Bend area to be committed to conservation forever. In response to a question at the July 1999 announcement ceremony, former Secretary Richardson said: "It's permanent. This is for the people of Oak Ridge, for the kids. It's a wildlife preserve." We expect DOE to continue to honor that commitment.

Richardson made similar announcements at DOE sites elsewhere in the country, where DOE-managed lands were transferred to other federal agencies for management under permanent legal arrangements. Here in Oak Ridge, DOE decided that the best agency to manage the area was not another federal agency but a Tennessee state agency (TWRA). Therefore, DOE made a different sort of legal arrangement here than at the othersites, but this technicality should not diminish the agency's commitment.

The Three Bend Area should remain as a natural treasure, not a gated community for the exclusive enjoyment of the wealthy. Effective conservation management requires a long-term commitment, so the current agreement with TWRA ought to be extended by converting it into a permanent conservation management agreement. However, renewal of the current agreement should assure continued progress toward enhancing the Three Bend Area as a natural treasure for future generations to enjoy and cherish.

WHAT YOU CAN DO:

Tell public officials (DOE, Congressmen, Oak Ridge city officials, and TWRA) that you expect DOE to honor its commitment to permanent protection of the Three Bends for conservation and wildlife management. Urge them to seek funding to remove or secure potentially hazardous DOE structures in the area so that the public can have more opportunities to visit and appreciate the area.

Contact info: Gerald Boyd, Manager, Department of Energy Oak Ridge Office, 865-576-4444, boydgero.doe.gov.

Oak Ridge City Manager: Jim O'Connor, 865-425-3550, jconnoocro.org

Oak Ridge City Council (including the mayor): C Council@cro.org

Congressman Wamp, see p.2

TWRA, Gary Myers, Executive Director, PO Box 40747, Nashville, TN 37204

9C. Proposed Transfer of Parcel ED-6

In August DOE released a draft environmental assessment (EA) on its proposal to transfer about 360 acres in west Oak Ridge to the city for residential development. This tract, which DOE calls Parcel ED-6, mostly lies between Oak Ridge Turnpike on the south, Wisconsin Avenue on the east, Whippoorwill Drive on the north, and the Black Oak Ridge Conservation Easement (BORCE) on the west.

This proposal has been in the works for a long time. Conservation groups agreed to go along with the city's plans for a residential development in this area in exchange for the city's agreement to accept the establishment of the BORCE. However, the land area proposed for transfer is larger than had been discussed previously, and the EA states that after the transfer DOE would build a new gravel road on the eastern edge of the BORCE, near the new federal boundary. These changes to the proposal increase the ED-6 transfer's adverse impact on the large stand of deep forest-interior habitat that is the most significant ecological value of this portion of Black Oak Ridge. This forest provides rare forest-interior habitat, a type of habitat that some songbirds require for breeding and that is rapidly disappearing from our landscape. According to the draft EA, ED-6 contains 174 acres of this habitat type, part of an 863-acre contiguous tract that is mostly in the BORCE. The EA fails to acknowledge that the actual loss of forest interior habitat would be much larger than 174 acres, because clearing of forest eliminates the "interior" attribute from remaining forest closer than about 100 meters to the new forest edge.

Reducing the acreage of the transferred parcel and eliminating DOE's planned perimeter road (which does not appear to have a useful purpose) could reduce the adverse impact of the ED-6 transfer. DOE could redraw the western boundary of ED-6 to follow natural topographic boundaries, excluding steep areas with little development potential and allowing some land to be added to the BORCE. Alternatively, city officials have said that if DOE transfers the entire parcel, they would consider giving reserved western portions of the parcel to the state to be added to the Conservation Area.

WHAT YOU CAN DO: The official deadline for comments on the EA was September 12. However, comments from the public might still be effective. Urge DOE not to transfert the entire parcel and not to build a new perimeter road. If DOE persists with its plans to transfer the entire tract, urge Oak Ridge city officials to give some land on the western edge of the tract to the state to be added to the BORCE.

For contact information see ¶9A Action box.
10. TCWP NEWS

10A. TCWP receives grant from NRDC

TCWP is very proud (and very pleased) to have received an unsolicited grant of $5,000 from the National Resources Defense Council (NRDC), along with the note “Hi folks, Thanks for all your great work.”

Last year, NRDC designated the Cumberland Plateau as one of 7 BioGems in the USA, and one of a dozen in the Americas (NL.255 ¶A). Recently, the organization has begun making contributions to local groups that do conservation work on the Plateau, and we’re one of them! Dr. Allen Hershkovitz is the NRDC person associated with our selection.

TCWP is thrilled with the national recognition and priority that NRDC achieved for the Cumberland Plateau through the BioGem designation. More recently, NRDC and the Dogwood Alliance brokered an agreement with Bowater (the single largest landowner on the Plateau) to revolutionize its forestry practices (NL.262 ¶B).

10B. Don Todd, Sr. is dead

Don Todd of Warbog, whose achievements in protecting Tennessee’s lands and waters are almost unparalleled, died on August 29 at the age of 87. Don, a teacher in the Morgan County school system, joined TCWP in the late 1960s and served as TCWP President in 1974, 1975, and 1976.

We first got to know him when we were fighting to protect the Obed from being inundated by a dam. His knowledgeable and intelligent efforts in Morgan County were essential to having the Obed eventually added to the National Wild & Scenic Rivers System. As great an achievement as that was, it was not this one. He helped write and promote the Tennessee Trails Act that passed in 1971, and he was a major force in designating the Cumberland Trail. He successfully agitated for having Frozen Head State Forest converted into Frozen Head State Park and Natural Area; and, later, he was a major force in having the park’s Flat Fork watershed designated as “Lands Unsuitable for Mining.”

Don was tremendously knowledgeable about the natural world, and he had a great intellectual curiosity that was constantly striving to satisfy. His considerable research into Morgan County history earned him the title of County Historian, and he presented talks on several facets of the subject at the Obed Visitor Center. His quiet sense of humor and stimulating intelligence made him a wonderful person to be with. He and Elgiva raised three wonderful children, and he had numerous grandchildren.

10C. Upcoming activities

[Contributed by Sandra Goss]

10D. Report on rafting trip

[Contributed by Sandra Goss]

Nineteen people took advantage of our recent TCWP-organized Pigeon River Rafting trip. On a hot steamy day, the frequent splashes (but
sans capsizes or thrown paddlers) felt good. Our thanks to TCWP member and paddling enthusiast Mike Kohlenberger for his help in securing us a rock-bottom fee for the paddling. The outfitters Rafting in the Smokies, where Mike has been a guide this summer, were kind enough to allow the use of their equipment for this trip.

11. CALENDAR; RESOURCES

**Job opportunities**

- The Union of Concerned Scientists (UCS) has a job opening in their Washington, DC office for a Senior Scientist and Director, Scientific Integrity Program. This person will lead UCS' effort to restore scientific integrity to federal policy-making. Applicant must have a doctorate in environmental or medical sciences. To inquire if the position is still open, e-mail ameyer@ucsusa.org.

- The Tennessee Division of Natural Heritage has an opening for Environmental Specialist 3 (Natural Heritage Botanist). Deadline Sept. 15. Phone (615) 532-0431 for information on how to down-load the application form.

**Events and deadlines calendar** (For details, check the referenced NL item; or contact Sandra K. Goss, 865-522-3509, skgoss@espn.com)

- Sept. 15, Deadline for job application State Natural Heritage Botanist (Natural Heritage Botanist). Deadline Sept. 15. Phone (615) 532-0431 for information on how to download the application form.

- Sept. 19–26, Smoky Mountains Broadwalk, Bryson City, NC, in opposition to the North Shore Road. Info at www.greatoldbroads.org. Sponsored by Great Old Broads for Wilderness (see Resources, below).


- Oct. 25, Alliance for the Cumberlands Annual Meeting, Franklin County (¶4E, this NL).
- Nov. 1–3, Cherokee, NC, SAMAB Fall Conference “Southern Appalachian Landscapes: Preserving Our Heritage.” Check the SAMAB web site, www.samab.org, or call 865-974-4533.
- Nov. 4(?), the film “Kilowatt Ours: A Plan to Re-Energize America” at the Tennessee Theater, Knoxville (¶10C, this NL).
- Oct. 15, OWCA meeting, Crossville (¶12D, this NL).

**Resources**

- The Union of Concerned Scientists has developed an online database on the value of renewable energy and the risks of fossil fuels. If you are searching for statistics and figures on these subjects, go to www.ucsusa.org/just the facts.

- “Greener Choices: Products for a Better Planet” (www.greenerchoices.org) is a free Consumer’s Union Web site designed to help people consider the environment when they choose, use, and throw away products. The site’s “Green Ratings” allow you to compare products based on their environmental attributes (such as fuel efficiency or energy efficiency).

- The Great Old Broads for Wilderness was created in 1989 to celebrate the 25th anniversary of the Wilderness Act. Today, there are Broads of all ages and both genders in every state making their voices heard to protect America’s last wild places. www.greatoldbroads.org. Thanks to Susan Hirst for sending this information. “If a bunch of old women can walk into roadless areas, there is no good reason for anyone to need a machine to get there!”

- The Conservation Campaign, created with help from the Trust for Public Land in 2000, focuses on public funding for parks and open space. They support and manage campaigns for park bond issues, state and federal appropriations legislation, referendums to dedicate funds to open space, and similar measures. Go to www.conservationscampaign.org, or call 202-543-6102.

- Oct. 15, TCWP Annual Meeting, Rugby (¶10C, this NL).
- Oct. 15, OWCA meeting, Crossville (¶12D, this NL).

- Oct. 19, Cedar Barren clean-up (¶10C, this NL).

- Oct. 25, Alliance for the Cumberlands Annual Meeting, Franklin County (¶4E, this NL).
- Nov. 1–3, Cherokee, NC, SAMAB Fall Conference “Southern Appalachian Landscapes: Preserving Our Heritage.” Check the SAMAB web site, www.samab.org, or call 865-974-4533.
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